

MAR 27 2025

FILED

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	FINDINGS OF FACT, CONCLUSIONS
	)	OF LAW, RECOMMENDED ORDER
PETITIONER,	)	AND ORDER
	)	
VS.	)	CAUSE NO. A-2442
	)	
JACOB CHAPA,	)	
(NAIC Producer #19886448)	)	
	)	
	)	
RESPONDENT.	)	

This matter came on for hearing on March 11, 2025, before Megan VanAusdall, a hearing officer duly appointed by the Director of the Nebraska Department of Insurance. The Nebraska Department of Insurance (“Department”) was represented by its counsel, Michael Anderson. Jacob Chapa (“Respondent”) was not present and was not represented by counsel. The proceedings were recorded by Shelly Storie, a licensed Notary Public. The Department presented evidence at the hearing and the matter was taken under advisement. The hearing officer makes the following Findings of Fact, Conclusions of Law, and Recommended Order:

FINDINGS OF FACT

1. The Department is the agency of the State of Nebraska charged with licensing Insurance Producers.
2. Jacob Chapa (“Respondent”) is a licensed non-resident insurance producer, whose license expired on September 30, 2024. Respondent’s registered residential and mailing address with the Nebraska Department of Insurance is 534 RIGSBY AVE, SAN ANTONIO, Texas 78210-3016. Respondent’s registered business address with the Nebraska Department of Insurance is FX

INSURANCE AGENCY, LLC, 6303 OWENSMOUTH AVE, WOODLAND HILLS, California 91367-2264. His business email address on file with the Department is [jacob.chapa@farmersinsurance.com](mailto:jacob.chapa@farmersinsurance.com), and his registered personal email address is [jacobrchapa@gmail.com](mailto:jacobrchapa@gmail.com). (See Ex. 2, Attachment 1).

3. On or about August 19, 2024, the Department was notified that the Respondent had been terminated for cause by Farmers Casualty Insurance Company. (See Ex. 1, Attachment 1)

4. On August 21, 2024, the Department, through its employee, John Marinovich, contacted Farmers Casualty Insurance Company to request additional information regarding the company's investigation and decision to terminate the Respondent, and on September 5, 2024, the Department received the investigation file from Farmers Casualty Insurance Company, including investigative records that indicated the Respondent enrolled in individuals' policies without their knowledge or consent. (See Ex. 1, Attachments 2 & 3)

5. On or about September 6, 2024, a letter was sent as a digital attachment to an email sent to Respondent's registered e-mail address, requesting that he provide a response to the Department regarding Farmers Casualty's findings. (See Ex. 1, Attachment 4)

6. Having received no response to the September 2024 emailed inquiry letter, the Department attempted to contact the Respondent again, this time by sending an inquiry letter by the U.S. Postal Service, certified return receipt requested, on or about November 22, 2024. (See Ex. 1, Attachment 5)

7. On or about December 4, 2024, the Department received the domestic return receipt associated with the letter sent by certified mail in November 2024, signed, certifying a delivery date of November 27, 2024.

8. As of January 28, 2025, the Department has not received a response from the Respondent to either the inquiry letter sent by email, nor the one sent by certified mail, return receipt requested. (Exhibit 1)
9. On or about January 28, 2025, the Petition and Notice of Hearing were served upon Respondent by Shelly Storie, (“Storie”), an employee of the Department, by mailing the same to Respondent’s registered mailing and residential addresses with the Department at 534 Rigsby Ave, San Antonio, TX 78210-3016, and to his business address with the Department at “FX Insurance Agency, LLC,” 6303 Owensmouth Ave., Woodland Hills, California 91367-2264, by certified mail, return receipt requested, and by regular mail. A copy was also sent as a digital attachment, to email messages sent to both of Respondent’s registered email addresses, [jacobchapa@gmail.com](mailto:jacobchapa@gmail.com), and [Jacob.chapa@farmersinsurance.com](mailto:Jacob.chapa@farmersinsurance.com) (See Exhibit 2)
10. On or about January 28, 2025, Storie received the following response to the attempted delivery of an email to Respondent’s first registered email address: “Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server: [jacobchapa@gmail.com](mailto:jacobchapa@gmail.com).” On the same date, Storie received the following response to the attempted delivery of Respondent’s second registered email address: “Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server: [Jacob.chapa@farmersinsurance.com](mailto:Jacob.chapa@farmersinsurance.com).” (See Exhibit 3, Attachment 1)
11. On or about February 25, 2025, the letter sent by certified mail, return receipt requested, was returned by the United States Postal Service (“USPS”) marked “RETURN TO SENDER, UNCLAIMED, UNABLE TO FORWARD.” As of March 6, 2025, the letter

sent by regular mail has not been returned to the Department. (See Exhibit 2, Attachment 2)

### CONCLUSIONS OF LAW

1. The Department has broad jurisdiction, control, and discretion over the licensing of insurance producers in the State of Nebraska pursuant to Neb. Rev. Stat. §§ 44-101.01 and 44-4047 et seq.

