

No. **2025-9065**

**Official Order
of the
Texas Commissioner of Insurance**

Date: 01/13/2025

Subject Considered:

NBFSA, LLC
221 Executive Park Blvd
Winston Salem, NC 27103-1503

Default Order
TDI Enforcement File No. 36058

General Remarks and Official Action Taken:

This is a default order taken against NBFSA, LLC (Respondent) because it failed to comply with requirements to maintain its third party administrator (TPA) certificate of authority. Respondent did not respond to a Notice of Allegations mailed by the Texas Department of Insurance. This order revokes Respondent's certificate of authority.

The following findings of fact and conclusions of law are adopted.

Findings of Fact

Failure to Respond to Notice of Allegations

1. On November 20, 2024, the department sent a Notice of Allegations, attached as Exhibit A, to Respondent.
2. The department sent the Notice of Allegations to Respondent's last known address provided in writing to the department, 221 Executive Park Blvd, Winston Salem, NC 27103-1503.
3. Respondent received and waived an opportunity for a hearing because Respondent failed to send the department a written response to the Notice of Allegations within 20 days after the date the Notice of Allegations was mailed.

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Commissioner's Order

NBSFA, LLC

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4. The department's factual allegations set out in the attached Notice of Allegations are incorporated in this order as findings of fact.

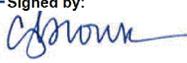
Conclusions of Law

1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051–82.055, 4151.051, 4151.056, 4151.205, 4151.206, 4151.212, 4151.301-4151.309; TEX. GOV'T CODE §§ 2001.051-2001.178, 2001.003(1); and 28 TEX. ADMIN. CODE §§ 7.1601, 7.1603, and 7.1609.
2. The commissioner has authority to dispose of this case informally under TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE § 1.47.
3. The department provided proper notice to Respondent under TEX. GOV'T CODE §§ 2001.003(1), 2001.051, 2001.052, 2001.054, and 2001.056(4), and 28 TEX. ADMIN. CODE §§ 1.28 and 1.47.
4. Based on Respondent's failure to send the department a written response to the Notice of Allegations, the department is entitled to disposition by default under 28 TEX. ADMIN. CODE § 1.47.
5. Respondent failed to show compliance with the law.
6. The department's factual and legal allegations set out in the attached Notice of Allegations are incorporated in this order and deemed admitted as true under 28 TEX. ADMIN. CODE § 1.47.

Order

It is ordered that the third party administrator certificate of authority held by NBSFA, LLC is revoked.

It is also ordered that NBSFA, LLC cease and desist from engaging in the business of a third party administrator in Texas.

Signed by:

FC5D7EDDFB4F8...

Cassie Brown
Commissioner of Insurance

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Commissioner's Order

NBSFA, LLC

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Prepared and reviewed by:

Mandy Meesey

Mandy Meesey, Associate Commissioner
Enforcement

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Commissioner's Order

NBSFA, LLC

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Affidavit

STATE OF TEXAS §

§

COUNTY OF TRAVIS §

Before me, the undersigned authority, personally appeared Roxanne Rodriguez, who, being by me duly sworn, deposed as follows:

"My name is Roxanne Rodriguez and I am employed by the Texas Department of Insurance. I am of sound mind, capable of making this affidavit, and have personal knowledge of these facts which are true and correct.

I have reviewed TDI's records concerning NBSFA, LLC. I have confirmed that:

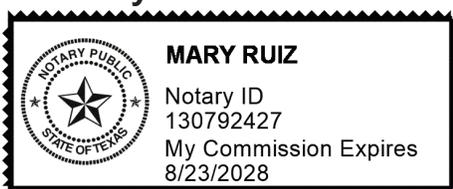
- a. The last mailing address provided to the department in writing by NBSFA, LLC is 221 Executive Park Blvd, Winston Salem, NC 27103-1503.
- b. The file maintained by Enforcement contains a Notice of Allegations dated November 20, 2024, which was sent to NBSFA, LLC.
- c. On November 20, 2024, the Notice of Allegations addressed to NBSFA, LLC was mailed first-class and certified, return receipt requested, to its last known address.

Copies of the first-class mail log and certified mail log maintained by Enforcement are attached as Exhibit B and Exhibit C, respectively."

Signed by:
 _____
0B5F6A1499A0459...
Affidavit

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 12/18/2024. This notarial act was an online notarization.

