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Salt Lake City, UT 84114
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**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENTS:

BRONSON INSURANCE AGENCY

22 West Vine Street

Tooele, UT 84074

License No. 263206 (Lapsed)

DARRIN M. BRONSON

722 Fox Run Drive

Tooele, UT 84074

License No. 198287

SHANNON RICHE-BRONSON

722 Fox Run Drive

Tooele, UT 84074

License No. 263383

A ACTIVE INSURANCE AGENCY, INC.

3507 West 4700 South

Taylorsville, UT 84118

License No. 90603

JAMES W RICHE

3057 West 4700 South

Taylorsville, UT 84118

License No. 63260

**NOTICE OF EMERGENCY
ADMINISTRATIVE PROCEEDING**

CEASE AND DESIST ORDER

Docket No. 2010-012 PC

Enf. Case No. 2626

Pursuant to Utah Code Annotated § 63G-4-502 and § 31A-23a-111 and Utah

Administrative Code Rule R590-160, the Commissioner hereby institutes this Emergency

Proceeding. Based upon the information contained in the files of the department and known to the Commissioner, the presiding officer enters the following:

FINDINGS OF FACT

1. Respondent Bronson Insurance Agency is an insurance agency operating in Tooele County, Utah, previously licensed in the State of Utah, License No. 263206, which license lapsed for non-renewal on August 31, 2009.

2. Respondent Darrin M. Bronson is a licensed resident individual insurance producer in the State of Utah, License No. 198287, and is the owner of Bronson Insurance Agency.

3. Respondent Shannon Riche-Bronson is a licensed consumer service representative in the State of Utah, License No. 263383, and is the wife of Respondent Darrin M. Bronson, and working at Bronson Insurance Agency in Tooele, Utah.

4. Respondent A Active Insurance Agency, Inc. is a licensed insurance agency in the State of Utah, License No. 90603.

5. Respondent James Riche is a licensed resident individual producer in the State of Utah, License No. 63260, and is the owner of Respondent A Active Insurance Agency, Inc., and the father of Respondent Shannon Riche- Bronson.

6. Beginning at least September 2009 and continuing through the date of this Order, Respondents James Riche and A Active Insurance Agency, Inc. have utilized the services of Respondent Bronson Insurance Agency, an unlicensed producer, and Respondents Darrin M. Bronson and Shannon Riche-Bronson who are acting as agents for Bronson Insurance Agency, to market insurance in Tooele County, Utah.

7. Respondent Shannon Riche-Bronson, who is licensed only as a consumer service representative, runs the Bronson Insurance Agency office alone, marketing insurance, taking

applications, accepting insurance premiums, and otherwise acting as an insurance producer without having a license to act as such.

8. Respondent Darrin M. Bronson, works full-time in another profession and does not market insurance, meet with applicants or insureds and does not supervise the work of Respondent Shannon Riche-Bronson. However, Respondent Darren M. Bronson signs all insurance applications as the agent for applications taken by his wife, Shannon Riche-Bronson, without meeting with the applicants, attesting to the information in the applications.

9. All applications for insurance taken by Shannon Riche-Bronson and signed by Darren M. Bronson as the agent are sent electronically to the insurer under the name of Respondent James Riche at A Active Insurance Agency, Inc. for issuance of insurance policies.

10. Respondent Darrin M. Bronson is not designated on the license of Respondent A Active Insurance Agency, Inc. nor appointed by the insurers for whom he signs applications as the agent.

11. Premiums received by Respondents Bronson Insurance Agency and Shannon Riche-Bronson are not forwarded to the appropriate payee or deposited into a trust account by the close of the next business day, but are retained in the offices of Respondent Bronson Insurance Agency until they are forwarded to Respondents James Riche and A Active Insurance Agency, Inc.

12. Respondent James Riche through Respondent A Active Insurance Agency, Inc. pays commissions to Respondents Darrin M. Bronson and Shannon Riche-Bronson for policies sold by them.

13. Respondents Bronson Insurance Agency, Shannon Riche-Bronson and Darrin M. Bronson do not have in place any proper accounting records or policy files to account for the premiums received or policies written.

14. Respondent Darrin M. Bronson's license lapsed for non-compliance with continuing

education requirements from June 30, 2009 and October 20, 2009. During this period, Respondent Darrin M. Bronson continued to act as an insurance agent, signing and submitting policy applications.

Based upon the forgoing Findings of Fact, the presiding officer now enters the following:

CONCLUSIONS OF LAW

1. In utilizing the services of an unlicensed agency and an unlicensed agent in the marketing of insurance, Respondents James Riche and A Active Insurance Agency, Inc. and Darrin M. Bronson are violating Utah Code Annotated § 31A-23a-103(1)(c).

2. In acting as an insurance agent when not licensed as such, Respondent Shannon Riche-Bronson is violating Utah Code Annotated § 31A-23a-103(1)(a).

3. In acting as an insurance agency without a license, Respondent Bronson Insurance Agency is violating Utah Code Annotated §§ 31A-23a-103(a) and 31A-23a-301.

