

## Mediator Roster Application

TDI maintains a mediator roster for Texas Windstorm Insurance Association (TWIA) claims. If TWIA demands mediation and the parties cannot agree on a mediator, TDI uses the roster to select one.

**Instructions for completing and submitting the application are at the end of this form.**

### Part 1: Name and contact information

Applicant full name \_\_\_\_\_

Company name \_\_\_\_\_

Mailing address (Can't be a PO Box) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_ County \_\_\_\_\_

Main phone \_\_\_\_\_ Alternate phone \_\_\_\_\_

Email address \_\_\_\_\_

### Consent to post on website

I  **do**  **do not** consent to posting my mailing address, phone number, email address, qualifications, geographic preferences, and claim preferences on TDI's mediator [roster](#).

If you **do not** consent to post your contact information, please select the information you are willing to post:

- Mailing Address
- Phone number
- Email Address
- Qualifications
- Geographic preferences
- Claim preferences
- None of the above

If you select "**None of the above**," TDI will add only your name to the roster.

### Questions

Email [PropertyCasualty@tdi.texas.gov](mailto:PropertyCasualty@tdi.texas.gov).

## Part 2: Qualifications

Please read the following statements and select the appropriate boxes.

### Required qualifications

- a. Have you completed a 40-hour basic mediation course conducted by an alternative dispute resolution system described in [Texas Civil Practice and Remedies Code Section 154.021\(a\)\(1\)](#)?  
 Yes  No
- b. Have you completed a 40-hour basic mediation course that complies with the [mediation training standards established by the Texas Mediation Trainers Roundtable](#)?  
 Yes  No

Please provide course dates, information about the course provider, and any other information to show that the course complied with either **A** or **B** above. Attach additional page if needed.

### Preferred qualifications

1. Have you conducted at least three mediations in the previous 12 months?  
 Yes  No
2. Have you acted as a mediator for any property damage claims?  
 Yes  No
3. Are you designated as a credentialed mediator by the Texas Mediator Credentialing Association?  
 Yes  No

## Part 3: Experience

List training or areas of expertise relating to property damage claims. Attach additional pages if needed.

List **experience** relating to property damage claims, including the number, type, and dollar value of disputes you mediated during the last three years. Attach additional pages if needed.

Provide information about any **relevant licenses or certifications** including issuing authority and license numbers.

## Part 4: Preferences

### Geographic preferences

- I will work in any Texas county listed below.
- I will work only in the Texas counties checked below:

<input type="checkbox"/> Aransas	<input type="checkbox"/> Brazoria	<input type="checkbox"/> Calhoun
<input type="checkbox"/> Cameron	<input type="checkbox"/> Chambers	<input type="checkbox"/> Galveston
<input type="checkbox"/> Harris	<input type="checkbox"/> Jefferson	<input type="checkbox"/> Kenedy
<input type="checkbox"/> Kleberg	<input type="checkbox"/> Matagorda	<input type="checkbox"/> Nueces
<input type="checkbox"/> Refugio	<input type="checkbox"/> San Patricio	<input type="checkbox"/> Willacy

### Claim preferences (Check all claim areas in which you will accept an assignment)

- |  |   |
|--|---|
| <input type="checkbox"/> Roofing                                   | <input type="checkbox"/> All commercial claims        |
| <input type="checkbox"/> All residential claims                    | <input type="checkbox"/> Commercial claims under \$1M |
| <input type="checkbox"/> Residential claims under \$250,000        | <input type="checkbox"/> Commercial claims over \$1M  |
| <input type="checkbox"/> Residential claims from \$250,000 to \$1M |   |
| <input type="checkbox"/> Residential claims over \$1M              |   |