Notary Seal



Digital Certificate

Signed by:
 _____
795DC4D59167489...
Notary Public State of Texas

2025-9065



PO Box 12030 | Austin, TX 78711 | 800-578-4677 | tdi.texas.gov

November 20, 2024

NBFSA, LLC
221 Executive Park Blvd
Winston Salem, NC 27103-1503

Via CM/RRR No. 9214 8901 9403 8389 0144 16
Via First Class
Via Email: imac4@imaco.com

**TDI ENFORCEMENT CASE NO. 36058
NOTICE OF ALLEGATIONS AGAINST NBFSA, LLC**

The Texas Department of Insurance (TDI) seeks to take disciplinary action against NBFSA, LLC to revoke its certificate of authority to act as a third party administrator. This Notice states the allegations against NBFSA, LLC and the relief sought by TDI.

YOUR WRITTEN RESPONSE IS REQUIRED WITHIN 20 DAYS

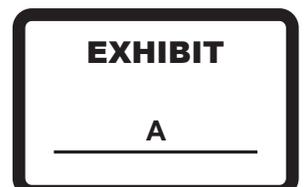
YOU HAVE THE RIGHT TO A HEARING AND ARE INVITED TO SHOW COMPLIANCE WITH THE LAW. To request a hearing, you must send a written response to TDI within 20 days of the date this Notice was mailed.

If you fail to send a written response by the deadline, *you waive your right to a hearing*, and TDI may seek disposition by default under 28 TEX. ADMIN. CODE § 1.47, TEX. INS. CODE § 82.055, and TEX. GOV'T. CODE § 2001.056.

If you fail to send a written response by the deadline, without further notice to you, the commissioner of insurance may issue a default order that admits the factual matters asserted, deems all allegations as true, and orders the relief recommended in this Notice.

You must send your written response by mail, fax, or email to:

Mandy Meesey, Staff Attorney
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
Mandy.Meesey@tdi.texas.gov



Jurisdiction

The commissioner of insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 4151.051, 4151.056, 4151.205, 4151.206, 4151.212, 4151.301–4151.309; TEX. GOV'T CODE §§ 2001.051–2001.178; 28 TEX. ADMIN. CODE §§ 7.1601, 7.1603, and 7.1609; and TEX. GOV'T CODE § 2001.003(1).

Factual Allegations

1. On July 26, 2010, TDI issued NBFSA, LLC third party administrator (TPA) certificate of authority no. 2988987.
2. Texas law states that TPA certificates of authority are effective until suspended, canceled, or revoked.
3. TPAs must file annual reports by June 30th of each year covering the preceding calendar year. The report must include an audited financial statement performed by an independent certified public accountant.
4. TPAs must pay a non-refundable \$200 filing fee for each annual report.
5. A TPA is subject to discipline, including revocation of its certificate of authority, if it fails to timely file its annual report.
6. NBFSA, LLC failed to file its annual reports and pay the associated \$200 filing fees for calendar years 2022-2023.
7. On February 5, 2007, NBFSA, LLC filed an application for registration as a foreign limited liability company with the Texas Secretary of State.
8. On February 23, 2024, the Texas Secretary of State forfeited the registration of NBFSA, LLC.

Legal Allegations

1. NBFSA, LLC failed to timely file annual TPA reports by June 30th on a form prescribed by the commissioner, in violation of TEX. INS. CODE §§ 4151.205 and 4151.301(14), and 28 TEX. ADMIN. CODE § 7.1609.

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Notice of Allegations

NBFSA, LLC

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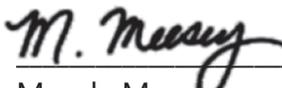
2. NBFSA, LLC failed to pay the annual \$200 TPA filing fee in violation of TEX. INS. CODE § 4151.206(a)(3) and 28 TEX. ADMIN. CODE § 7.1609(a).
3. NBFSA, LLC failed to maintain at all times the qualifications for a certificate of authority, as required by TEX. INS. CODE § 4151.212 and 28 TEX. ADMIN. CODE § 7.1607(e).
4. NBFSA, LLC has willfully violated an insurance law of this state, as contemplated by TEX. INS. CODE § 4151.301(1).
5. NBFSA, LLC has willfully violated a commissioner rule, as contemplated by TEX. INS. CODE § 4151.301(10).

Relief Sought

TDI seeks the following relief:

1. revocation of your TPA certificate of authority;
2. an order mandating you cease and desist from engaging in the business of insurance in Texas; and
3. imposition of any other just and appropriate relief to which the department may be entitled to by law, including any combination of the above actions.

