

MARGARET ALSOBROOK  
OPERATIONS MANAGER

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**TAIPA Bulletin No. 9**

**To All Member Companies**

**Glenn M. Barling  
D/B/A Barling & Associates, And  
D/B/A A-Family Insurance Agency**

For your information attached please find a copy of an "Emergency Cease & Desist" order signed by Commissioner Lightsey for the above referenced agent/agency.

Very truly yours,



Margaret Alsobrook  
Operations Manager

No. 95-0045

Official Order  
*of the*  
Commissioner of Insurance  
*of the*  
State of Texas  
Austin, Texas

Date: JAN 20 1995

Subject Considered:

GLEN M. BARLING  
D/B/A BARLING & ASSOCIATES, AND  
D/B/A A-FAMILY INSURANCE AGENCY  
3118 So. Cooper St., Arlington, Texas 76015  
617 W. Park Row, Arlington, Texas 76010  
8545 Hwy. 80 West, Ft. Worth, Texas 76116  
3243 Forest Lane, Irving, Texas 75062  
4600 N. E. 28th St., Haltom City, Texas 76117  
and 2210 N. MacArthur Blvd., Irving, Texas 75062.

**EMERGENCY CEASE AND DESIST ORDER**

General remarks and official action taken:

On this day the Staff of the Texas Department of Insurance, through Barbara Stansfield, staff attorney, presented to the Commissioner of Insurance a verified application for an ex parte Emergency Cease and Desist Order. The Staff alleged that GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY has engaged in the business of insurance in this State in violation of TEX. INS. CODE ANN. art. 1.14-1, and has engaged in unfair methods of competition in violation of TEX. INS. CODE ANN. art. 21.21 §3, and 28 TEX. ADMIN. CODE §21.3; and that this conduct creates an immediate danger to the public safety or is causing or can be reasonably expected to cause significant, imminent, and irreparable public injury. The Staff further alleged that unless GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY is immediately ordered to cease and desist from the acts alleged, he will continue to commit the same and similar acts to the irreparable and immediate injury of the public.

The Commissioner has authority and jurisdiction over this matter pursuant to TEX. INS. CODE ANN. arts. 1.10A, 1.14-1 and 21.21, and 28 TEX. ADMIN. CODE §1.901.

The Commissioner, having examined the Staff's application, attached hereto and incorporated herein for all purposes, finds that GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY is an unauthorized individual engaged in the business of insurance, acting in violation of TEX. INS. CODE ANN. art. 1.14-1, and is engaging in unfair methods of competition in violation of TEX. INS. CODE ANN. art. 21.21 and 28 TEX. ADMIN. CODE §21.3.

It appears to the Commissioner that the alleged conduct creates an immediate danger to the public safety or is causing or can be reasonably expected to cause significant, imminent, and irreparable public injury.

**IT IS, THEREFORE, ORDERED that GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY, and those acting as his agents, employees, servants, administrators and/or adjusters, and those acting in concert with him shall immediately cease and desist in the State of Texas from:**

- 1 Falsifying, altering, concealing, or destroying, or refusing to disclose to the Texas Department of Insurance, or removing from the jurisdiction of the Commissioner, any records relating to the doing of the business of insurance and/or the doing of the acts of an insurance agent, by GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY.**
- 2. Facilitating or proposing to facilitate, as an insurance agent, the issuance of any contract of insurance, and/or doing or performing any other act or thing in the making or consummating of any contract of insurance, unless and until GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance.**
- 3. Taking or receiving any application for insurance unless and until GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance.**
- 4. Receiving or collecting any premium, commission, fees, assessments, dues or other consideration for any contract of insurance or any part thereof, unless and until GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance.**
- 5. Issuing or delivering any contracts of insurance to residents of this State, unless and until GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance.**
- 6 Directly or indirectly acting as an agent for or otherwise representing or aiding on behalf of any insurer in the solicitation, negotiation, procurement or effectuation of insurance or renewals thereof, or in the dissemination of information as to coverage or rates, or forwarding of applications, or delivery of policies or contracts, or inspection of risks, or investigation or adjustment of claims or losses or in the transaction of matters subsequent to effectuation of the contract and arising out of it, or in any other manner representing or assisting any insurer in the transaction of insurance with respect to subjects of insurance resident, located or to be performed in this state, unless and until GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY holds a valid applicable license, certificate of authority, or**

exemption issued by the Texas Department of Insurance.

