

2020 - 6254  
No. \_\_\_\_\_

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

**Date:** FEB 26 2020

**Subject Considered:**

Clearview Risk Insurance Programs, LLC  
8144 Walnut Hill Lane, Suite 1490  
Dallas, Texas 75231

Consent Order  
TDI Enforcement File No. 22383

**General remarks and official action taken:**

This is a consent order with Clearview Risk Insurance Programs, LLC ("Clearview"). Clearview failed to timely file surplus lines policies and related documents. Clearview has agreed to pay a \$6,825 administrative penalty for these violations.

**Waiver**

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

**Findings of Fact**

1. Clearview, organization identification number 45074, holds a surplus lines license issued by the Texas Department of Insurance.

2. Pursuant to TEX. INS. CODE § 981.105(a), a surplus lines insurance agent must file with the Surplus Lines Stamping Office of Texas either:
  - a. a copy of the policy issued, or
  - b. if the policy has not yet been issued, a copy of the certificate, cover note, or other confirmation of insurance delivered to the insured.

This information is due not later than the 60<sup>th</sup> day after the later of the effective date or the issue date of new or renewal surplus lines insurance.

3. In 2018, Clearview filed surplus lines policies late.

### **Conclusions of Law**

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.044, and 981.105.
2. The commissioner of insurance has authority to informally dispose of this matter under TEX. INS. CODE § 82.055, TEX. GOV'T CODE § 2001.056, and 28 TEX. ADMIN. CODE § 1.47.
3. Clearview has knowingly and voluntarily waived all procedural rights to which it 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. Clearview violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.


It is ordered that Clearview Risk Insurance Programs, LLC, must pay an administrative penalty of \$6,825. The administrative penalty must be paid within 30 days from the date of this order. The administrative penalty must be paid by cashier's check or money order made payable to the "State of Texas." Mail the administrative penalty to the Texas Department of Insurance, Attn: Enforcement Division, Division 60851, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.

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Kent C. Sullivan  
Commissioner of Insurance

By:

  
\_\_\_\_\_  
Doug Slape  
Chief Deputy Commissioner  
Commissioner's Order No. 2018-5528

Recommended and reviewed by:

  
\_\_\_\_\_  
Leah Gillum, Deputy Commissioner  
Enforcement Division

  
\_\_\_\_\_  
Anna Kalapach, Attorney  
Enforcement Division

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**Affidavit**

THE STATE OF Texas §

COUNTY OF Dallas §

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

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

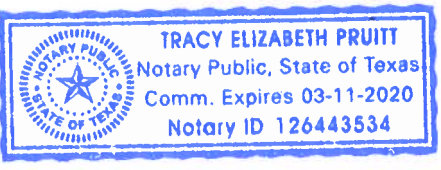
I hold the office of CFO and am the authorized representative of Clearview Risk Insurance Programs, LLC. I am duly authorized by the organization to execute this statement.

Clearview Risk Insurance Programs, LLC, has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the same by the commissioner of insurance of the state of Texas."

[Signature]  
Affiant

SWORN TO AND SUBSCRIBED before me on 12-12, 2019.

(NOTARY SEAL)



Tracy Elizabeth Pruitt  
Signature of Notary Public

Tracy Elizabeth Pruitt  
Printed Name of Notary Public