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BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

COMPLAINANT:	:	
	:	NOTICE OF INFORMAL ADJUDICATIVE PROCEEDING AND ORDER
UTAH INSURANCE DEPARTMENT	:	
	:	
RESPONDENT:	:	FAILURE TO PAY FEE
	:	
Deborah Williams	:	DOCKET No. 2009-156 LC
TIAA Cref	:	
8500 Andrew Carnegie Blvd	:	
Charlotte, NC 28262	:	Enf. Case No. 2567
License No. 249541	:	
	:	

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated (U.C.A.) §§ 31A-2-101 and 63-46b-3 and Utah Administrative Code (U.A.C.) Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

FINDINGS OF FACT

1. Respondent is an insurance producer authorized to do the business of insurance in the State of Utah holding license number 249541.
2. Respondent was assessed a paper processing fee in the amount of \$25.00 pursuant to U.A.C. Rule R590-102-12(2) on December 30, 2008, that was due on February 3, 2009.
3. Respondent failed to pay the paper processing fee when due.
4. Respondent was notified of the past-due fee, and was sent a third invoice on or about May 12, 2009, by certified mail. As of the date of this action, Respondent has failed to pay the

fee assessed.

Having entered his Findings of Fact, the Commissioner now enters his:

CONCLUSION OF LAW

1. In failing to pay the paper processing fee when due, Respondent violated U.A.C. Rule R590-102-12(2).

2. Pursuant to U.C.A. § 31A-2-308(1)(b)(i), when a licensee violates an Insurance Department Rule, the commissioner may assess an administrative forfeiture of up to \$2,500.00 per violation.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

ORDER

IT IS HEREBY ORDERED:

1. Respondent shall pay an administrative forfeiture in the amount of \$100.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

2. Respondent shall also pay the paper processing fee in the amount of \$25.00, in addition to the forfeiture assessed herein. Said payment shall be made no later than ten (10) days after the date this Order becomes final.

3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

NOTIFICATION

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, State Office Building, Room 3110, P.O. Box 146901, Salt Lake City, Utah 84114-6901, Telephone Number (801) 538-3800. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$2,500.00 per violation and the suspension or revocation of your license and the filing of an action to enforce this Order in District Court, which may impose forfeitures of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

Questions regarding this Adjudicative Proceeding should be directed to Bill Stimpson, at the Utah Insurance Department (801) 538-3078.

DATED THIS 10th day of November, 2009.

D. KENT MICHIE
INSURANCE COMMISSIONER



MARK KLEINFELD, J.D.
ADMINISTRATIVE LAW JUDGE
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone (801) 538-3800

CERTIFICATE OF MAILING

I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

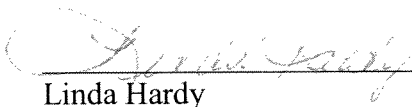
NOTICE OF INFORMAL
ADJUDICATIVE PROCEEDING
AND ORDER

FAILURE TO PAY FEE

To the following:

Deborah Williams
TIAA Cref
8500 Andrew Carnegie Blvd
Charlotte, NC 28262

DATED this 19th day of November 2009.



Linda Hardy

Court Clerk

Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114-6901

**UTAH
Invoice**

Printed Date: November 19, 2009

Invoice Date: December 30, 2008
Balance Due: \$25.00
Due Date: February 03, 2009
Invoice ID: 401820

WILLIAMS DEBORAH
TIAACREF
8500 ANDREW CARNEGIE BLVD
CHARLOTTE NC 28262

Item Description	Amount
Producer Paper Application Processing	\$25.00
Original Amount Due	\$25.00

**UTAH
Invoice**

Printed Date: November 19, 2009

Invoice Date: December 30, 2008
Balance Due: \$25.00
Due Date: February 03, 2009
Invoice ID: 401820

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901

**UTAH
Invoice - Original**

Printed Date: November 19, 2009
Invoice Date: November 19, 2009
Balance Due: \$100.00
Due Date: December 14, 2009
Invoice ID: 438401
Payor ID: 136587

WILLIAMS DEBORAH
TIAACREF
8500 ANDREW CARNEGIE BLVD
CHARLOTTE NC 28262

Item Description	Amount
11/19/2009 Monetary Penalty Individual E-Case 2567 Dcoket 2009-156 LC	\$100.00
Original Amount Due	\$100.00

**UTAH
Invoice - Original**

Invoice Date: November 19, 2009
Balance Due: \$100.00
Due Date: December 14, 2009
Invoice ID: 438401
Payor ID: 136587
Payor Name: WILLIAMS,
DEBORAH

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901