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

COMPLAINANT:	:	NOTICE OF INFORMAL ADJUDICATIVE PROCEEDING AND ORDER
UTAH INSURANCE DEPARTMENT	:	
RESPONDENT:	:	Failure to Respond
Life of America Insurance Company	:	Docket No. 2012-156 HL
Attn: Silvana Lai	:	Enf. Case No. 3228
11720 Katy Freeway, #1700	:	
Houston, TX 77079	:	
	:	
Utah Company Id. No. 429	:	

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated (U.C.A.) § 31A-2-202 and 63G-4-201 and Utah Administrative Code (U.A.C.) Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

FINDINGS OF FACT

1. Respondent is a company authorized to do the business of insurance in the State of Utah, Utah Company Identification Number 429.

2. Respondent failed to properly file the *2011 Utah Accident & Health Survey*, by April 1, 2012, as required by the annual renewal instructions posted on the Utah Insurance Department's website (<http://insurance.utah.gov/insurers/renewals.html>), and the survey instructions (<http://www.insurance.utah.gov/insurers/AHSurveyInstructions.html>).

3. Respondent failed to properly respond to a 2nd Notice letter dated June 13, 2012, to provide a substantive response to the Commissioner's initial inquiry on or before July 5, 2012.

4. Respondent failed to properly respond to a Final Notice letter dated July 18, 2012, to provide a substantive response to the Commissioner's initial inquiry on or before August 3, 2012.

5. As of the date of this Notice of Informal Adjudicative Proceeding and Order, no response has been received and the time for response and any extensions granted has expired.

Having entered his Findings of Fact, the Commissioner now enters his:

CONCLUSION OF LAW

1. In failing to provide the required survey, respondent violated U.C.A. § 31A-2-201.2(4).
2. In failing to submit a timely response to an inquiry from the Commissioner, the Respondent violated U.C.A. § 31A-2-202(4).

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

ORDER

IT IS HEREBY ORDERED:

1. Respondent shall pay an administrative forfeiture in the amount of \$750.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

2. Respondent shall provide a substantive response and file the required survey to be received in the offices of the Utah Insurance Department no later than ten (10) days after the date this Order becomes final.

3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

NOTIFICATION

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, 160 E. 300 S., Fifth Floor, P.O. Box 140874, Salt Lake City, UT 84114-0874, Telephone Number (801) 366-0375. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$2,500.00 per violation and the suspension or revocation of your license of the filing of an action to enforce this Order 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.

Questions regarding this Adjudicative Proceeding should be directed to Marilyn Thorstensen, 801-538-3241.

DATED THIS 18th day of October, 2012.

NEAL T. GOOCH
INSURANCE COMMISSIONER



MARK KLEINFELD, J.D.
ADMINISTRATIVE LAW JUDGE
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone (801) 538-3800