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BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

NICHOLAS CHARLES LORENCE
3507 N. University Ave. #175
Provo, UT 84604
License No. 332596

STIPULATION AND ORDER

Docket No. 2010-057 LC

Enf. Case No. 2583

STIPULATION

1. Respondent, Nicholas Charles Lorence is a licensed insurance agent in the State of Utah, holding License No. 332596
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 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 purpose of disposition of the matter entitled herein.

DATED this 12th day of April, 2010.



NICHOLAS CHARLES LORENCE, Licensee
3507 N. University Ave. #175
Provo, UT 84604



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 Nicholas Charles Lorence (“Lorence”) held a Utah non-resident producer’s license from May 28, 2008 to November 23, 2009.
2. In a Department interview on July 29, 2009, Respondent stated that his residential address since July 2008 to the date of the interview was 1413 East 1630 South, Spanish Fork, UT and that his business address since November 2008 was 3507 N. University Ave. #175, Provo, UT.
3. Department records for May 2008 to November 22, 2009 show Respondent Lorence’s business address as 3445 W Craig Road, North Las Vegas, NV and his residential address as 9000 S. Las Vegas Blvd, Las Vegas, NV.
4. On July 29, 2009, signage on the Provo business office door displayed “Altig International” and “Altig-Orlic” and meets the definition of “Agency” as defined at Utah Code Ann. § 31A-1-301(6) as doing business under an assumed name.
5. Respondent Lorence’s business card displayed the Provo office address, displayed an email address of nicholaslorence@altig.com, and gives Lorence’s title as “MSG” with license No. H6507. Lorence stated the MSG indicated his position as “Managing General Agent” and the license number is his agent “code” as assigned by American Home Life Insurance Company. The card gave a false impression to the public and further indicated the establishment of an agency.
6. During the July 29, 2009 interview, Respondent Lorence admitted he recruited and

was responsible for managing approximately 22 producers assigned to his office.

7. Respondent Lorence acted on behalf of American Home Life Insurance Company without an appointment from approximately July 2008 to November 2009.

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

CONCLUSIONS OF LAW

1. Utah Code Ann. § 31A-23a-412(1)(c) (West 2009) requires a licensee to register the business and residential address with the commissioner and to notify the commissioner of any change within 30 days. Respondent violated this provision by failing to notify the Department of his Utah residence and his Utah office location.

2. Respondent Lorence violated Utah Code Ann. § 31A-23a-105 (4) (a) when he failed to obtain a resident producer license within 90 days from his change of residence in July 2008 from Nevada to Spanish Fork UT.

3. Respondent Lorence violated Utah Code Ann. § 31A-23a-110(2) by failing to notifying the commissioner that he was doing business under an assumed name from July 2008 to November 2009.

4. Respondent Lorence violated Utah Code Ann. § 41A-23a-103(1)(a); 31A-23a-301(a); 301(1), and 302(1)(2) by failing to obtain an agency license and designating an individual to act on behalf of the agency.

5. Respondent Lorence violated Utah Code Ann. § 31A-23a-412 by acting on behalf of American Home Life Insurance Company without an appointment from July 2008 to November

2009.

6. An administrative forfeiture in the amount of \$3,500.00 and probation for the period of 12 months is appropriate under the circumstances.

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

ORDER

IT IS HEREBY ORDERED:

1. Respondent Nicholas Charles Lorence is assessed an administrative forfeiture in the amount of \$3,500.00 to be paid to the Utah Insurance Department within 30 days of issuance of this Order.

2. Respondent Nicholas Charles Lorence is placed on probation for a period of 12 months commencing with the date of this order. The terms of probation are that Respondent shall pay the administrative forfeiture in a timely manner and shall have no further violations of the Utah Insurance Code or Rules or 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.

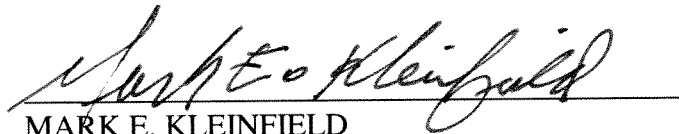
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You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

DATED this 13th day of April, 2010.

NEAL T. GOOCH
Acting Insurance Commissioner



MARK E. KLEINFELD
Administrative Law Judge
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
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