4. In signing applications for insurance for insureds that he has not met with and attesting to the information in the applications, Respondent Darrin M. Bronson is providing false or misleading information in connection with an insurance policy in violation of Utah Code Annotated § 31a-23a-402(1)(a)(i).

5. In utilizing the services of an insurance producer and a consumer service representative that are not designated on its license, Respondent A Active Insurance Agency, Inc. is violating Utah Code Annotated § 31A-23a-302(1).

6. In acting as an agent for insurers to whom he is not contracted, Respondent Darrin M. Bronson is violating Utah Code Annotated §§ 31A-23a-408.

7. In failing to forward premiums received to the intended payee or to deposit them into a trust account by the close of the next business day, Respondents Bronson Insurance Agency,

Darrin M. Bronson, and Shannon Riche-Bronson are violating Utah Code Annotated § 31A-23a-409.

8. In failing to keep appropriate business and accounting records regarding policies sold and premiums received, Respondents Bronson Insurance Agency, Darrin M. Bronson, and Shannon Riche-Bronson are violating Utah Code Annotated § 31A-23a-412(2) and Utah Administrative Code Rule R590-170-7.

9. In paying commissions to agents that were not licensed and/or not designated on the agency license or appointed by the insurer, Respondents James Riche and A Active Insurance Agency, Inc. are violating Utah Code Annotated § 31A-23a-504.

10. In continuing to act as an insurance producer while his license had lapsed, Respondent Darrin M. Bronson violated Utah Code Annotated § 31A-23a-103(1).

11. In committing the above violations, Respondents are utilizing practices in the conduct of their business that constitute an immediate and significant danger to the public welfare, requiring the commissioner to take emergency adjudicative action pursuant to Utah Code Annotated § 63G-4-502.

Based on the forgoing Findings of Fact and Conclusions of Law, the presiding officer now enters the following

ORDER

IT IS HEREBY ORDERED:

1. Respondents James Riche and A Active Insurance Agency, Inc. shall immediately cease and desist using the services of or accepting any business from any unlicensed insurance producer, including but not limited to the services of Respondents Bronson Insurance Agency and Shannon Riche-Bronson.

2. Respondents James Riche and A Active Insurance Agency, Inc. shall immediately cease and desist using the services of or accepting any business from any licensed insurance producer or consumer service representative that is not properly designated on the license of Respondent A Active Insurance Agency, Inc., including but not limited to the services of Respondents Shannon Riche-Bronson and Darrin M. Bronson.

3. Respondents Darrin M. Bronson and Shannon Riche-Bronson shall immediately cease and desist doing any business under the name of any entity not licensed to do insurance business in the State of Utah, including but not limited to Bronson Insurance Agency.

4. Respondent Shannon Riche-Bronson shall immediately cease and desist acting as an insurance producer until license as such and shall immediately cease and desist acting as a consumer service representative unless she is acting under the direct supervision of a licensed agent.

5. Respondent Darrin M. Bronson shall immediately cease and desist acting as an agent for any agency where he is not designated on the agency license, including but not limited to Bronson Insurance Agency and A Active Insurance Agency, Inc., or from acting as an agent for any insurer where he does not have an agency contract and is appointed by that insurer.

6. Respondent Darrin M. Bronson shall immediately cease and desist submitting or signing any insurance applications where he has not met personally with the applicant and can personally attest to the information provided in the application.

7. Respondent Bronson Insurance Agency shall immediately cease and desist doing any insurance business in the State of Utah until properly licensed to do so.

8. Respondents shall immediately cease and desist committing other violations of the Utah Insurance Code or Rules, including but not limited to violations of trust obligations for funds received, and failing to keep adequate business and accounting records, and improperly

sharing commissions.

NOTIFICATION

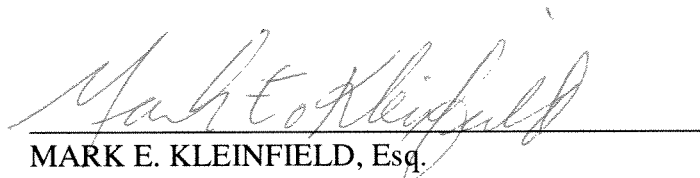
Respondents are hereby notified that failure to abide by the terms of this Order may subject them to further penalties, including additional forfeitures of up to \$5,000.00 per violation, the suspension or revocation of any insurance license, and the filing of an action to enforce this Order in the District 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.

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.

DATED this 1st day of February, 2010.

NEAL T. GOOCH
ACTING INSURANCE COMMISSIONER



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

EMERGENCY PROCEEDING
SUSPENSION OF LICENSE

BRONSON INSURANCE AGENCY
22 West Vine Street
Tooele, UT 84074

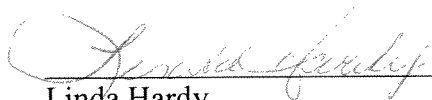
DARRIN M. BRONSON
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A ACTIVE INSURANCE AGENCY, INC.
3507 West 4700 South
Taylorsville, UT 84118

JAMES W RICHE
3057 West 4700 South
Taylorsville, UT 84118

DATED this 1st day of February 2010



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