

No. 2025-9134

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

Date: 02/12/2025

Subject Considered:

Victor Fitzgerald Ochei
Forney, TX 75126

Default Order
TDI Enforcement File No. 33080

General Remarks and Official Action Taken:

The subject of this default order is whether a adjuster all lines license should be issued to Victor Fitzgerald Ochei (Respondent). Respondent did not respond to a Notice of Allegations mailed by the Texas Department of Insurance (TDI). 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 October 22, 2024, TDI sent a Notice of Allegations, attached as Exhibit A, to Respondent.
2. TDI sent the Notice of Allegations to Respondent's last known address provided in writing to TDI, [REDACTED], Forney, TX 75126.
3. Respondent received and waived an opportunity for a hearing because Respondent failed to send TDI 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. TDI's factual allegations set out in the attached Notice of Allegations are incorporated in this order as findings of fact.

Conclusions of Law

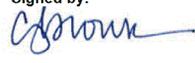
1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4001.102, 4001.105, 4005.101-4005.105, 4101.051; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502; and TEX. GOV'T CODE §§ 2001.003(1) and 2001.051-2001.178.
2. The commissioner has authority 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. TDI provided proper notice to Respondent under TEX. GOV'T CODE §§ 2001.003(1), 2001.051, 2001.052, 2001.054, 2001.056(4), and 28 TEX. ADMIN. CODE §§ 1.28, 1.47, and 19.906.
4. Based on Respondent's failure to send TDI a written response to the Notice of Allegations, TDI is entitled to disposition by default under 28 TEX. ADMIN. CODE § 1.47.
5. Respondent failed to show compliance with the law.
6. TDI'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.

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Order

It is ordered that Victor Fitzgerald Ochei'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

Prepared and reviewed by:

/s/Erik Huhn

Erik Huhn, Staff Attorney
Enforcement

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 Victor Fitzgerald Ochei. I have confirmed that:

- a. The last mailing address provided to the department in writing by Victor Fitzgerald Ochei is [REDACTED] Forney, TX 75126.
- b. The file maintained by Enforcement contains a Notice of Allegations dated October 22, 2024, which was sent to Victor Fitzgerald Ochei.
- c. On October 22, 2024, the Notice of Allegations addressed to Victor Fitzgerald Ochei was mailed first-class and certified, return receipt requested, to his last known address.

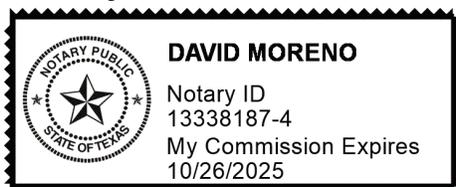
Copies of the first-class mail log and certified mail log maintained by Enforcement are attached as Exhibit B and Exhibit C, respectively."

Signed by:

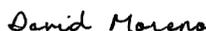
 A25259602B5A43E...
 Affiant

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 1/9/2025. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:

 455E4109E15D4CD...
 Notary Public State of Texas

2025-9134



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

October 22, 2024

Victor Fitzgerald Ochei
[REDACTED]
Forney, TX 75126

Via CM/RRR No. 9214 8901 9403 8383 8384 52

**TDI ENFORCEMENT CASE NO. 33080
NOTICE OF ALLEGATIONS AGAINST VICTOR FITZGERALD OCHEI**

The Texas Department of Insurance (TDI) seeks 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

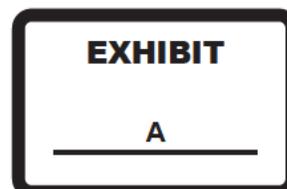
YOU HAVE THE RIGHT TO A HEARING AND ARE INVITED TO SHOW COMPLIANCE WITH THE LAW. To request a hearing, you must send a written response to TDI within 20 days of the date this Notice was mailed.

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:

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



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; 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

1. On July 18, 2023, Ochei applied for an adjuster all lines license and failed to disclose his criminal history. When asked if he had ever been convicted of a felony, had a judgment withheld or deferred, or if he was currently charged with committing a felony, Ochei answered “No.”
2. On April 23, 2015, in Case No 2014-403746, Ochei pleaded guilty to Money Launder \$1,500-\$20k, a state jail felony. The court placed Ochei on deferred adjudication community supervision for two years.
3. The court extended Ochei’s community supervision twice, once for 12 months and once for six months. On October 25, 2018, Ochei was discharged from community supervision.

Legal Allegations

1. Pursuant to TEX. OCC. CODE § 53.021(d)(1)(B)(i) and (d)(2)(A-B), TDI may consider Case No. 2014-403746 to be a felony conviction.
2. TDI may deny Ochei’s license application because he was convicted of an offense that directly relates to the duties and responsibilities of the licensed occupation, as contemplated by TEX. OCC. CODE § 53.021(a)(1), 53.022, 53.023; and 28 TEX. ADMIN. CODE § 1.502(d).
3. The factors listed in 28 TEX. ADMIN. CODE § 1.502(h) do not outweigh the serious nature of Ochei’s criminal history, as 28 TEX. ADMIN. CODE § 1.502(f) contemplates.

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.

4. TDI may deny Ochei's license application because he intentionally made a material misstatement on his license application, as contemplated by TEX. INS. CODE § 4005.101(b)(2).
5. TDI may deny Ochei's license application because he attempted to obtain a license by fraud or misrepresentation, as contemplated by TEX. INS. CODE § 4005.101(b)(3).

Relief Sought

TDI seeks the following relief:

1. Denying your license application; and
2. Imposing any other just and appropriate relief to which the department may be entitled to by law, including any combination of the above actions.

Respectfully,

/s/Erik Huhn

Erik Huhn
State Bar No. 24132806
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6355 (Direct)
(512) 490-1020 (Fax)
Erik.Huhn@tdi.texas.gov

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

CERTIFICATE OF SERVICE

I, Erik Huhn, certify that a true and correct copy of this *Notice of Allegations Against Victor Fitzgerald Ochei* was sent by the following methods on this 22nd day of October, 2024 to:

Victor Fitzgerald Ochei
[REDACTED]
Forney, TX 75126

Via CM/RRR No.:
9214 8901 9403 8383 8384 52

Via First Class Mail

Via Email:

Victor.F.Ochei [REDACTED]
[REDACTED]

/s/Erik Huhn

Erik Huhn

2025-9134

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: 10/22/2024

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:

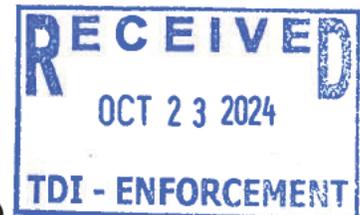
1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

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 0056 4746 87



HUHN/33080

EXHIBIT

B



Firm Mailing Book For Accountable Mail

2025-9134

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

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

- 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

USPS Tracking/Article Number

1. 9214 8901 9403 8383 8384 52

HUHN/33080

Addressee (Name, Street, City, State, & ZIP Code™)

VICTOR FITZGERALD OCHEI
[REDACTED]
FORNEY, TX 75126

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	Handling Charge - if Registered and over \$50,000 in value							2.62			
						Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling

RECEIVED
OCT 23 2024

TDI - ENFORCEMENT



EXHIBIT
C

Postmaster, Per (Name of receiving employee)

[Signature]

Complete in Ink

Total Number of Pieces Listed by Sender: 1

Total Number of Pieces Received at Post Office: 1

PS Form 3877, January 2017 (Page 1 of 1)

PSN 7530-02-000-9098

Jobid: 5398732

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