7. Doing any kind of insurance business specifically recognized as constituting the doing of an insurance business within the meaning of the statutes relating to insurance on behalf of any insurer, unless and until GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance.
8. Doing or proposing to do any insurance business in substance equivalent to any of the foregoing in a manner designed to evade the provisions of the statutes; and/or
9. Making, publishing, disseminating, circulating or placing before the public, or causing, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in a newspaper, magazine or other publication, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio or television station, or in any other way, an advertisement, announcement or statement containing any assertion, representation or statement with respect to the business of insurance or with respect to any person in the conduct of their insurance business, which is untrue, deceptive or misleading.

IT IS FURTHER ORDERED that GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY shall immediately notify all individuals for whom and with whom he engaged in the business of insurance that GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY has been ordered to cease and desist from engaging in the business of insurance, as specified above.

IT IS FURTHER ORDERED that RESPONDENTS shall present proof to the Texas Department of Insurance within thirty (30) days of receipt of this Order that Respondents have notified the individuals of this Order, as specified in the paragraph above.

IT IS FURTHER ORDERED that this Order is effective immediately and shall continue in force and effect until further order of the Commissioner. This Order is binding on GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY, and those acting as his agents, employees, representatives, servants, administrators and/or adjusters, and those acting in concert with him, and any assignee or successor of GLEN M. BARLING D/B/A BARLING & ASSOCIATES AND D/B/A A-FAMILY INSURANCE AGENCY.

Pursuant to TEX. INS. CODE ANN. art. 1.10A §3, any person affected by this Order and who seeks to contest it has the right to request a hearing before the Commissioner or her duly

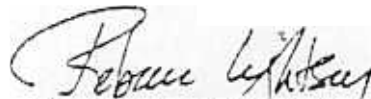
appointed representative, to show cause why this Order should not be affirmed. The person affected must make the request not later than the 30th day after the date on which the person receives this Order. The request must be in writing directed to the Commissioner and must state the grounds for the request to set aside or modify the Order. Pending the hearing, this Order shall continue in full force and effect unless stayed by the Commissioner. Any such hearing shall be conducted according to the procedures for contested cases under TEX. GOV'T CODE ANN. §§2001.051-2001.902.

**IN THE EVENT THIS ORDER IS VIOLATED, THE COMMISSIONER MAY:**

**IMPOSE A CIVIL PENALTY OF \$25,000.00 FOR EACH ACT OF VIOLATION, OR DIRECT THE PERSON AGAINST WHOM THE ORDER IS ISSUED TO MAKE COMPLETE RESTITUTION, IN THE FORM AND AMOUNT AND WITHIN THE PERIOD DETERMINED BY THE COMMISSIONER, TO ALL TEXAS RESIDENTS, TEXAS INSURED, AND ENTITIES OPERATING IN TEXAS DAMAGED BY THE VIOLATION OR FAILURE TO COMPLY, OR IMPOSE BOTH THE PENALTY AND DIRECT RESTITUTION, and/or**

**INITIATE PROCEEDINGS TO REVOKE THE CERTIFICATE OF AUTHORITY OF THE PERSON AFFECTED BY A RULING OR ACTION ISSUED UNDER THIS ARTICLE, and/or**

- (3) PURSUE ANY OTHER ACTION THE COMMISSIONER DEEMS APPROPRIATE UNDER APPLICABLE LAW.**



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REBECCA LIGHTSEY  
COMMISSIONER OF INSURANCE