

No. 2025-9330

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

Date: 6/9/2025

Subject Considered:

Jean Mario Nicolas
Sunrise, Florida

Default Order
TDI Enforcement File No. 34257

General remarks and official action taken:

This is a default order taken against Jean Mario Nicolas (Respondent) because he engaged in fraudulent or dishonest acts or practices, failed to notify TDI of an administrative action taken against him by an insurance regulator, failed to maintain the qualifications necessary for licensure, and directly or indirectly engaged in the unauthorized business of insurance. Respondent did not respond to a Notice of Allegations mailed by the Texas Department of Insurance. This order revokes Respondent's license and orders Respondent to cease and desist from engaging in the business of insurance in Texas, individually, and under or through any other entities or names, including All Insurance 365 Agency Corporation and ObamaCare365.

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

Findings of Fact

Failure to Respond to Notice of Allegations

1. On April 23, 2025, 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], Sunrise, FL 33351.

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Commissioner's Order

Jean Mario Nicolas

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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, 101.001 *et seq.*, 4001.002, 4001.254, 4005.101, 4005.102, 4005.107, 4054.051, 4056.052, and 4056.054; 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.

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Commissioner's Order

Jean Mario Nicolas

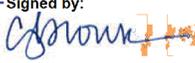
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Order

It is ordered that any licenses held by Jean Mario Nicolas are revoked.

It is further ordered that Jean Mario Nicolas cease and desist from engaging in the business of insurance in Texas, individually, and under or through any other entities or names, including All Insurance 365 Agency Corporation and ObamaCare365.

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:

FC5D7EDDFFBB4F8

Cassie Brown
Commissioner of Insurance

Prepared and reviewed by:



Anna Kalapach, Staff Attorney
Enforcement

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 Jean Mario Nicolas. I have confirmed that:

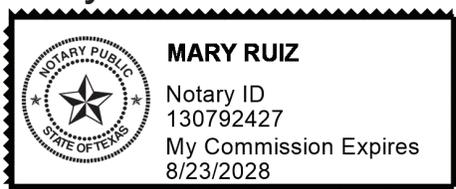
- a. The last mailing address provided to the department in writing by Jean Mario Nicolas is [REDACTED], Sunrise, FL 33351.
- b. The file maintained by Enforcement contains a Notice of Allegations dated April 23, 2025, which was sent to Jean Mario Nicolas.
- c. On April 23, 2025, the Notice of Allegations addressed to Jean Mario Nicolas 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."

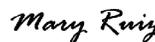
Signed by:
 _____
 8D9F8273824A4FA...

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 5/19/2025. This notarial act was an online notarization.

Notary Seal



Digital Certificate

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

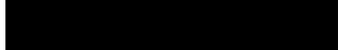
2025-9330



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

April 23, 2025,

Jean Mario Nicolas



Sunrise, FL 33351

Via CM/RRR No.:9214 8901 9403 8311 1096 92

Via First Class Mail

Via Email to:



**TDI ENFORCEMENT CASE NO. 34257
NOTICE OF ALLEGATIONS AGAINST JEAN MARIO NICOLAS**

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

YOUR WRITTEN RESPONSE IS REQUIRED WITHIN 20 DAYS

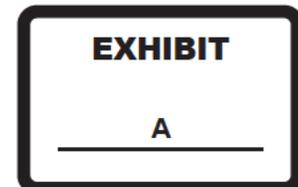
YOU HAVE THE RIGHT TO A HEARING AND ARE INVITED TO SHOW COMPLIANCE WITH THE LAW. To request a hearing, you must send a written response to TDI within 20 days of the date this Notice was mailed.

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:

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



Jurisdiction

The commissioner of insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 101.001 *et seq.*, 4001.002, 4001.254, 4005.101, 4005.102, 4005.107, 4054.051, 4056.052, and 4056.054; and TEX. GOV'T CODE §§ 2001.003(1) and 2001.051–2001.178.

Factual Allegations

Licensure and Suspension

1. Jean Mario Nicolas (Nicolas), individual identification number 1978204, holds a non-resident general lines agent license with a life, accident, health, and HMO qualification issued by TDI on October 16, 2018.
2. TDI records show that Nicolas has a Texas non-resident license because his resident state is Florida.

Florida Resident License Suspended, Dishonest Acts, and Failure to Notify TDI

3. On November 20, 2024, the Florida Department of Financial Services, Division of Insurance Agent and Agency Services issued a consent order in case number 335357-24-AG (Florida Consent Order) which suspends Nicolas' insurance licenses for twelve months – until at least November 20, 2025.
4. The Florida Consent Order also states that Nicolas is entitled to apply for license reinstatement at the end of the suspension period, but that the licenses shall not be reinstated if the Florida Department finds that the circumstance(s) for which he was suspended still exist or are likely to recur, or if he is not otherwise eligible for licensure.
5. The Florida Consent Order incorporates a settlement stipulation Nicolas signed and agreed to on October 21, 2024. In that settlement stipulation, Nicolas agreed with the Florida Department that he submitted numerous applications to an insurer without the knowledge or consent of the insureds and demonstrated a lack of fitness or trustworthiness to engage in the business of insurance.
6. Following its entry, Nicolas failed to notify TDI on a monthly basis of the existence of the Florida Consent Order.

7. TDI learned of the Florida Consent Order through an insurance regulator notification system, and not from Nicolas.

Failure to Maintain Qualifications

8. After learning that Nicolas' license was suspended in Florida, TDI likewise suspended Nicolas's general lines agent license as required by TEX. INS. CODE § 4056.052(c), effective December 5, 2024.
9. Since Nicolas no longer holds an agent license in good standing in his resident state of Florida, Nicolas no longer qualifies for his non-resident license in Texas.

