

No. 2026-9739

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

Date: 01/14/2026

Subject Considered:

Texas Department of Insurance

v.

Isaiah Handy

SOAH Docket No. 454-25-19990.C

General Remarks and Official Action Taken:

The subject of this order is Isaiah Handy's application for an adjuster all lines license. This order denies Mr. Handy's application.

Background

After proper notice was given, the above-styled case was heard by an administrative law judge for the State Office of Administrative Hearings. The administrative law judge made and filed a proposal for decision containing a recommendation that TDI deny Mr. Handy's application. A copy of the proposal for decision is attached as Exhibit A.

TDI adopts the administrative law judge's proposed findings of fact and conclusions of law with a change to proposed Finding of Fact No. 12 as described in this order.

Legal Authority for Changes to Proposal for Decision

The legal authority for changes to the proposal for decision made in this order is Tex. Gov't Code § 2001.058(e)(3), which provides that "[a] state agency may change a finding of fact or conclusion of law made by the administrative law judge, or may vacate or modify an order issued by the administrative judge, only if the agency determines . . . that a technical error in a finding of fact should be changed."

COMMISSIONER'S ORDER
TDI v. Isaiah Handy
SOAH Docket No. 454-25-19990.C
Page 2 of 3

Technical Error in the Proposal for Decision

The proposal for decision incorrectly lists the cause number for Mr. Handy's Resisting Arrest, Search, or Transport conviction in County Criminal Court #1 in Denton County, Texas as "CR-2022-022430-A" in the Background Facts section and proposed Finding of Fact No. 12. TDI Exhibit 5 in the administrative record, which contains Denton County court documents related to that charge, lists the cause number as CR-2022-02243-A. The version of the cause number in the proposal for decision is therefore considered a technical error.

This technical error does not affect the recommendation that Mr. Handey's application be denied. However, for accuracy, proposed Finding of Fact No. 12 as adopted by this order is revised to reference the correct cause number.

Findings of Fact

1. Proposed findings of Fact Nos. 1–11 and 13–17 as contained in Exhibit A are adopted and incorporated by reference into this order.
2. In place of proposed Finding of Fact No. 12 as contained in Exhibit A, the following finding of fact is adopted:

On February 8, 2023, in Cause No. CR-2022-02243-A, Respondent pled nolo contendere and was convicted of Misdemeanor Resisting Arrest, Search, or Transport in County Criminal Court #1 in Denton County, Texas. Respondent was sentenced to 27 days in Denton County Jail. Respondent was 31 years old when he committed this crime.

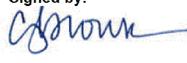
Conclusions of Law

The proposed conclusions of law contained in Exhibit A are adopted and incorporated by reference into this order.

COMMISSIONER'S ORDER
TDI v. Isaiah Handy
SOAH Docket No. 454-25-19990.C
Page 3 of 3

Order

It is ordered that Isaiah Handy's application for an adjuster all lines license is denied.

Signed by:

FC5D7EDDFFB4F8... _____
Cassie Brown
Commissioner of Insurance

Recommended and reviewed by:

Signed by:

5DAC5618BBC74D4... _____
Jessica Barta, General Counsel

Signed by:

27ADF3DA5BAF4B7... _____
Justin Beam, Chief Clerk

**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

—
**TEXAS DEPARTMENT OF INSURANCE,
PETITIONER**

v.

**ISAIAH HANDY,
RESPONDENT**

PROPOSAL FOR DECISION

The Texas Department of Insurance (Department) seeks to deny the application of Isaiah Handy (Respondent) for an adjuster all-lines license because of Respondent's criminal history and his failure to disclose his criminal history on his application. After considering the evidence and applicable law, the Administrative Law Judge (ALJ) recommends Respondent's license application be denied.

