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## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

Quality Payroll and Benefits  
9500 South 500 West, Suite 213  
Sandy, UT 84070  
Utah Co. Id. No. 158357

**NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER**

DOCKET No. 2009-052 EX

Enf. Case No. 0402

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated (U.C.A.) §§ 31A-2-101 and 63G-4-201 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 a Professional Employer Organization authorized to do the business of insurance in the State of Utah, Utah Company Identification number 158357.
2. Respondent failed to properly respond to an inquiry of the Commissioner dated March 27, 2009.
3. Thereafter, Respondent was required, by E-Mail dated March 12, 2009, to provide a substantive response to the Commissioner's initial inquiry on or before March 18, 2009. A meeting was set with the PEO on March 23, 2009 to submit all missing documentation. All

documentation was submitted except for the financial information. The Respondent stated that the information would be sent by E-Mail to D. Shane Sadler by March 27, 2009.

4. As of the date of this Notice of Informal Adjudicative Proceeding and Order, the financial information has not been received and the time for response and any extensions granted has expired.

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

### **CONCLUSION OF LAW**

1. In failing to submit a timely response to an inquiry from the Commissioner, the Respondent violated U.C.A. Subsection 31A-2-202(4).

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 \$750.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

2. Respondent shall provide a substantive response to the Commissioner's inquiries to be received in the offices of the Utah Insurance Department 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, Salt Lake City, Utah 84114, Telephone Number (801) 538-3872. 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 Eric Showgren, at the Utah Insurance Department (801) 537-9174.

DATED THIS \_\_\_\_\_ day of APR 07 2009, 2009.

D. Kent Michie  
INSURANCE COMMISSIONER

  
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MARK KLEINFILED, 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

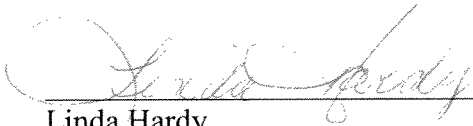
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER

To the following:

Quality Payroll and Benefits  
9500 South 500 West, Suite 213  
Sandy, UT 84070

DATED this 7<sup>th</sup> day of April, 2009.



Linda Hardy

Court Clerk

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

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

Printed Date: April 07, 2009  
Invoice Date: April 07, 2009  
Balance Due: \$750.00  
Due Date: May 04, 2009  
Invoice ID: 408655  
Payor ID: 158357

QUALITY PAYROLL BENEFITS  
9500 S 500 W  
STE 213  
SANDY UT 84070

<b>Item Description</b>	<b>Amount</b>
4/7/2009 Monetary Penalty Company	\$750.00
E-Case 2402 Docket 2009-052 EX	
<b>Original Amount Due</b>	<u>\$750.00</u>

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

Invoice Date: April 07, 2009  
Balance Due: \$750.00  
Due Date: May 04, 2009  
Invoice ID: 408655  
Payor ID: 158357  
Payor Name: QUALITY PAYROLL  
& BENEFITS

Make checks payable to: Utah Insurance Department

Send payment to:

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