

No. 2023-8260

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

Date: 10/3/2023

Subject Considered:

Heritage Specialty Insurance Agency, LP
3840 Corporate Center Drive
Bryan, Texas 77803

Consent Order
TDI Enforcement File No. 32848

General remarks and official action taken:

This is a consent order with Heritage Specialty Insurance Agency, LP. Heritage Specialty Insurance Agency, LP failed to timely file surplus lines policies and related documents. Heritage Specialty Insurance Agency, LP has agreed to pay an administrative penalty of \$3,250 for these violations.

Waiver

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

Findings of Fact

1. Heritage Specialty Insurance Agency, LP, license number 1624162, 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

2023-8260

Commissioner's Order

Heritage Specialty Insurance Agency, LP

Page 2 of 4

- 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 60th day after the later of the effective date or the issue date of new or renewal surplus lines insurance.

3. In 2022, Heritage Specialty Insurance Agency, LP filed surplus lines policies and related documents late.
4. In March 2022, TDI assessed fees against Heritage Specialty Insurance Agency, LP because the late-filed surplus lines policies met at least one of the conditions in TEX. INS. CODE § 981.105(d-e).
5. Heritage Specialty Insurance Agency, LP did not timely pay the fees assessed pursuant to TEX. INS. CODE § 981.105(c-e).
6. The commissioner previously disciplined Heritage Specialty Insurance Agency, LP for violating TEX. INS. CODE § 981.105(a) in Official Order No. 2017-5300, entered on December 7, 2017.

Conclusions of Law

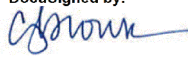
1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.044, and 981.105.
2. The commissioner of insurance has authority to informally dispose of this matter under TEX. INS. CODE § 82.055, TEX. GOV'T CODE § 2001.056, and 28 TEX. ADMIN. CODE § 1.47.
3. Heritage Specialty Insurance Agency, LP 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. Heritage Specialty Insurance Agency, LP violated TEX. INS. CODE § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

2023-8260

Commissioner's Order
Heritage Specialty Insurance Agency, LP
Page 3 of 4

Order

It is ordered that Heritage Specialty Insurance Agency, LP must pay an administrative penalty of \$3,250 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:

FC5D7EDDFFB4F8...
Cassie Brown
Commissioner of Insurance

Recommended and reviewed by:


Leah Gillum, Deputy Commissioner
Fraud and Enforcement Division


Allison J. Anglin, Staff Attorney
Enforcement

Affidavit

THE STATE OF Texas §

COUNTY OF Brazos §

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

Bradley Royce Hurt
"My name is Bradley Royce Hurt. 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 Member and am the authorized representative of Heritage Specialty Insurance Agency, LP. I am duly authorized by the organization to execute this statement.

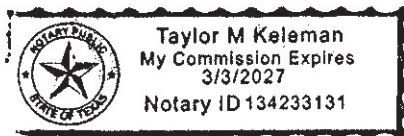
Heritage Specialty Insurance Agency, LP has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the same by the commissioner of insurance of the state of Texas."



Heritage Specialty Insurance Agency, LP
Affiant

SWORN TO AND SUBSCRIBED before me on September 21, 2023.

(NOTARY SEAL)



Taylor Keleman
Signature of Notary Public

Taylor Keleman
Printed Name of Notary Public