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**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

SHEILA LYNN HOLMES
1215 W. Slaughter Ln., Apt. 527
Austin, TX 78748-6708

License No. 252670

**NOTICE OF INFORMAL
ADJUDICATIVE PROCEEDING
AND ORDER**

DOCKET No. 2008.168 LC

Enf. Case No. 2280

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 a non-resident insurance agent authorized to do the business of insurance in the State of Utah holding License number 252670.

2. Respondent submitted an application for renewal of her license on or about July 31, 2008.

3. In her renewal application Respondent answered “No” to the question “Since your last renewal ... application in this state, have you ... ever been involved in an administrative proceeding regarding any professional or occupational license...?”

4. Respondent knew at the time of her application that she had had her insurance agent’s license revoked in the State of West Virginia for failure to make a required disclosure on a license application.

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

CONCLUSION OF LAW

1. In failing to report the West Virginia action against her, and in providing information in her renewal application that was incorrect, misleading, incomplete or materially untrue, Respondent violated Utah Code Annotated §§ 31A-23a-202(6), 31A-23a-105(2) and 31A-23a-111(7)(a).

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 \$250.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

2. Respondent's insurance agent's license is placed on probation for a period of 12 months. The terms of probation are that Respondent shall pay the forfeiture assessed herein in a timely manner and 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 Richard Grieser,
at the Utah Insurance Department (801) 537-9057.

DATED THIS 30th day of December, 2008.

D. KENT MICHIE
INSURANCE COMMISSIONER

A handwritten signature in cursive script, reading "Mark E. Kleinfeld", is written over a horizontal line.

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

**UTAH
Invoice**

Printed Date: December 30, 2008

Invoice Date: December 30, 2008
Balance Due: \$250.00
Due Date: January 24, 2009
Invoice ID: 401819

HOLMES SHELIA LYNN
PROGRESSIVE CAS INS CO
7301 METRO CENTER DR
AUSTIN TX 78744-1748

Item Description	Amount
Monetary Penalty Individual	\$250.00
Original Amount Due	<u>\$250.00</u>

**UTAH
Invoice**

Printed Date: December 30, 2008

Invoice Date: December 30, 2008
Balance Due: \$250.00
Due Date: January 24, 2009
Invoice ID: 401819

Make checks payable to: Utah Insurance Department

Send payment to:

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

Detach and Return with Payment

CERTIFICATE OF MAILING

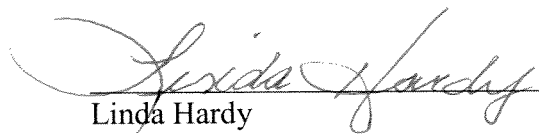
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

NOTICE OF INFORMAL
ADJUDICATIVE PROCEEDING
AND ORDER

To the following:

Shelly Lynn Holmes
1215 West Slaughter Ln. Apt. 527
Austin, TX 78748 6708

DATED this 30th day of December 2008.


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