

No. **2025-9276**

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

Date: 04/23/2025

Subject Considered:

Oscar Mendoza III
El Paso, TX 79905

Consent Order
TDI Enforcement File No. 33607

General Remarks and Official Action Taken:

This is a consent order with Oscar Mendoza III (Mendoza). Mendoza misappropriated money belonging to an insurer. Mendoza agrees to a \$5,000 administrative penalty.

Waiver

Mendoza acknowledges that the Texas Insurance Code and other applicable law provide certain rights. Mendoza waives all of these rights, and any other applicable procedural rights, in consideration of the entry of this consent order.

Findings of Fact

1. Mendoza, individual identification number 1368781, holds a general lines agent license with a qualification in life, accident, health, & HMO issued on July 24, 2014, and a property and casualty qualification issued on March 8, 2016.
2. On August 25, 2021, Mendoza was appointed by Farmers Insurance (Farmers) as a retail agent.
3. Between December 2022 and April 2023, the Mendoza agency received 15 premium payments totaling \$6,702.55 that were not deposited to Farmers.

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4. Eleven of the premium payments were made in cash totaling \$5,183.
5. The remaining four premium payments were made by checks which were not negotiated. Farmers contacted each of the insureds to issue replacement checks.
6. Farmers stated that the missing funds were scheduled to be deducted from Mendoza's folio account, and if necessary, any remainder would be covered by Mendoza's fidelity bond. Mendoza contends that his bond covered the missing premiums.
7. Mendoza contends that the errors were due to his employees failing to properly oversee the deposit of funds, and once Farmers made him aware of the situation, he personally took over making the bank deposits for all premiums.

Conclusions of Law

1. The commissioner has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 84.021–84.044, 4001.051, 4005.051, 4054.051, and 4005.101.
2. The commissioner has the authority to informally dispose of this matter as set forth in TEX. GOV'T CODE § 2001.056, and TEX. INS. CODE §§ 36.104 and 82.055.
3. Mendoza knowingly and voluntarily waived all procedural rights which he may have been entitled regarding the entry of this order, including, but not limited to, issuance and service of notice of intention to institute disciplinary action, notice of hearing, a public hearing, a proposal for decision, rehearing by the commissioner, and judicial review.
4. Mendoza misappropriated money belonging to an insurer, in violation of TEX. INS. CODE § 4005.101(4).

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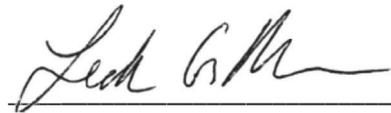
It is ordered that Mendoza pay an administrative penalty of \$5,000 within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which the department will send after entry of this order.

Signed by:

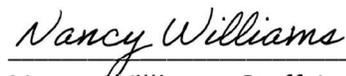
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Cassie Brown
Commissioner of Insurance

Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Fraud and Enforcement Division



Nancy Williams, Staff Attorney
Enforcement

Affidavit

STATE OF Texas §
§
COUNTY OF El Paso §

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

"My name is Oscar Mendoza III. I am of sound mind, capable of making this statement,
and have personal knowledge of these facts which are true and correct.

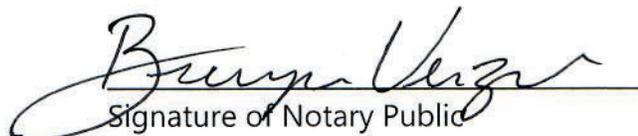
I, Oscar Mendoza III, do knowingly and voluntarily enter into the foregoing consent order
and agree with and consent to the issuance and service of the same by the commissioner
of insurance of the state of Texas."


Affiant

SWORN TO AND SUBSCRIBED before me on 04-04, 2025.

(NOTARY SEAL)




Signature of Notary Public
Brayan Venzor Orona
Printed Name of Notary Public