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## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

JOE EDWARD ARREGUI  
8849 Paseo Ranchero Ct.  
Las Vegas, NV 89147  
License No. 293353

**NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER**

Docket No. 2008-114/LC

Enf. Case No. 2240

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated §§ 31A-2-201 and 63G-4-201 and Utah Administrative Code 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 independent adjuster authorized to do the business of insurance in the State of Utah holding License number 293353.
2. Respondent submitted an application for license as an independent insurance adjuster on June 10, 2008. In his application, Respondent answered "No" to the question "Have you ever been convicted of ... a crime...?" Respondent also answered "No" to the question "Have you ...

ever been involved in an administrative proceeding regarding any professional or occupational license ...?”

3. At the time of the submission of his application, Respondent knew that he had been convicted of Disturbing the Peace, a misdemeanor, on or about June 19, 1996, in the State of California.

4. At the time of the submission of his application, Respondent also knew that the State of Nevada had taken administrative action against his insurance adjustor’s license on August 1, 2005, by imposing a forfeiture of \$250.00 for failure to disclose his criminal history on his Nevada license application.

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

**CONCLUSION OF LAW**

1. In submitting false information on his license application by stating he had not been convicted of a crime when such was not the case, and failing to disclose the administrative action taken against his license in this state of residence, Respondent violated Utah Code Annotated §§ 31A-23a-105(2) and 31A-2-202(6).

2. In providing false information on his license application, Respondent brings into question his qualification to hold an insurance agent’s license under Utah Code Annotated § 31A-23a-107(2) as being competent and trustworthy.

3. In violating insurance statutes, Respondent is subject to imposition of forfeitures of up to \$5,000.00 per violation under Utah Code Annotated § 31A-2-308, and is subject to the revocation or suspension of his license under Utah Code Annotated § 31A-23a-111(5)(b), and having his license placed on probation under Utah Code Annotated § 31A-23a-112.

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

**ORDER**

**IT IS HEREBY ORDERED:**

1. Respondent is assessed an administrative forfeiture in the amount of \$500.00, to be paid within 10 days of the date this Order becomes final.
2. Respondent's license is placed on probation for a period of 12 months from the date this Order becomes final. The terms of probation are:
  - a. Respondent shall pay the administrative forfeiture assessed herein in a timely manner; and
  - b. Respondent shall have no further violations of the Utah Insurance Code or Rules or of any order of the commissioner.
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, Salt Lake City, Utah 84114, 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 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 Robert Herrera, at the Utah Insurance Department, telephone number (801) 538-3701.**

DATED THIS 21 day of August, 2008.

D. KENT MICHIE  
INSURANCE COMMISSIONER



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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

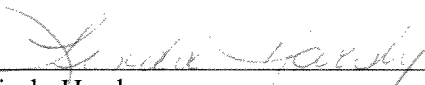
I do hereby certify that on this date I mailed, by regular mail, postage prepaid, a true and correct copy of the attached:

NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER

To the following:

Joe Edward Arregui  
8849 Paseo Ranchero Ct.  
Las Vegas, NV 89147

DATED this 21<sup>st</sup> day of August 2008.

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

**UTAH**  
**Invoice - Original**

Printed Date: August 21, 2008

Invoice Date: August 21, 2008  
Balance Due: \$500.00  
Due Date: September 20, 2008  
Invoice ID: 391537  
Payor ID: 1365439

ARREGUI JOE EDWARD  
6425 W SAHRA AVE 200  
LAS VEGAS NV 89146

<b>Item Description</b>	<b>Amount</b>
8/21/2008 Monetary Penalty Individual E-case 2240 Docket 2004-114 LC	\$500.00
<b>Original Amount Due</b>	<u>\$500.00</u>

**UTAH**  
**Invoice - Original**

Invoice Date: August 21, 2008  
Balance Due: \$500.00  
Due Date: September 20, 2008  
Invoice ID: 391537  
Payor ID: 1365439  
Payor Name: ARREGUI, JOE  
EDWARD

Make checks payable to: Utah Insurance Department

Send payment to:

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