

No. 2025-9101

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

Date: 01/28/2025

Subject Considered:

Kimyata Chemia Izevbizuaiyamu
Memphis, Tennessee

Default Order
TDI Enforcement File No. 33287

General Remarks and Official Action Taken:

The subject of this default order is whether an adjuster all lines designated home state license should be issued to Kimyata Chemia Izevbizuaiyamu (Respondent). Respondent did not respond to a Notice of Allegations mailed by the Texas Department of Insurance. This order denies Respondent's license application.

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

Findings of Fact

Failure to Respond to Notice of Allegations

1. On December 9, 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, [REDACTED], Memphis, TN 38109.
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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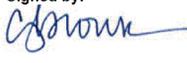
4. The department's factual allegations set out in the attached Notice of Allegations are incorporated in this order as findings of fact.

Conclusions of Law

1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, 4101.051, and 4101.201; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502; and TEX. GOV'T CODE §§ 2001.003(1) and 2001.051-2001.178.
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, 1.47, and 19.906.
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 Kimyata Chemia Izevbizuaiyamu's application is denied. A copy of this order will be provided to law enforcement or other appropriate administrative agencies for further investigation as may be warranted.

Signed by:

FC5D7EDDFB4F8...

Cassie Brown
Commissioner of Insurance

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Prepared and reviewed by:



Sarah White, Staff Attorney
Enforcement

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Affidavit

STATE OF TEXAS §

§

COUNTY OF TRAVIS §

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

"My name is David Moreno 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 Kimyata Chemia Izevbizuaiyamu. I have confirmed that:

- a. The last mailing address provided to the department in writing by Kimyata Chemia Izevbizuaiyamu is [REDACTED], Memphis, TN 38109.
- b. The file maintained by Enforcement contains a Notice of Allegations dated December 9, 2024, which was sent to Kimyata Chemia Izevbizuaiyamu.
- c. On December 9, 2024, the Notice of Allegations addressed to Kimyata Chemia Izevbizuaiyamu was mailed first-class and certified, return receipt requested, to her last known address.

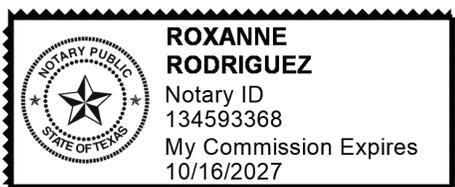
Copies of the first-class mail log and certified mail log maintained by Enforcement are attached as Exhibit B and Exhibit C, respectively."

Signed by:

E286E69CA9A54E0...
Affidavit

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 1/7/2025. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:

C3FD016A04434A6...
Notary Public State of Texas

2025-9101



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

December 9, 2024

Kimyata Chemia Izevbizuiyamu
[REDACTED]
Memphis, TN 38109

Via CM/RRR No.9214890194038390811509
Via First Class Mail
Via Email: [REDACTED]

TDI ENFORCEMENT CASE NO. 33287
NOTICE OF ALLEGATIONS AGAINST KIMYATA CHEMIA IZEBIZUIYAMU

The Texas Department of Insurance (TDI) seeks to take disciplinary action against to deny your license application. This Notice states the allegations against you and the relief sought by TDI.

YOUR WRITTEN RESPONSE IS REQUIRED WITHIN 20 DAYS

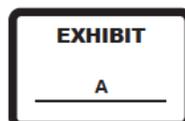
YOU HAVE THE RIGHT TO A HEARING AND ARE INVITED TO SHOW COMPLIANCE WITH THE LAW. To request a hearing, you must send a written response to TDI within 20 days of the date this Notice was mailed.

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:

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



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Jurisdiction

The commissioner of insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 4001.002, 4005.101, 4005.102, 4101.051, and 4101.201; TEX. OCC. CODE §§ 53.021–53.023; 28 TEX. ADMIN. CODE § 1.502;¹ and TEX. GOV'T CODE §§ 2001.003(1) and 2001.051–2001.178.

Factual Allegations

License Application

1. On August 5, 2023, Kimyata Chemia Izevbizuaiyamu (Izevbizuaiyamu) applied for an adjuster all lines designated home state license to be issued by the Texas Department of Insurance (TDI).
2. On September 19, 2023, TDI proposed to deny Izevbizuaiyamu's application based on her criminal history. Izevbizuaiyamu appealed that decision and made a written request for a hearing.

Criminal History

3. On March 1, 2018, Izevbizuaiyamu pleaded guilty to and was convicted of a federal felony, specifically bank fraud, aiding and abetting, in cause no. 2:17-cr-20279-SHL in the United States District Court of the Western District of Tennessee. The court sentenced Izevbizuaiyamu to four months imprisonment and two years supervised release after imprisonment. For four months of the post-imprisonment supervised release, Izevbizuaiyamu was placed on home detention with on location monitoring.
4. The court also ordered Izevbizuaiyamu to pay \$71,255.16 in restitution, with \$43,614.13 to be paid to InTouch Credit Union and \$27,641.03 to be paid to FedEx Employees Credit Association, respectively.
5. On August 6, 2020, Izevbizuaiyamu completed her term of federal supervision.

¹ All references to 28 TEX. ADMIN. CODE § 1.502 herein, are to the version of that rule pre-dating amendments adopted in Order 2023-8185, effective on and after September 26, 2023.

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6. TDI has not received any documentation to show Izevbizuaiyamu paid the restitution due to the two victims of her crime.

