Utah Insurance Department State Office Building, Rm 3110 Salt Lake City, UT 84114 (801)538-3800 Sandra Halladay 801-537-9162

BEFORE THE INSURANCE COMMISSIONER STATE OF UTAH

UTAH INSURANCE DEPARTMENT, COMPLAINANT

NOTICE OF INFORMAL AGENCY ACTION AND ORDER

vs.

SAMANTHA SPENNY, License No. 215466, RESPONDENT.

Docket No. 2014-057 LC Enf. Case No. 3494 Judge Mark Kleinfield Administrative Law Judge

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Ann. §§ 31A-2-201 and 63G-4-201 and Utah Admin. Code R590-160. Based upon information contained in agency files or known to the Department, the Department asserts the following facts:

FACTS

- 1. Respondent is a non-resident insurance agent authorized to do the business of insurance in the State of Utah holding License Number 215466.
- Respondent failed to properly respond to an inquiry of the Commissioner, dated
 March 13, 2014, and sent to Respondent's following address on file with the Department: 116
 Hawkins Court, Germantown, Ohio, 45327-8367.
- 3. Thereafter, Respondent was required by certified letter dated, April 3, 2014 to provide a substantive response to the Commissioner's initial inquiry on or before April 14, 2014.

4. As of the date of this Notice of Agency Action and Order, no response has been received and the time for response and any extensions granted have expired.

BASED UPON THE FOREGOING FACTS

l. In failing to submit a timely response to an inquiry from the Commissioner, the Respondent has violated Utah Code § 31A-2-202(4).

Based upon the foregoing facts, the Commissioner now enters the following Order:

<u>ORDER</u>

IT IS HEREBY ORDERED:

- 1. Respondent is assessed an administrative forfeiture in the amount of \$500.00. 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 to the Commissioner's inquiries 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, please contact Market Conduct Examiner, Sandra Halladay, at 801-537-9162. 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 and 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.

DATED THIS 29 day of May, 2014.

TODD E. KISER **INSURANCE COMMISSIONER**

Administrative Law Judge **Utah Insurance Department**

State Office Building, Room 3110

Salt Lake City, Utah 84114

Telephone (801) 538-3800