I. NOTICE, JURISDICTION, AND PROCEDURAL HISTORY

On August 20, 2025, ALJ Amy Davis with the State Office of Administrative Hearings (SOAH) convened a hearing by videoconference. Attorney Priya

Subramanian represented Staff, and Respondent appeared with his mother, Lakeyshawnta Handy. Ms. Handy provided significant testimony and answered a considerable number of questions on behalf of Respondent.

The hearing concluded and the record closed upon the e-filing of exhibits and the court reporter's transcript on September 3, 2025. Since notice and jurisdiction are not disputed, they are addressed solely in the Findings of Fact and Conclusions of Law.

II. APPLICABLE LAW

The Department regulates the practice of insurance and may deny an application for a license for certain reasons.¹ One reason the Department may deny an application is if the applicant has been convicted of a felony.² Another is if the applicant has been convicted of or placed on deferred adjudication for an offense that “directly relates” to or is of “prime importance” to the practice of insurance.³ The Department may also deny an application if the applicant has engaged in fraudulent or dishonest acts or practices; and intentionally making material misstatements on a license application.⁴

The Department will consider the factors specified in Texas Occupations Code sections 53.022 and 53.023 in determining whether to issue an original license

¹ Tex. Ins. Code § 4005.101(b).

² Tex. Ins. Code § 4005.101(b)(8)(providing that “[t]he department may deny a license application . . . [if] the applicant . . . has been convicted of a felony”).

³ 28 Tex. Admin. Code § 1.502(d) and (f).

⁴ Tex. Ins. Code § 4005.101(b)(2)-(3).

or authorization or revoke, suspend, or refuse to renew a license or authorization.⁵

Those factors include:

1. the nature and seriousness of the crime;
2. the relationship of the crime to the purposes for requiring a license to engage in the occupation;
3. the extent to which a license might offer an opportunity to engage in further criminal activity of the same type as that in which the person previously had been involved;
4. the relationship of the crime to the ability, capacity, or fitness required to perform the duties and discharge the responsibilities of the licensed occupation; and
5. any correlation between the elements of the crime and the duties and responsibilities of the licensed occupation.⁶

The Department has promulgated a rule identifying the crimes it believes “directly relate” to the practice of insurance.⁷ The Department’s list of crimes that directly relate to insurance includes a burglary offense, as described by Penal Code Chapter 30.⁸ Here, Mr. Handy’s burglary of a habitation conviction is considered a crime of prime importance in determining fitness for licensure or authorization.⁹

When deciding whether to deny an application for a license based on an applicant’s criminal history, the Department considers certain factors:

⁵ 28 Tex. Admin. Code § 1.502(d) and (e).

⁶ Tex. Occ. Code § 53.022.

⁷ Tex. Occ. Code § 53.025(a); 28 Tex. Admin. Code § 1.502(e).

⁸ 28 Tex. Admin. Code § 1.502(f)(4)(J).

⁹ 28 Tex. Admin. Code § 1.502(f)(4)(J).

1. the extent and nature of the person's past criminal activity;
2. the age of the person when the crime was committed;
3. the amount of time that has elapsed since the person's last criminal activity;
4. the conduct and work activity of the person before and after the criminal activity;
5. evidence of the person's rehabilitation or rehabilitative effort while incarcerated or after release;
6. evidence of the person's compliance with any conditions of community supervision, parole, or mandatory supervision; and
7. other evidence of the person's fitness, including letters of recommendation.¹⁰

An applicant is entitled to a hearing to contest the proposed denial of their application.¹¹ The Department has the burden of proving its grounds for denying Respondent's application, while Respondent has the burden to prove his fitness to be licensed despite his criminal history or fraudulent or dishonest conduct.¹² The standard of proof in this case is by a preponderance of the evidence.¹³ The administrative law judge prepares a proposal for decision.¹⁴ The Commissioner then considers the proposal for decision and issues a final order.¹⁵

¹⁰ Tex. Occ. Code § 53.023.

¹¹ Tex. Ins. Code § 4005.104(a).

¹² 1 Tex. Admin. Code § 155.427.