2. The Department has personal jurisdiction over Respondent.

3. Pursuant to Neb. Rev. Stat. § 44-4059(1)(g), the director may suspend or revoke an insurance producer's license or may levy an administrative fine for having admitted or been found to have committed any insurance unfair trade practice, any unfair claims settlement practice, or fraud.

4. Pursuant to Neb. Rev. Stat. § 44-4059(1)(h), the director may suspend or revoke an insurance producer's license or may levy an administrative fine for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.

5. Pursuant to Neb. Rev. Stat. § 44-1524 (1), it shall be an unfair trade practice in the business of insurance for any insurer "to commit any act or practice defined in section 44-1525 if the act or practice is committed flagrantly and in conscious disregard of the Unfair Insurance Trade Practices Act or any rule or regulation adopted pursuant to the act."

6. Pursuant to Neb. Rev. Stat. § 44-1525 (10), it shall be unfair trade practice in the business of insurance if any insurer if they engage in the "[m]aking false or fraudulent statements or representations on or relative to an application for a policy for the purpose of obtaining a fee, commission, money, or other benefit from any insurer, agent, broker, or individual person."

7. Pursuant to Neb. Rev. Stat. § 44-1525 (11), it shall be unfair trade practice in the business of insurance if any insurer if they engage in the “[f]ailing of any insurer, upon receipt of a written inquiry from the department, to respond to such inquiry or request additional reasonable time to respond within fifteen working days.”

8. Respondent violated Neb. Rev. Stat. §§ 44-4059(1)(g) & (h), 44-1524 (1), and 44-1525 (10) & (11) as a result of the conduct set forth in the Findings of Fact.

### DISCUSSION

At the hearing, the Department presented sufficient evidence of proper service of notice of these proceedings upon Respondent. The Department served Respondent via certified mail, return receipt requested and regular U.S. mail to the Respondent’s registered address. The Department also provided a Domestic Return Receipt for the notice filings, which, along with the tracking information also provided, confirm delivery to the Respondent. Based upon the evidence of record, the Department’s service of the petition and notice of hearing upon Respondent at its mailing address was sufficient and jurisdiction over the actions of the Respondent in this matter has been established.

The uncontested evidence shows that Respondent engaged in behavior that was coercive and dishonest in his dealings with several policyholders. Respondent’s actions demonstrate a level of dishonest and untrustworthy conduct incompatible with the high ethical and moral standards required of an insurance producer.

Based on the serious nature of the evidence presented, suspension of Respondent’s resident insurance producer license is appropriate in this case.


### RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent’s resident insurance producer’s license be suspended, until or unless the Department receives an

adequate response to their inquiries from the Respondent, as requested. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling Respondent or the Department of Insurance to make application for such orders as may be necessary.

Dated this 24<sup>th</sup> day of March 2025.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE


  
Megan VanAusdall  
Hearing Officer

CERTIFICATE OF ADOPTION

I have reviewed the foregoing Findings of Fact, Conclusions of Law, and Recommended Order and hereby certify that the Recommended Order is adopted as the official and final Order of this Department in the matter of State of Nebraska, Department of Insurance vs. Jacob Chapa (NAIC Producer #19886448), Cause No. A-2442.

Dated this 27<sup>th</sup> day of March 2025.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

  
Eric Dunning  
Director of Insurance

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Findings of Fact, Conclusions of Law, Recommended Order, and Order was served upon the Respondent by mailing a copy to Respondent's registered residential and mailing address with the Nebraska Department of Insurance, 534 RIGSBY AVE, SAN ANTONIO, Texas 78210-3016, and to Respondent's registered business address at FX INSURANCE AGENCY, LLC, 6303 OWENSMOUTH AVE, WOODLAND HILLS, California 91367-2264, via certified mail, return receipt requested and via regular U.S. mail on this 27<sup>th</sup> day of March 2025.

Shelley Stone