Unauthorized Insurance Acts

10. Prior to his suspensions, on June 5, 2024, Nicolas admitted to TDI that he sold insurance to at least one Texas resident through an entity named All Insurance 365 Agency Corporation (All Insurance 365).
11. All Insurance 365 is not licensed or authorized to engage in the business of insurance in Texas, and it is not exempt or excepted from licensure in Texas.
12. Records from the Florida Department of State, Division of Corporations show that Nicolas is the sole officer and director of All Insurance 365.
13. Nicolas, through All Insurance 365 Agency, has done insurance business in Texas prior to his suspensions, and continues to do insurance business thereafter in Texas under the name "ObamaCare365." Nicolas uses his website www.obamacare365.com (the Website) to do so.
14. Despite Nicolas' suspensions, the Website is and continues to be active, fully operational, and viewable by citizens of Texas.
15. Under Nicolas' direction, the Website advertises that All Insurance 365 can provide quotes for health insurance policies and property and casualty policies.
16. As a result, Nicolas is:
 - a. directly or indirectly assisting the unlicensed entity - All Insurance 365 d/b/a ObamaCare365 – with engaging in unauthorized acts of insurance in Texas; and

- b. individually continuing to engage in the business of insurance in Texas, despite the suspensions of his Florida and Texas licenses.

Legal Allegations

1. Nicolas committed acts for which a license holder may be disciplined under TEX. INS. CODE §§ 4005.101 and 4005.102 because he:
 - a. has willfully violated an insurance law of this state in violation of TEX. INS. CODE § 4005.101(b)(1); and,
 - b. engaged in fraudulent or dishonest acts or practices in violation of TEX. INS. CODE § 4005.101(b)(5).
2. Nicolas failed to notify TDI on a monthly basis of an administrative action taken against him by an insurance regulator of another state, specifically Florida, in violation of TEX. INS. CODE § 4001.252(a)(3).
3. Nicolas failed to maintain the qualifications necessary to maintain his non-resident Texas license, in violation of TEX. INS. CODE §§ 4001.254 and 4056.052(a)(1).
4. Nicolas has directly or indirectly engaged in the business of insurance, as those acts are defined by TEX. INS. CODE §§ 101.051 and 4001.051, and in violation of TEX. INS. CODE §§ 101.102(a), 4001.101, and 4001.106.

Relief Sought

TDI seeks the following relief:

1. revocation of your license;
2. an order mandating that you cease and desist from engaging in the business of insurance in Texas, individually, and under or through any other entities or names, including All Insurance 365 Agency Corporation and ObamaCare365; 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,



Anna Kalapach
State Bar No. 24083290
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6326 (Direct)
(512) 490-1020 (Fax)
anna.kalapach@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

CERTIFICATE OF SERVICE

I, Anna Kalapach, certify that a true and correct copy of this *Notice of Allegations Against Jean Mario Nicolas* was sent by the following methods on this 23rd day of April, 2025 to:

Jean Mario Nicolas

[REDACTED]
Sunrise, FL 33351

Via CM/RRR No.: 9214 8901 9403 8311 1096 92

Via First Class Mail

Via Email to: [REDACTED]



Anna Kalapach

Name and Address of Sender
 Texas Dept of Insurance
 Mail Code ENF
 1601 Congress Avenue, Suite 6.900
 Austin TX 78701
 David Moreno
 April 23, 2025

Check type of mail or service

<input type="checkbox"/> Adult Signature Requested	<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"/> Certified Mail Restricted Delivery (COD)	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail (Priority Mail)	
<input type="checkbox"/> First-Class Mail	

Postage Stamp Here
 (If issued as an international certificate of mailing or for additional copies of this receipt), postmark with Date of Receipt

USPS Tracking/Advice Number
 Anna/34257

Address (Name, Street, City, State, & Zip Code)
 Jean Mario Nicolas
 Sunrise, FL 33351

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
\$ 69										



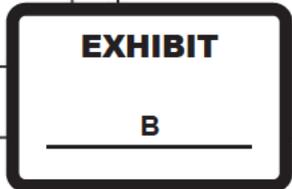
2025-9330

Total Number of Pieces Sent by Sender: _____
 Total Number of Pieces Received at Post Office: _____
 Postmaster, Per (Name of receiving employee): _____
 Completed in Ink: *Urtanovs*

Handling Charge-if Registered

Adult Signature Requested	
Adult Signature Restricted Delivery	
Restricted Delivery	
Return Receipt	
Signature Confirmation	
Signature Confirmation Restricted Delivery	
Special Handling	

qudrent
 CORRECTION IMI
 \$002.00
 04/23/2025 ZIP 78701
 043M32206995
 US POSTAGE





Firm Mailing Book For Accountable Mail

Name and Address of Sender
MC ENF D MORENO
TEXAS DEPARTMENT OF INSURANCE
1601 CONGRESS AVENUE, SUITE 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

USPS Tracking/Article Number

1. 9214 8901 9403 8311 1096 92

Anna/34257

JEAN MARIO NICOLAS
SUNRISE, FL 33351

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

Postage	0.97	Extra Service Fee	4.85	Handling Charge	Handling Charge - if Registered and over \$50,000 in value	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee
									Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation
													Signature Confirmation Restricted Delivery
													Special Handling

EXHIBIT
C



2025-9330

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 Ink

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: 04/23/2025

Shipped From:

Name: MC ENF D MORENO

Address: 1601 CONGRESS AVENUE SUITE 6 900

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 0060 8936 72

Anna/34257