¹³ See *Granek v. Tex. St. Bd. of Med. Exam'rs*, 172 S.W.3d 761, 777 (Tex. App.—Austin 2005, no pet.).

¹⁴ Tex. Ins. Code § 40.058.

¹⁵ Tex. Ins. Code §§ 40.059-.060.

III. EVIDENCE

Staff offered six exhibits and called one witness, Lewis Wright.¹⁶ Respondent offered no exhibits, presented the testimony of his mother, and testified on his own behalf. A summary of the evidence follows.

A. BACKGROUND FACTS

Respondent received an emergency adjuster license in 2021.¹⁷ Respondent applied for an adjuster all-lines license in 2024—that license is the subject of this case.¹⁸

A summary of Respondent’s criminal history follows:

- On March 21, 2011, in Cause No. 1217153D, in the 372nd District Court in Tarrant County, Texas, Respondent received deferred adjudication for Felony Burglary of a Habitation. Respondent received five years of community supervision.¹⁹ Respondent violated the terms of his community supervision and was subsequently convicted of Felony Burglary of a Habitation and sentenced to two years confinement in the Institutional Division of the Texas Department of Criminal Justice.²⁰ Respondent was 19 years old when he committed this crime.
- On July 26, 2017, in Cause No. 20170374CR2, Respondent was convicted of Misdemeanor Driving While License Invalid with Previous Conviction

¹⁶ TDI Ex. 1 (Notice of Hearing); TDI Ex. 2 (Respondent’s Application); TDI Ex. 3 (2011 Criminal Prosecution); TDI Ex. 4 (2017 Criminal Prosecution); TDI Ex. 5 (2022 Criminal Prosecution); TDI Ex. 6 (2021 TDI Emergency Adjuster License Application).

¹⁷ TDI Ex. 6. An emergency adjuster license allows the licensee to work under the supervision of a licensed sponsor to assist with claims and provide related services during a catastrophic event, like a hurricane, all while operating under the authority of the sponsoring license holder.

¹⁸ TDI Ex. 2.

¹⁹ TDI Ex. 3.

²⁰ TDI Ex. 3.

or Suspension in McLennan County, Texas. Respondent was sentenced to 60 days in jail.²¹ Respondent was 25 years old when he committed this crime.

- On February 8, 2023, in Cause No. CR-2022-022430-A, Respondent pled nolo contendere and was convicted of Misdemeanor Resisting Arrest, Search, or Transport in County Criminal Court #1 in Denton County, Texas. Respondent was sentenced to 27 days in Denton County Jail.²² Respondent was 31 years old when he committed this crime.

B. LEWIS WRIGHT'S TESTIMONY

Mr. Wright is the administrative review liaison to the Department's enforcement division. Mr. Wright testified that he reviews license applications submitted to the Department that contain concerning responses to questions for the initial application processor. One such concern would be an identified criminal history for the applicant. According to Mr. Lewis, not all applications are denied based on an applicant's criminal history. He testified that the core mission is to protect Texas consumers from harm and ensure that a license holder is honest, trustworthy, and reliable. According to Mr. Wright, the insurance industry is complex in its regulations and lends itself to the possibility of misconduct, which can go undiscovered until there is harm to consumers. Because of this, it is imperative that those individuals licensed by the Department are reliable and trustworthy so that the public feels safe with their insurance transactions.

Mr. Wright testified that Respondent applied for an adjuster all-lines license and signed the attestation at the end of the application that he provided true and

²¹ TDI Ex. 4

²² TDI Ex. 5.

complete information to the Department. Mr. Wright explained that an adjuster represents the insurance company in the loss settlement process including assessing damages, assigning dollar amounts for damages, and deciding whether a claim should be paid.

