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UTAH STATE
INSURANCE DEPT

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BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

Rodney Tietjen
533 South 1750 East
Spanish Fork, UT 84660
License No. 144204

STIPULATION AND ORDER

Docket No. 2010-162 LC

Enf. Case No. 2721

STIPULATION

1. Respondent, Rodney Tietjen is a resident licensed insurance agent in the State of Utah, holding License No. 144204.
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.

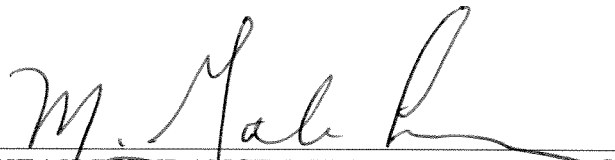
5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to his rights set forth herein.

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 4th day of November, 2010.



RODNEY TIETJEN, Licensee
533 South 1750 East
Spanish fork, UT 84660



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. On March 11, 2008, in Fourth District Court, State of Utah, Respondent was charged with multiple counts of Sexual Abuse of a Minor. On December 16, 2008, Respondent entered a guilty plea to two counts, both 2nd degree felonies. The remaining counts were dismissed. The criminal actions took place July 1, 2001. Following Respondent's guilty pleas, he was sentenced to serve 20 days in the Utah County jail, wear an electronic monitoring device for the following 70 days, and was placed on three years probation.

2. Respondent failed to notify the Department of the above convictions.

3. Following an anonymous tip, the Department began an investigation. During the investigation, Respondent stated that he had intended to notify the Department of the convictions at his next renewal date, which was July 31, 2010. However, Respondent did not notify the Department and allowed his license to lapse.

4. A letter dated April 1, 2010, from LDS Social Services "To Whom It May Concern" states that beginning on March 28, 2008, Respondent enrolled in a specialized sex offender treatment program through LDS Social Services and had developed a safety plan and skills making him less of a risk than when he entered treatment.

5. Respondent was cooperative during the Department investigation and takes full responsibility for his actions.

6. Respondent's license was reinstated on September 9, 2010.

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-105 requires an applicant for license issuance and renewal to disclose any criminal prosecution within 30 days of the initial court appearance before a court; and include a copy of the complaint or other relevant legal documents related to the action or prosecution.

2. By failing to disclose to the Commissioner the criminal prosecution begun March 11, 2008, the Respondent violated Section 31A-23a-105.

3. An administrative forfeiture in the amount of \$2,000 and probation for a period of two years is appropriate under the circumstances.

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

ORDER

IT IS HEREBY ORDERED:

1. An administrative forfeiture in the amount of \$2000.00 is assessed against Respondent Rodney Tietjen.

2. The forfeiture shall be paid to the Commissioner within thirty days of issuance of this Order.

3. Respondent Rodney Tietjen is place on probation for a period of two years

commencing with the date of this Order. The terms of probation are that Respondent shall have no further violations of the Utah Insurance Code, Department Rules, or any Order of the Commissioner.

DATED this 17th day of November, 2010.

NEAL T. GOOCH
Insurance Commissioner


MARK E. KLEINFELD
Administrative Law Judge
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone: (801) 538-3800

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 \$5,000.00 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.

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