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RECEIVED  
MAY 17 2013  
UTAH STATE  
INSURANCE DEPT.

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

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**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

MARK L. PETERSON  
35 West 900 South  
Orem, UT 84058  
License No. 84654

**STIPULATION AND ORDER**

Docket No. 2013-069 PC  
Enf. Case No. 3291

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**STIPULATION**

1. Respondent, Mark L. Peterson is a Utah resident producer holding Utah license number 84654.
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 17 day of MAY, 2013.

  
\_\_\_\_\_  
MARK L. PETERSON

  
\_\_\_\_\_  
UTAH INSURANCE DEPARTMENT  
M. Gale Lemmon, Assistant Attorney General

Based on the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

**FINDINGS OF FACT**

1. On September 17, 2012, the Market conduct Division received a referral from the Producer Licensing Division regarding a termination for cause by Allstate Insurance Company of Respondent Mark L. Peterson, who had been designated to Allstate. Among other reasons for the termination, Respondent had allowed an unlicensed staff person to act as an insurance producer for property and casualty insurance on his behalf.

2. On January 31, 2013, an interview was held in which Respondent admitted that his son, Steven Robert Peterson was processing applications, endorsements, and giving quotes related to property and casualty insurance during the period of February 2010 through September 2012 without the proper line of authority.

3. Respondent admitted that he knew that his son was not licensed for Property and Casualty, and that by allowing Steven Robert Peterson to conduct property and casualty business on his behalf, he was acting in the capacity of Agency.

4. Respondent does not have an agency license.

5. Respondent was cooperative and truthful in during the Producer Licensing Division investigation.

6. Respondent has agreed to an administrative forfeiture in the amount of \$1,000.00 and probation for a period of one year.

Based on 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-301 requires an insurance organization to be licensed as an agency if the organization acts as a producer.

2. Utah Code Annotated Section 31A-23a-103 requires a producer to have a valid license and line of authority or license type issued by the Department to conduct insurance business in the State of Utah.

3. Respondent, while appointed with Allstate Insurance Company, and without an agency license, allowed his son Steven Robert Peterson to conduct property and casualty related insurance business on his behalf while working in Respondent's office without the proper line of authority.

4. The agreement between the Department and Respondent for an administrative forfeiture in the amount of \$1,000 and probation for one year is appropriate in this matter.

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

**ORDER**

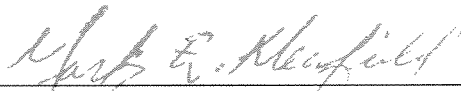
**IT IS HEREBY ORDERED:**

1. Respondent, Mark L. Peterson, is assessed an administrative forfeiture of \$1,000.00 to be paid to the Department within 30 days of this Order and is placed on probation for a period of one year commencing with the date of this Order.

2. The terms of probation are that Respondent shall make timely payment of the forfeiture assessed herein, shall not use any name or organization in marketing insurance other than his own name as it appears on his license unless he obtains an agency license for that name or organization, and Respondent shall have no further violations of the Insurance Code, Department Rules, or any order of the Commissioner.

DATED this 4<sup>th</sup> day of June, 2013.

TODD E KISER  
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**

You are hereby notified that a failure to obey an 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

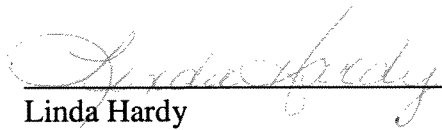
I do hereby certify that on this date I mailed, by regular mail postage prepaid, a true and correct copy of the attached:

STIPULATION  
&  
ORDER

To the following:

**Mark L. Peterson**  
35 West 900 South  
Orem, UT 84058

DATED this 4<sup>th</sup> day June, 2013

  
\_\_\_\_\_  
Linda Hardy  
Market Conduct  
801-538-3860  
[lhardy@utah.gov](mailto:lhardy@utah.gov)

**UTAH  
Invoice - Original**

Printed Date: June 04, 2013  
Invoice Date: June 04, 2013  
Balance Due: \$1,000.00  
Due Date: July 04, 2013  
Invoice ID: 637770  
Payor ID: 39602

PETERSON MARK L  
185 NORTH MAIN  
SPANISH FORK UT 84660

<b>Item Description</b>	<b>Amount</b>
6/4/2013 Monetary Penalty Individual E-case 3291 Docket #2013-069 PC	\$1,000.00
<b>Original Amount Due</b>	<u>\$1,000.00</u>
<b>Payments Received</b>	
	<u><b>Balance Due</b></u>

**UTAH  
Invoice - Original**

Invoice Date: June 04, 2013  
Balance Due: \$1,000.00  
Due Date: July 04, 2013  
Invoice ID: 637770  
Payor ID: 39602  
Payor Name: PETERSON, MARK L

Make checks payable to: Utah Insurance Department

Send payment to:

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