According to Mr. Wright, his division received Respondent's application because there were issues with Respondent's application, namely, his criminal convictions. Mr. Wright testified that Respondent initially failed to disclose his criminal history both on the 2024 adjuster all-lines application and on Respondent's prior 2021 emergency adjuster license.²³ As the application process progressed, the Department learned of his criminal history during a routine background check. The Department discovered that Respondent had three relevant offenses in his criminal history: burglary of a habitation, driving with a suspended license, and resisting arrest, search, or transport. Mr. Wright testified that 28 Texas Administrative Code section 1.502 provides that the offense of burglary of a habitation is considered a crime of prime importance when making a licensing decision.

Once the Department learned of Respondent's convictions, Respondent was requested to provide a statement regarding the convictions along with related court documents and letters of reference. Mr. Wright reviewed Respondent's statements and testified that they appeared inconsistent with the court records and shifted

²³ On his application, Respondent answered "no" to the question whether: 1) he had "ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor;" and 2) whether he had "ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony." The application instructions defined "convicted" as including, but not limited to, having been found guilty by verdict of a judge or jury, having entered a plea of guilty or nolo contendere or no contest, or having been given probation, a suspended sentence, or a fine. *See* TDI Ex. 2 and TDI Ex. 6.

responsibility to another person—claiming a guilty plea was made for convenience rather than guilt. These contradictions in Respondent’s statements raised concerns for the Department about the credibility of the statements as well as Respondent’s application for a license. Regarding Respondent’s reference letters, Mr. Wright testified that none of them appeared to have specific knowledge related to the nature and severity of Respondent’s past criminal history.

Mr. Wright considered Respondent’s rehabilitative efforts “fair.” He testified that overall, while Respondent has maintained steady, gainful employment and is building transferable skills, the nature, severity, and frequency of his past criminal offenses—some of which are serious—outweigh these positives. As a result, to protect consumers, Mr. Wright proposed the denial of Respondent’s license

C. RESPONDENT’S EVIDENCE

1. Respondent’s Testimony

Respondent testified that because he was busy working another job at the time, his mother completed his application for licensure on his behalf. He noted that his criminal history has limited his employment opportunities and prevented him from pursuing a military career. He also shared that his hearing loss has made him vulnerable to being taken advantage of. Throughout the hearing, he primarily relied on his mother to provide testimony on his behalf.

2. Lakeyshawnta Handy's Testimony

Ms. Handy is a licensed insurance adjuster and a contractor for Homeland Security. She testified that Respondent attended an insurance course and paid to complete the application. In the past, Respondent has helped her in her adjusting work by observing the reported damage. He is able to access places, like a roof, that she is physically unable to reach due to her health.

She explained that Respondent has hearing loss, which causes him to speak softly and often makes it difficult for him to communicate effectively. As a result, she said that some people mistakenly assume he has a cognitive disability.

In regard to his criminal history, Ms. Handy believes Respondent's records are highly misleading, and she provided additional context for his crimes. She explained that in 2011, Respondent agreed to pawn video games for a friend, not knowing they were stolen, and that his ex-wife contacted the police, leading to an unwarranted burglary of a habitation charge. She also testified that his 2017 driving offense occurred while he was traveling to McLennan County for a court appearance related to his divorce. Lastly, she stated that the 2023 resisting arrest charge stemmed from a traffic stop for a broken taillight, during which police allegedly broke Respondent's hand and then charged him with resisting arrest to justify their actions.

IV. ANALYSIS

The Department may deny a license application if an applicant intentionally makes a material misstatement on the application.²⁴ An applicant's criminal conviction history is material to the Department's determination of suitability for a license. Respondent's mother admitted that she filled out the application on behalf of her son. But Respondent knowingly signed and submitted his application to the Department, despite the omission of his prior criminal convictions—an act that calls into question his integrity, trustworthiness, and willingness to adhere to licensing requirements. This violation, alone, is cause for the Department to deny his application. Respondent should have been truthful in his application. Therefore, Respondent's license should be denied on this basis.

