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## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

ARTHUR RAYMOND ENOS  
240 Pinehurst Pointe Drive  
St. Augustine, FL 32092  
License Pending

STIPULATION  
&  
ORDER

Docket No. 2008-030 LC

Enf. Case No. 2133

### STIPULATION

1. Respondent, Arthur Raymond Enos, is a licensed insurance agent in the State of Florida and has applied for a non-resident producer license in the State of Utah, which application is currently pending.

2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:
- a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;
  - b. Respondent admits the Findings of Fact and Conclusions made therefrom;
  - c. Respondent stipulates to the summary entry of the Order herein which shall be

*paid \$250      Tnc 375273*

in lieu of other administrative proceedings by Complainant in this matter; and

d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.

3. Respondent is aware of his right to a hearing at which he may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived his right to such hearing and to any appeal related thereto.

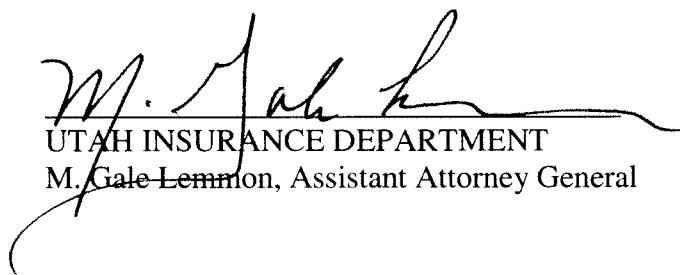
4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to his rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for the purpose of disposition of the matter entitled herein.

DATED this 27<sup>th</sup> day of March, 2008.

  
ARTHUR RAYMOND ENOS

  
UTAH INSURANCE DEPARTMENT  
M. Gale Lemmon, Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

**FINDINGS OF FACT**

1. Respondent applied for a non-resident producer's license in the State of Utah on or about January 23, 2008.

2. In his application for a license, Respondent answered "No" to the question: "Have you ... ever been involved in an administrative proceeding regarding any professional or occupational license, or registration?"

3. At the time the Respondent submitted his application he knew that the State of Florida had taken administrative action against his insurance agent's license on October 24, 1995, resulting in an administrative penalty of \$500.00.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

**CONCLUSIONS OF LAW**

1. In providing false information on his license application, Respondent violated Utah Code Annotated § 31A-23a-105(2), and brings into question whether he meets the character requirements to hold an insurance agent's license under Utah Code Annotated § 31A-23a-107(2), and is subject to administrative forfeitures under Utah Code Annotated § 31A-2-308 and the issuance of his license on a probationary status under Utah Code Annotated § 31A-23a-112.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

**ORDER**

IT IS HEREBY ORDERED:

1. Respondent is assessed an administrative forfeiture in the amount of \$250.00, to be paid within 30 days of the date of this Order.

2. Following the payment of the forfeiture assessed herein, the Department shall issue the license Respondent applied for which shall be on probation for a period of 12 months. The terms of probation are that Respondent shall have no further violations of the Utah Insurance Code or Rules or of any Order of the Commissioner.

**NOTIFICATION**

Respondent is hereby notified that failure to abide by the terms of this Order may subject you to further penalties, including additional 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 the District Court, which may impose penalties 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.

DATED this 3<sup>rd</sup> day of April, 2008.

D. KENT MICHIE  
INSURANCE COMMISSIONER

  
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MARK E. KLEINFELD, Esq.

Administrative Law Judge  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800

CERTIFICATE OF MAILING

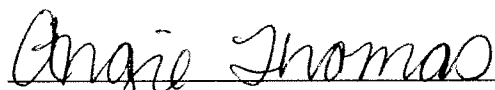
I do hereby certify that on this date I mailed, by regular mail, postage prepaid, a true and correct copy of the attached:

STIPULATION  
&  
ORDER

To the following:

Arthur Enos  
240 Pinehurst Pointe Drive St  
Augustine, Fl 32092

DATED this 3rd day of April, 2008.



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