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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
Facsimile: 801-366-0378

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

<p>COMPLAINANT:</p> <p>UTAH INSURANCE DEPARTMENT</p> <p>RESPONDENTS:</p> <p>SENIOR BENEFIT INSURANCE SERVICES 12422 South 450 East, Suite B Salt Lake City, UT 84111-3349 License No. 400145</p>	<p>STIPULATION AND ORDER</p>  <p>Docket No. 2012-164 LC</p> <p>Enf. Case No. 3218</p>
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STIPULATION

1. Respondent, Senior Benefit Insurance Services, is a licensed Utah insurance producer organization holding license number 400145.
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 its right to a hearing at which it may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived its 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 its 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 22nd day of OCTOBER, 2012.



SENIOR BENEFIT INSURANCE SERVICES
By Trenton Olson



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 or about July 25, 2012, the Department contacted Respondent, Senior Benefit Insurances Services, regarding a complaint received alleging that a producer was conducting business in Utah on behalf of Respondent without proper designation.
2. The Department requested an explanation of the allegations, and a list of all persons conducting business on behalf of Senior Benefit Insurance Services.
3. On July 27, 2012, Respondent provided the list and a statement that it was not aware of designation requirements prior to the July 25, 2012 Department inquiry. However, on July 25, 2012, Respondent immediately designated the producer in question.
4. Respondent was cooperative during the investigation, and agreed to an administrative forfeiture in the amount of \$500.00

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-302(1) states:

An agency shall designate an individual producer, surplus lines producer, limited line producer, consultant, managing general agent, or reinsurance intermediary license to act on the agency's behalf in order for the licensee to do business for the agency in this state.

2. In failing to have a producer designated, Respondent violated the above statute.

3. An administrative forfeiture in the amount of \$500.00 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. Respondent, Senior Benefit Insurance Services, is assessed an administrative forfeiture in the amount of \$500.00 to be paid to the Utah Insurance Department withing 30 days of issuance of this Order.

DATED this 23rd day of October, 2012.

NEAL T. GOOCH
Insurance Commissioner


MARK E. KLEINFELD
Administrative Law Judge
Utah Insurance Department

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