## Part 5: Conflicts of interest

### Disqualifying conflict

- Are you a current TWIA employee, contractor, or contractor's employee?  
 Yes  No
- Do you currently have an open claim, or act as a representative or public adjuster on an open claim with TWIA?  
 Yes  No
- Are you a current TWIA claimant's employee, contractor, or contractor's employee?  
 Yes  No
- Are you a party to or represent a party to a current lawsuit with TWIA?  
 Yes  No
- Do you have any other direct or indirect interest, financial or otherwise, of any nature that substantially conflicts with the umpire's duties?  
 Yes  No
- Are you related to (within third degree by consanguinity or second degree by affinity) <sup>1</sup> a current TWIA employee?  
 Yes  No
- Are you related to (within third degree by consanguinity or second degree by affinity) <sup>1</sup> a current TWIA contractor or contractor's employee?  
 Yes  No

<sup>1</sup>To determine consanguinity or affinity, refer to [Government Code Chapter 573, Subchapter B](#).

## Potential Conflicts

1. Are you a former TWIA employee, contractor, or contractor's employee?  
 Yes  No
2. Are you a current TWIA policyholder?  
 Yes  No
3. Have you previously filed a claim with TWIA?  
 Yes  No
4. Are you a current employee or contractor of an insurance company or public insurance adjusting company?  
 Yes  No
5. Are you a party to or have you represented a party to a lawsuit with TWIA within the previous five years?  
 Yes  No
6. Are you related to (within third degree by consanguinity or second degree by affinity)<sup>1</sup> a former TWIA employee?  
 Yes  No
7. Are you related to (within third degree by consanguinity or second degree by affinity)<sup>1</sup> a former TWIA contractor or contractor's employee?  
 Yes  No

<sup>1</sup>To determine consanguinity or affinity, refer to [Government Code Chapter 573, Subchapter B](#).

### If you answered "yes" to any of the Conflicts, provide more information below.

If applicable, provide the requested information. (Attach additional pages if needed.)

I am a former TWIA employee: Dates of employment \_\_\_\_\_

I am a former TWIA contractor: Dates of employment \_\_\_\_\_

I am related to a former TWIA employee or contractor:

Name	Relation	Dates of employment

I am a current TWIA policyholder.

I filed a past claim with TWIA. Date of claim \_\_\_\_\_

Brief description of claim:

I am a current employee or contractor of an insurance company or public insurance adjusting company.

Company name \_\_\_\_\_

Description of current job:

I was a party or represented a party to a lawsuit involving TWIA within the last five years. Give details and dates for each instance.

## Part 6: Disciplinary and criminal background

List any **professional disciplinary actions and criminal convictions**. Include the date of the action or conviction, any cause number or proceeding number, and the name of the court or disciplinary authority. If none, please enter **None** below.

## Certification and agreement

By signing below, you agree to comply with [Texas Administrative Code, Title 28, Part 1, Chapter 5, Subchapter E, Division 4](#), including the following obligations:

- Comply with the ethical requirements in 28 TAC Section 5.4218(f); and
- Notify TDI of a disqualifying conflict of interest within 10 days of learning about the conflict.

By signing below, you also agree that all information in your application is true and accurate. You release TDI, the Commissioner, TDI employees, and agents from any and all liability, claims, and lawsuits with respect to the information submitted or obtained by TDI in connection with your application.

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Signature

Date

**Your rights:** You can request information we have about you by emailing [OpenRecords@tdi.texas.gov](mailto:OpenRecords@tdi.texas.gov) or writing to: Public Information Coordinator, Texas Department of Insurance, PO Box 12030 (mail code GC-ORO) Austin, Texas 78711-2030. You also have the right to ask that we fix information we have about you that is wrong. To ask for a correction, send (1) your name, mailing address, and your phone number, (2) details about what needs to be fixed, and (3) the reason or proof showing why the information is wrong. Send this by email to [RecordCorrections@tdi.texas.gov](mailto:RecordCorrections@tdi.texas.gov) or by mail to: Record Correction Request, Texas Department of Insurance, PO Box 12030 (mail code CO-AAL-CC), Austin, Texas 78711-2030.

## How to apply

To be added to the roster, send the complete application by email to [ChiefClerk@tdi.texas.gov](mailto:ChiefClerk@tdi.texas.gov) or mail to:

Chief Clerk, GC-CCO  
Texas Department of Insurance  
Mediator Roster Application  
PO Box 12030  
Austin, Texas 78701-2030

Applicants must meet required qualifications and have no disqualifying conflicts. Below are more details.

