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UTAH STATE
INSURANCE DEPT.

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

UTAH INSURANCE DEPARTMENT,

Complainant,

vs.

FULL SPECTRUM INSURANCE AGENCY

1009 West 500 South
Bountiful, UT 84001
License No. 297267

Respondent.

**STIPULATION
AND ORDER**

Docket No. 2013-119 PC

Enforcement Case No. 3347

The Utah Insurance Department (“Department”), by and through its attorney, Perri Ann Babalis, Assistant Attorney General, and Full Spectrum Insurance Agency (“Respondent”), a licensed producer organization, hereby stipulate and agree as follows:

STIPULATION

1. Respondent, Full Spectrum Insurance Agency (“Full Spectrum”), is a licensed producer organization in the State of Utah, holding License No. 297267.

2. Respondent admits the jurisdiction of the Utah Insurance Commissioner over Respondent and over the subject matter of this action.

3. Respondent and the Commissioner hereby express their intent that this matter be resolved expeditiously through stipulation as contemplated in Utah Code Ann. § 63G-4-102(4).

4. Respondent affirms that Respondent enters into this stipulation voluntarily and knowingly.

5. Respondent affirms that the only promises, agreements, or understandings the Respondent has obtained from the Commissioner or from an agent or representative of the Commissioner regarding this stipulation are contained herein.

6. Respondent acknowledges that Respondent has been informed of Respondent’s right to be represented by legal counsel and that Respondent has waived this right. Respondent has either sought the advice of an attorney or has voluntarily chosen not to do so.

7. Respondent acknowledges that upon approval by the Respondent and the Commissioner, this stipulation shall be made a part of the attached final order, and shall be the final compromise and settlement of this matter, and is not subject to reconsideration, renegotiation, modification, appeal, or rehearing.

8. Respondent admits on or about May 13, 2013, the Department became aware that a licensed insurance producer, John West, was not properly associated with any insurance agency, specifically, he was not associated with Respondent, Full Spectrum.

9. Respondent admits that upon review of Respondent’s agent associations, it was determined that only one agent, Amber Jane Christensen, was associated with Full Spectrum. The

Department contacted Full Spectrum with this information, who, in turn, promptly reinstated their remaining agent appointments.

10. Respondent admits that Full Spectrum's license lapsed on September 30, 2012, and was reinstated on October 4, 2012.

11. Respondent admits that when it reinstated its' insurance agency license, it failed to reinstated its' agent appointments.

12. Respondent admits that On or about June 12, 2013, the Department contacted Full Spectrum and asked how many policies they wrote during the time that their agency license was lapsed. Respondent replied that a total of five (5) policies were written between September 30, 2012 and October 4, 2012.


13. Respondent admits that on or about July 9, 2012, Full Spectrum sent the Department an email stating that during the time that their agents were not associated with the agency (September 30, 2012 to June 11, 2013), they wrote a total of 246 policies.

14. Respondent admits that the above acts and practices constitute violations of the Utah Insurance Code. Specifically, Respondent admits that Respondent has violated:

- a. Utah Code Ann. § 31A-23a-103, Requirement of License;
- b. Utah Code Ann. § 31A-23a-408, Representations of agency;
- c. Utah Code Ann. § 31A-23a-302, Agency designations; and
- d. Utah Administrative Rule, R590-244, Individual and Agency Licensing Requirements.

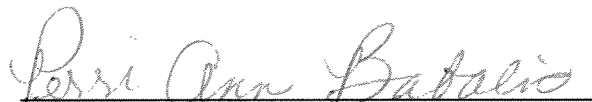
15. As full settlement of all of the issues raised in the stipulation, Respondent agrees to pay a forfeiture of \$1,500.00 to the Department, over a 3-month period, with the first payment of \$500 due within 30 calendar days from the date of the Order;

DATED this 31 day of October, 2013.


Full Spectrum Insurance Agency
By: David Steven Davenport
Respondent

DATED this 4th day of November, 2013.

JOHN E. SWALLOW
Attorney General


Perri Ann Babalis
Assistant Attorney General

Based upon the foregoing Stipulation, the Presiding Office hereby enters the following:

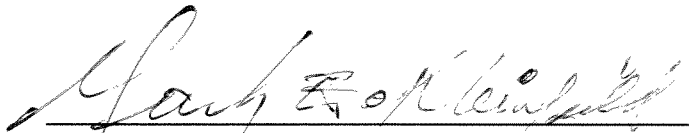
ORDER

IT IS HEREBY ORDERED:

1. Respondent shall pay a forfeiture of \$1,500.00, over a 3-month period with the first payment of \$500 to be paid to the Department within 30 calendar days from the date of the Order.
2. 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 \$2,500.00 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.
3. Respondent is further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

DATED this 5th day of November, 2013.

TODD E. KISER
INSURANCE COMMISSIONER



MARK E. KLEINFELD, Esq.
Administrative Law Judge
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