Additionally, the Department may deny a license application if the Department determines that the applicant has committed a felony or has engaged in fraudulent or dishonest acts or practices.²⁵ It is undisputed that Respondent has been convicted of a felony and that his crime of burglary of a habitation is one that the Department considers to be of prime importance” Therefore, pursuant to 28 Texas Administrative Code section 1.502(f) and (g), consideration must be given to the factors listed in Code sections 53.022 and .023, set out above, in determining whether to grant Respondent's adjuster license application.

²⁴ Tex. Ins. Code § 4005.101(b)(2).

²⁵ Tex. Ins. Code § 4005.101(b)(5), (8); 28 Tex. Admin. Code § 1.502(f)(1), (4)(J).

Respondent's first offense, burglary of a habitation, occurred when he was 19 years old and may have been a youthful indiscretion, but the others were not—as they were committed when he was 25 and 31 years old.

Respondent has not engaged in any other criminal activity, but only approximately two years have passed since he committed his most recent offense. Since that time, he has maintained employment as a roofer, assisting adjusters. He provided four reference letters that praise his work ethic and commend his reliability and persistence. Evidence that weighs in favor of Respondent is work history and his letters of recommendation. While the letters uniformly display Respondent in a positive light, they are not persuasive in demonstrating that Respondent possesses measurable integrity and trustworthiness or that he is fully rehabilitated.

Ultimately, Respondent has the burden of proving fitness to be licensed as an insurance adjuster despite his criminal history. During the hearing, Respondent offered minimal testimony of his own, relying primarily on his mother to speak on his behalf. From the limited testimony he provided, Respondent stated he was vulnerable to exploitation by others.²⁶ This statement of Respondent's does not assure the ALJ that he can perform the duties required of an insurance adjuster at this time.

After considering the applicable factors outlined above, Respondent has not demonstrated that he is fit for licensure. Accordingly, the ALJ recommends that Respondent's application for an adjuster all-lines license be denied at this time. In

²⁶ Respondent described himself as an “open bank” to others.

support of this recommendation, the ALJ makes the following findings of fact and conclusions of law.

V. FINDINGS OF FACT

1. On July 15, 2024, Isaiah Handy (Respondent) applied for an adjuster all-lines license with the Texas Department of Insurance (Department).
2. On his application, Respondent answered “no” to the question whether he had “ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor.”
3. On his application, Respondent answered “no” to the question whether he had “ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony.” The instructions defined “convicted” as including, but not limited to, having been found guilty by verdict of a judge or jury, having entered a plea of guilty or nolo contendere or no contest, or having been given probation, a suspended sentence, or a fine.
4. On October 11, 2024, the Department proposed to deny his application.
5. Respondent requested a hearing to challenge the denial.
6. On May 29, 2025, the Department issued a notice of hearing on the denial of Respondent’s application.
7. The notice of hearing contained a statement of the time, place, and nature of the hearing; a statement of the legal authority and jurisdiction under which the hearing was to be held; a reference to the particular sections of the statutes and rules involved; and either a short, plain statement of the factual matters asserted or an attachment that incorporates by reference the factual matters asserted in the complaint or petition filed with the state agency.
8. The hearing in this case was held by videoconference on August 20, 2025, before Administrative Law Judge (ALJ) Amy Davis with the State Office of Administrative Hearings (SOAH). Attorney Priya Subramanian represented the Department. Respondent represented himself. His mother, Lakeyshawnta

Handy, also appeared and testified on Respondent's behalf. The hearing concluded that day and the record closed on September 3, 2025, following the e-filing of the admitted exhibits and submission of the transcript to SOAH.

