

No. 2022-7490

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

**Date:** 09/12/2022

**Subject Considered:**

Allen Gifford Barry III  
[REDACTED]  
Malvern, Pennsylvania 19355-9614

Consent Order  
TDI Enforcement File No. 28822

**General remarks and official action taken:**

This is a consent order with Allen Gifford Barry III. Allen Gifford Barry III failed to timely file surplus lines policies and related documents. Allen Gifford Barry III has agreed to pay an administrative penalty of \$38,000 for these violations.

**Waiver**

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

**Findings of Fact**

1. Allen Gifford Barry III, individual identification number 8488321, 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.

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

3. In 2020, Allen Gifford Barry III 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. Allen Gifford Barry III has knowingly and voluntarily waived all procedural rights to 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. Allen Gifford Barry III violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

## Order

It is ordered that Allen Gifford Barry III must pay an administrative penalty of \$38,000. The administrative penalty must be paid 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.

DocuSigned by:  
  
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Cassie Brown  
Commissioner of Insurance

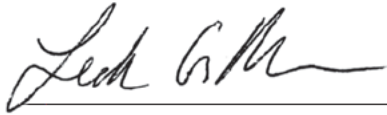
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Recommended and reviewed by:



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Leah Gillum, Deputy Commissioner  
Enforcement Division



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Allison J. Anglin, Staff Attorney  
Enforcement Division

