

RECEIVED

JUL 23 2012

UTAH STATE
INSURANCE DEPT.

M. GALE LEMMON #4363
Assistant Attorney General
MARK L. SHURTLEFF #4666
Attorney General
Attorneys for Utah Insurance Department
160 East 300 South, Fifth Floor
P.O. Box 140874
Salt Lake City, UT 84114-0874
Telephone: 801.366.0375

4

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

COMPLAINANT: UTAH INSURANCE DEPARTMENT RESPONDENT: WENDY SUSAN HAMILTON 22718 Bassett Street West Hills, CA 91307 License No. 373760	STIPULATION AND ORDER Docket No. 2012-115 LC Enf. Case No. 3171
--	--

STIPULATION

1. Respondent, Wendy Susan Hamilton, is a non-resident insurance adjuster holding Utah license number 373760.
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 her right to a hearing at which she may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived her right to such hearing and to any appeal related thereto.

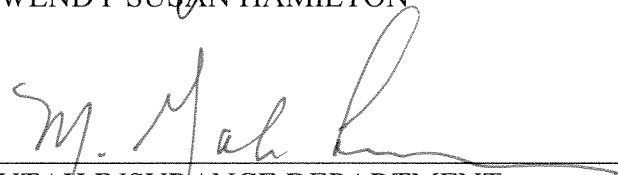
4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to her 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 19th day of July, 2012.


WENDY SUSAN HAMILTON


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 December 28, 2011, the state of Washington revoked Respondent's adjuster's license.
2. Respondent failed to notify Utah within thirty days of the administrative action taken in Washington becoming final as required by Utah statute.
3. On May 15, 2012 a Department examiner sent a request for explanation to Respondent.
4. On or about May 15, Respondent sent a letter of explanation to the Department examiner stating that Washington State had rejected her initial fingerprint card so Washington requested she send another. Respondent failed to get the fingerprint card returned in a timely manner so Washington revoked her license.
5. Throughout the investigation, Respondent was cooperative and did respond in a timely manner to the Department's request for information.
6. Respondent has agreed to an administrative forfeiture in the amount of \$250.00.

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

CONCLUSIONS OF LAW

1. In failing to notify the Utah Insurance Commissioner of an administrative action taken by another state against Respondent's license within 30 days of the action becoming final,

Respondent violated Utah Code Ann. § 31A-23a-105(2).

2. An administrative forfeiture in the amount of \$250.00 is appropriate in this matter.

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:

Respondent, Wendy Susan Hamilton is assessed an administrative forfeiture in the amount of \$250.00. The forfeiture shall be paid to the Department within 30 days of issuance of this Order.

DATED this 10th day of July, 2012.

NEAL T. GOOCH
Insurance Commissioner



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

NOTIFICATION

You are hereby notified that a failure to obey and Order of the Commissioner may subject you to further penalties, including forfeiture 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.

CERTIFICATE OF MAILING

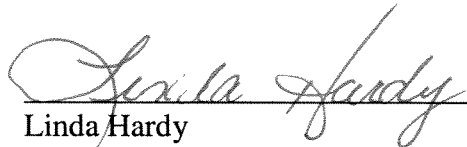
I do hereby certify that on this date I mailed, by regular mail postage prepaid, a true and correct copy of the attached:

STIPULATION
&
ORDER

To the following:

Wendy Susan Hamilton
22718 Bassett Street
West Hills, CA 91307

DATED this 25th day of July, 2012



Linda Hardy
Market Conduct
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114-6901
801-538-3860

UTAH
Invoice - Original

Printed Date: July 25, 2012
Invoice Date: July 25, 2012
Balance Due: \$250.00
Due Date: August 29, 2012
Invoice ID: 591272
Payor ID: 1453807

HAMILTON WENDY SUSAN
22718 BASSETT ST
WEST HILLS CA 91307

Item Description	Amount
7/25/2012 Monetary Penalty Individual	\$250.00
E-Case 3171 Docket # 2012-115 LC	
Original Amount Due	<u>\$250.00</u>
Payments Received	
	<u>Balance Due</u>

UTAH
Invoice - Original

Invoice Date: July 25, 2012
Balance Due: \$250.00
Due Date: August 29, 2012
Invoice ID: 591272
Payor ID: 1453807
Payor Name: HAMILTON, WENDY
SUSAN

Make checks payable to: Utah Insurance Department

Send payment to:

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