## Required qualifications

To qualify as a mediator, you must be one of the following:

- 40-hour basic mediation course conducted by an alternative dispute resolution system described in [Texas Civil Practice and Remedies Code Section 154.021\(a\)\(1\)](#).
- Course that complies with the [mediation training standards established by the Texas Mediation Trainers Roundtable](#).

## Preferred Qualifications

Before assigning you to a mediation, TDI will take into consideration if you have:

- Conducted at least three mediations in the previous 12 months
- Experience mediating property damage claims.

## Disqualifying Conflicts

You cannot be added to the roster if you:

- Are a current TWIA or claimant employee.
- Are a current TWIA or claimant contractor, or contractor's employee, except it is not a conflict for you to be a contractor solely to work on the pending appraisal.
- Are related to (within third degree by consanguinity or second degree by affinity)<sup>1</sup>.
  - A current TWIA employee;
  - A current TWIA contractor or contractor's employee;
  - The claimant or a representative of the claimant;
  - A current claimant employee; or
  - A current claimant contractor or contractor's employee.
- Currently have an open claim, or act as a representative or public adjuster on an open claim with TWIA.

- Are a party to or represent a party to a current lawsuit with TWIA.
- Adjusted the loss or acted as a public adjuster on the loss involved in the claim.
- Are related to the adjuster or public adjuster who adjusted the loss.
- Are an employee of the adjusting company or public insurance adjusting company that adjusted the loss or represented the claimant on the loss.
- Have any other direct or indirect interest, financial or otherwise, of any nature that substantially conflicts with the mediator's duties.

<sup>1</sup>To determine degrees of consanguinity or affinity, please refer to [Texas Government Code Chapter 573, Subchapter B](#).

## Potential conflicts

Before assigning you to a claim, TDI will take into consideration if you:

- Are a former TWIA or claimant employee, contractor, or contractor's employee.
- Are related to (within third degree by consanguinity or second degree by affinity)<sup>1</sup>:
  - a former TWIA employee;
  - a former TWIA contractor or contractor's employee;
  - a former claimant employee; or
  - a former claimant contractor or contractor's employee.
- Are a current TWIA policyholder.
- Previously filed a claim with TWIA.
- Are a current employee or contractor of an insurance company or public insurance adjusting company.
- Were a party or represented a party in a lawsuit with TWIA within the previous five years.

<sup>1</sup>To determine degrees of consanguinity or affinity, please refer to [Texas Government Code Chapter 573, Subchapter B](#).

## Application review process

TDI will review your application to determine if it meets the requirements. TDI will notify you in writing if your application is **not complete**. You may submit the additional information or a revised application. TDI reserves the right to request additional information from you as necessary.

## Notice and term

If approved, you will be on the roster for a **term of three years**. To remain on the roster for additional terms, you must submit an updated application to TDI. You are not on the roster until TDI sends you written notice that you are placed on the roster.

## **Mediator Roster and Assignment**

- TDI will publish the roster on its website.
- TDI can review your performance at any time.
- TDI may, in its sole discretion, remove you from the roster.
- You can request removal from the roster at any time.
- If TDI places you on the roster, it does not guarantee that TDI will assign you to a mediation.

## **Disqualification**

- You must notify TDI in writing of any material or potentially material changes in your application information.
- You must notify TDI of a disqualifying conflict within 10 days of learning about it.
- TDI will review disciplinary and criminal background information using the guidelines in Texas Administrative Code, [Title 28, Part 1, Ch. 1, Subchapter D, Section 1.502](#).
- TDI may disqualify you if you:
  - do not meet the roster requirements;
  - submit false or inaccurate information; or
  - fail to disclose disciplinary and criminal background information.

## **Release of applications**

All applications become TDI's property and may be subject to release under the Texas Public Information Act, [Texas Government Code Chapter 552](#).