9. Respondent failed to report that he had misdemeanor and felony convictions on his adjuster all-lines license application.
10. On March 21, 2011, in Cause No. 1217153D, in the 372nd District Court in Tarrant County, Texas, Respondent received deferred adjudication for Felony Burglary of a Habitation. Respondent received five years of community supervision. Respondent violated the terms of his community supervision and was subsequently convicted of Felony Burglary of a Habitation and sentenced to two years confinement in the Institutional Division of the Texas Department of Criminal Justice. Respondent was 19 years old when he committed this crime.
11. On July 26, 2017, in Cause No. 20170374CR2, Respondent was convicted of Misdemeanor Driving While License Invalid with Previous Conviction or Suspension in McLennan County, Texas. Respondent was sentenced to 60 days in jail. Respondent was 25 years old when he committed this crime.
12. On February 8, 2023, in Cause No. CR-2022-022430-A, Respondent pled nolo contendere and was convicted of Misdemeanor Resisting Arrest, Search, or Transport in County Criminal Court #1 in Denton County, Texas. Respondent was sentenced to 27 days in Denton County Jail. Respondent was 31 years old when he committed this crime.
13. Respondent was 19 years old, an adult, when he committed his felony offense. He was 25 and 31 years old when he committed his subsequent offenses.
14. Burglary of a habitation is a crime of such a serious nature that the Department considers it to be of prime importance and directly related to the duties and responsibilities of licensed occupations when determining whether to issue a license.
15. It has been a little over two years since Respondent's last criminal offense.
16. Respondent has maintained steady employment as a roofer assisting adjusters since his crimes and convictions.

17. Respondent provided four letters of recommendation and support that praise his work ethic and commend his reliability and persistence.

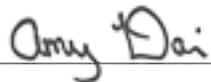
VI. CONCLUSIONS OF LAW

1. The Department has jurisdiction over this matter. Tex. Ins. Code §§ 4001.002, .105; 4005.101.
2. SOAH has authority to hear this matter and issue a proposal for decision, which includes findings of fact and conclusions of law. Tex. Gov't Code ch. 2003; Tex. Ins. Code §§ 40.058, 4005.104.
3. Respondent received timely and sufficient notice of hearing. Tex. Gov't Code §§ 2001.051-.052; Tex. Ins. Code § 4005.104(b).
4. Staff had the burden of proving its grounds for denying Respondent's application, and Respondent had the burden of proving his fitness to be licensed despite his criminal history. The standard of proof is by a preponderance of the evidence. 1 Tex. Admin. Code § 155.427; Tex. Occ. Code § 53.023; *Granek v. Tex. St. Bd. of Med. Exam'rs*, 172 S.W.3d 761, 777 (Tex. App. — Austin 2005, no pet.).
5. The Department may deny a license application if an applicant intentionally makes a material misstatement on the application. Tex. Ins. Code § 4005.101(b)(2).
6. The Department has determined that certain crimes are of such a serious nature that they are of prime importance in determining fitness for licensure. These crimes include a burglary offense under Penal Code Chapter 30. 28 Tex. Admin. Code § 1.502(f)(4)(J).
7. The Department may deny licensure to an applicant who committed a felony offense. Tex. Ins. Code § 4005.101(b)(8).
8. The Department may deny licensure to an applicant who committed an offense that directly relates to the duties and responsibilities of the licensed occupation. Tex. Occ. Code § 53.021(a)(1).

9. Respondent did not disclose his criminal history on the application for licensure.
10. Respondent's burglary conviction is the type that the Department considers to be of such a serious nature that it is of prime importance in determining fitness for licensure. 28 Tex. Admin. Code § 1.502(f)(4)(J).
11. The Department will consider the factors listed in Texas Occupations Code §§ 53.022 and .023 in determining whether to issue a license to an applicant despite a criminal offense and will not issue a license unless the mitigating factors outweigh the serious nature of the criminal offense when viewed in the light of the occupation being licensed. 28 Tex. Admin. Code § 1.502(f), (g).
12. Respondent has not met his burden to prove that he is presently fit to perform the duties and discharge the responsibilities of the licensed occupation despite his criminal history. Tex. Occ. Code § 53.023; 28 Tex. Admin. Code § 1.502(e), (f).
13. The Department should deny Respondent's application for licensure. Tex. Occ. Code § 53.023; 28 Tex. Admin. Code § 1.502(e), (f).

Signed October 2, 2025

ALJ Signature:



Amy Davis

Presiding Administrative Law Judge