

No. **2025-9188**

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

Date: 03/07/2025

Subject Considered:

Evans Claims Service, Inc.
1 Financial Plaza Suite 100
Huntsville, Texas 77340-3552

Default Order
TDI Enforcement File No. 35983

General Remarks and Official Action Taken:

This is a default order taken against Evans Claims Service, Inc. (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 December 12, 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, 1 Financial Plaza Suite 100, Huntsville, Texas 77340-3552.

2025-9188

Commissioner's Order
Evans Claims Service, Inc.
Page 2 of 4

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.
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.

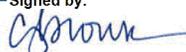
2025-9188

Commissioner's Order
Evans Claims Service, Inc.
Page 3 of 4

Order

It is ordered that the third-party administrator certificate of authority held by Evans Claims Service, Inc. is revoked.

It is also ordered that Evans Claims Service, Inc. cease and desist engaging in the business of a third-party administrator in Texas.

Signed by:

FC5D7EDDFFBB4F8...

Cassie Brown
Commissioner of Insurance

Prepared and reviewed by:



Victor Moya III, 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 Name 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 Evans Claims Service, Inc. I have confirmed that:

- a. The last mailing address provided to the department in writing by Evans Claims Service, Inc. is 1 Financial Plaza Suite 100, Huntsville, Texas 77340-3552.
- b. The file maintained by Enforcement contains a Notice of Allegations dated December 12, 2024, which was sent to Evans Claims Service, Inc.
- c. On December 12, 2024, the Notice of Allegations addressed to Evans Claims Service, Inc. was mailed first-class and certified, return receipt requested, to its last known address.

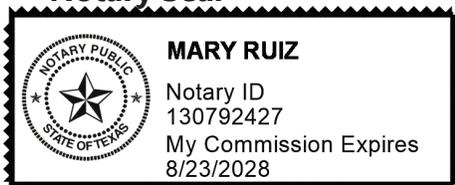
Copies of the first-class mail log and certified mail log maintained by Enforcement are attached as Exhibit B and Exhibit C, respectively."

Signed by:

 901334CBF9F84DE...
 Affiant

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 2/12/2025. This notarial act was an online notarization.

Notary Seal



Digital Certificate

Signed by:

 795DC4D59167489...
 Notary Public State of Texas

2025-9188



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

December 12, 2024

Evans Claims Service, Inc.
1 Financial Plaza Suite 100
Huntsville, TX 77340-3552

Via CM/RRR No.
9214 8901 9403 8391 3451 40
Via Email: Jevans@evansclaims.com
Via First Class Mail

**TDI ENFORCEMENT CASE NO. 35983
NOTICE OF ALLEGATIONS AGAINST EVANS CLAIMS SERVICE, INC.**

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

YOUR WRITTEN RESPONSE IS REQUIRED WITHIN 20 DAYS

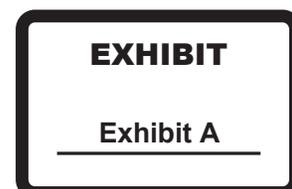
YOU HAVE THE RIGHT TO A HEARING AND ARE INVITED TO SHOW COMPLIANCE WITH THE LAW. To request a hearing, you must send a written response to TDI within 20 days of the date this Notice was mailed.

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:

Victor Moya III, Staff Attorney
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)



2025-9188

Notice of Allegations
Evans Claims Service, Inc.
Page 2 of 5

Victor.Moya@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 August 23, 2007, TDI issued Evans Claims Service, Inc. third party administrator (TPA) certificate of authority no. 35983.
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. Evans Claims Service, Inc. failed to file its annual reports and pay the associated \$200 filing fees for calendar years 2019-2023.

Legal Allegations

1. Evans Claims Service, Inc. 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.
2. Evans Claims Service, Inc. 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).

2025-9188

Notice of Allegations
Evans Claims Service, Inc.
Page 3 of 5

3. Evans Claims Service, Inc. has willfully violated an insurance law of this state, as contemplated by TEX. INS. CODE § 4151.301(1).
4. Evans Claims Service, Inc. 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 acts of a TPA 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,



Victor Moya III
State Bar No. 24104330
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6332 (Direct)
(512) 490-1020 (Fax)
Victor.Moya@tdi.texas.gov

2025-9188

Notice of Allegations
Evans Claims Service, Inc.
Page 4 of 5

cc: Leah Gillum, Deputy Commissioner, Fraud and Enforcement Division, MC: ENF
Ginger Loeffler, Litigation Director, Enforcement, MC: ENF

2025-9188

Notice of Allegations
Evans Claims Service, Inc.
Page 5 of 5

CERTIFICATE OF SERVICE

I, Victor Moya III, certify that a true and correct copy of this *Notice of Allegations Against Evans Claims Service, Inc.* was sent by the following methods on this 12th day of December, 2024 to:

Evans Claims Service, Inc.
1 Financial Plaza Suite 100
Huntsville, TX 77340-3552

Via CM/RRR No.: 9214 8901 9403 8391 3451 40
Via First Class Mail
Via Email: Jevans@evansclaims.com



Victor Moya III

Name and Address of Sender
 Texas Dept of Insurance
 Mail Code ENF
 1601 Congress Avenue, Suite 6.900
 Austin TX 78701
 Mary Ruiz, December 12, 2024

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
 First-Class Mail
 Priority Mail Express
 Registered Mail
 Return Receipt for Merchandise
 Signature Confirmation
 Signature Confirmation Restricted Delivery

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
 MOVA/259955
 35983

Address (Name, Street, City, State, & Zip Code)
 Evans Claims Service, Inc.
 1 Financial Plaza Suite 100
 Huntsville, TX 77340-3552

Postage (Extra Service) Fee
 1.09

Handling Charge
 000 in value

Actual Value if Registered
 Insured Value
 Due Sender if COD
 ASR Fee
 ASRD Fee
 RD Fee
 RR Fee
 SC Fee
 SCRD Fee
 SH Fee

2025-9188

Total Number of Pieces
 Total Number of Pieces Received at Post Office

Postmaster Per (Name of Person) Employee
 Completed In Ink

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

RECEIVED
 DEC 13 2024
 TDI - ENFORCEMENT

11/18/2024
 AUSTIN, TX
 78701



quadrant
 CORRECTION
 IMI
 \$002.00
 12/12/2024 ZIP 78701
 043M32206395

US POSTAGE

EXHIBIT
 Exhibit B

Handling Charge-if R

Adult Signature
 Adult Signature Res
 Restricted D
 Return Rece
 Signature Confir
 Signature Confir
 Special H

Firm Mailing Book For Accountable Mail

2025-9188



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: 12/12/2024
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 6435 18

EXHIBIT

Exhibit C



MOYA/35983



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

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

1. 9214 8901 9403 8391 3451 40

MOYA/35983

EVANS CLAIMS SERVICE, INC.
1 FINANCIAL PLAZA SUITE 100
HUNTSVILLE, TX 77340,3552

| 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 | | | |



RECEIVED
DEC 13 2024

TDI - ENFORCEMENT

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

2025-9188

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)

Complete in Ink

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

PSN 7530-02-000-9098 JobId 5515519