Respectfully,



Mandy Meeseey

State Bar No. 24047567

Texas Department of Insurance

Enforcement, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6348 (Direct)

(512) 490-1020 (Fax)

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Notice of Allegations

NBFSa, LLC

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Mandy.Meesey@tdi.texas.gov

cc: Leah Gillum, Deputy Commissioner, Fraud and Enforcement Division, MC: ENF

CERTIFICATE OF SERVICE

I, Mandy Meesey, certify that a true and correct copy of this *Notice of Allegations Against NBFSA, LLC* was sent by the following methods on this 20th day of November, 2024 to:

NBFSA, LLC

221 Executive Park Blvd

Winston Salem, NC 27103-1503

Via CM/RRR No. 9214 8901 9403 8389 0144 16

Via First Class

Via Email: imac4@imaco.com



Mandy Meesey

Name and Address of Sender
 Texas Dept of Insurance
 Mail Code ENF
 1601 Congress Avenue, Suite 6.900
 Austin TX 78701
 Mary Ruiz, November 20, 2024

Check type of mail or service

<input type="checkbox"/> Adult Signature Required	<input type="checkbox"/> Priority Mail Express
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail
<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation
<input type="checkbox"/> Collect on Delivery (COD)	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Priority Mail	
<input type="checkbox"/> First-Class Mail	

Affix Stamp Here
 (if issued as an international certificate of mailing or for additional copies of this receipt), Postmark with Date of Receipt

Firm Mailing Book For Account

EXHIBIT

B

USPS Tracking/Article Number	Address (Name, Street, City, State, & Zip Code)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
MESEY/36038	NBFA, LLC 221 EXECUTIVE PARK BLVD WINSTON SALEM, NC 27103-1503	.69												

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CORRECTION
IMI
\$002.00^g
11/20/2024 ZIP 78701
043M82206395
US POSTAGE

Postmaster: Per Name of receiving employee	Completed In Ink	Privacy Note: For more information on USPS privacy policies, visit usps.com/privacy policy.
		

2025 9065

Total Number of Pieces Registered by Sender
 Total Number of Pieces Received at Post Office

①

US Form 3877, June 2015

Shipment Confirmation
Acceptance Notice



A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, must match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 11/20/2024
Shipped From:
Name: ENF M RUIZ
Address: 1601 CONGRESS AVENUE
City: AUSTIN
State: TX ZIP+4® 78701

Type of Mail	Volume
Priority Mail Express®	
Priority Mail®	
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

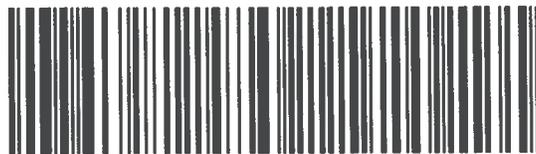
B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

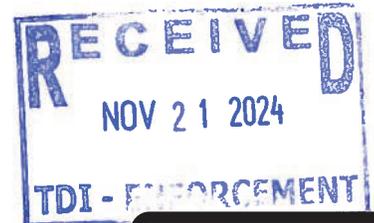
USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0057 1856 12

MEESEY/36058



EXHIBIT

C



Firm Mailing Book For Accountable Mail

Name and Address of Sender
 ENF M RUIZ
 1601 CONGRESS AVENUE
 STE 6.900
 AUSTIN TX 78701

- Check type of mail or service
- Adult Signature Required
 - Adult Signature Restricted Delivery
 - Certified Mail
 - Certified Mail Restricted Delivery
 - Collect on Delivery (COD)
 - Insured Mail
 - Priority Mail
 - Priority Mail Express
 - Registered Mail
 - Return Receipt for Merchandise
 - Signature Confirmation
 - Signature Confirmation Restricted Delivery

Affix Stamp Here
 (for additional copies of this receipt).
 Postmark with Date of Receipt.

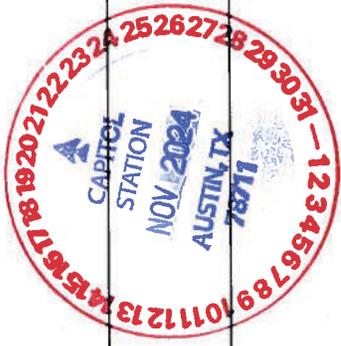
USPS Tracking/Article Number

1. 9214 8901 9403 8389 0144 16

MEESEY/36058

Addressee (Name, Street, City, State, & ZIP Code™)
 NBSA, LLC
 221 EXECUTIVE PARK BLVD
 WINSTON SALEM, NC 27103-1903

Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
0.69	4.85								2.62			



2025-9065



Postmaster, Per (Name of receiving employee)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
			Handling Charge - if Registered and over \$50,000 in value				Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling

Total Number of Pieces Listed by Sender: 1
 Total Number of Pieces Received at Post Office: 1

Postmaster, Per (Name of receiving employee)
 Complete in link

Privacy Notice: For more information on USPS privacy policies, visit usps.com/privacypolicy.