Legal Allegations

1. Izevbizuaiyamu has committed an act for which a license may be denied pursuant to TEX. INS. CODE § 4005.101(b) because she:
 - a. engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5); and
 - b. has been convicted of a felony, as contemplated by TEX. INS. CODE § 4005.101(b)(8).
2. Izevbizuaiyamu committed a felony offense and has engaged in fraudulent or dishonest activity that directly relates to the duties and responsibilities of the licensed occupation, as contemplated in 28 TEX. ADMIN. CODE §§ 1.502(d) and (f).
3. Izevbizuaiyamu committed an offense that TDI considers to be of such serious nature that it is of prime importance in determining fitness for licensure or authorization, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e) and TEX. OCC. CODE §§ 53.021-53.023.
4. Izevbizuaiyamu committed an offense for which fraud, dishonesty, or deceit is an essential element as contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(1).
5. Izevbizuaiyamu committed a felony offense involving moral turpitude or breach of fiduciary duty as contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(3).
6. TDI guidelines, 28 TEX. ADMIN. CODE § 1.502(c)-(e), emphasize that TDI:
 - a. considers it very important that applicants be honest, trustworthy, and reliable;
 - b. may refuse to issue an original license if the department determines that the applicant has committed an offense that directly relates to the duties and responsibilities of the licensed occupation;

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Kimyata Chemia Izevbizuaiyamu
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- c. considers any offense for which fraud, dishonesty or deceit is an essential element to be of prime importance when determining fitness for licensure; and
 - d. considers any felony involving moral turpitude or breach of fiduciary duty to be a crime of prime importance when determining fitness for licensure.
7. Izevbizuaiyamu has been convicted of a felony involving dishonesty or breach of trust as specified in 18 U.S.C. § 1033 and requiring written consent from the commissioner of insurance to engage or participate in the business of insurance.

Relief Sought

TDI seeks the following relief:

1. denial of your license application;
2. denial of consent to allow you to engage or participate in the business of insurance under 18 U.S.C. § 1033; 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,



Sarah White
State Bar No. 24064622
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6354 (Direct)
(512) 490-1020 (Fax)
Sarah.White@tdi.texas.gov

cc: Leah Gillum, Deputy Commissioner, Fraud and Enforcement Division, MC: ENF
Rachel Cloyd, Litigation Director, Enforcement, MC: ENF
Administrative Review, MC: CO-AAL

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Kimyata Chemia Izevbizuaiyamu
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CERTIFICATE OF SERVICE

I, Sarah White, certify that a true and correct copy of this *Notice of Allegations Against Kimyata Chemia Izevbizuaiyamu* was sent by the following methods on this 9th day of December, 2024 to:

Kimyata Chemia Izevbizuaiyamu
[REDACTED]
Memphis, TN 38109

Via CM/RRR No.:9214890194038390811509
Via First Class Mail
Via Email: [REDACTED]



Sarah White

Firm Mailing Book For Accountable Mail

Name and address of sender
 Texas Dept of Insurance
 Mail Code ENF
 1601 Congress Avenue, Suite 6.900
 Austin TX 78701
 Roxanne Rodriguez
 December 9, 2024

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

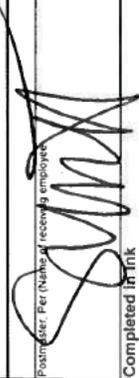
| USPS Tracking/Article Number | Address (Name, Street, City, State & Zip Code) | Postage | Extra Services Fee | Handling Charge | Actual Value if Registered | Insured Value | Due Sender # COD | ASR Fee | ASRD Fee | RD Fee | RR Fee | SC Fee | SCRD Fee | SH Fee |
|---|--|---------|--------------------|-----------------|----------------------------|---------------|------------------|---------|----------|--------|--------|--------|----------|--------|
| White/33287 | Kimyata Chemia Izevbizuaiyamu Memphis, TN 38109 | 0.69 | | @ in value | | | | | | | | | | |
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EXHIBIT
B

Total Number of Pieces Received at Post Office

Total Number of Pieces Received at Post Office

Privacy Note: For more information on USPS privacy policies, visit usps.com/privacy policy.

Completed in Ink

PS 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: 12/09/2024
Shipped From:
Name: ENF R RODRIGUEZ
Address: 1601 CONGRESS AVE
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

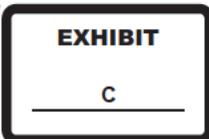
USPS EMPLOYEE: Please scan upon pickup or receipt of mail. Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0057 5526 81

White/33287



Firm Mailing Book For Accountable Mail



Name and Address of Sender
 ENF R. RODRIGUEZ
 1601 CONGRESS AVE
 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

Postage (Extra Service Fee) 4.85

Actual Value if Registered

Insured Value

Due Sender if COD

ASR Fee

ASRD Fee

RD Fee

RR Fee

SC Fee

SCRD Fee

SH Fee

| USPS Tracking/Article Number | 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 |
|---|---------|---------------------|--|----------------------------|---------------|-------------------|--------------------------|-------------------------------------|---------------------|----------------|------------------------|--|------------------|
| 1. 9214 8901 9403 8390 8115 09 White/33287 | 0.69 | 4.85 | 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 |

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



Total Number of Pieces Listed by Sender: 1

Total Number of Pieces Received at Post Office: 1

Postmaster Print (Name of receiving employee)

Complete in Ink

PS Form 3877, January 2017 (Page 1 of 1)
 PSN 7530-02-000-9098 Jobid: 5506468

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