

Utah Insurance Department  
State Office Building, Rm 3110  
Salt Lake City, UT 84114  
Telephone (801)538-3800  
Suzette Green-Wright, Market Conduct Director  
Telephone (801) 538-9674

**BEFORE THE INSURANCE COMMISSIONER  
STATE OF UTAH**

<b>UTAH INSURANCE DEPARTMENT, COMPLAINANT</b>	:	<b>NOTICE OF INFORMAL AGENCY ACTION AND ORDER</b>
vs.	:	
<b>Individual, License No.1548334, James Benjamin Harte 2443 Kingscliff Drive NE Atlanta, Georgia 30345 RESPONDENT</b>	:	Docket No. 2014- 111 LC Enf. Case No. 3544 Judge Mark Kleinfeld Administrative Law Judge

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Ann. § 31A-2-201, 31A-3-103 and 63G-4-201 and Utah Admin. Code R590-102. Based upon information contained in agency files or known to the Department, the Department asserts the following facts:

FACTS

1. Respondent is a licensed insurance producer authorized to do the business of insurance in the State of Utah holding License Number 1548334.
2. Respondent paid his licensing fee by credit card on October 24, 2013, and later refuted the charge.
3. On October 21, 2014, NIPR, the licensing entity for multiple states, requested that the you were contacted on two separate occasions in an attempt to collect this fee. Attempts were

Utah Insurance Department intervene for the outstanding payment of \$81.18. NIPR stated that sent to your email, James\_Harte@gbtpa.com, on record and to 2443 Kingscliff Drive NE, Atlanta, Georgia 30345.

BASED UPON THE FOREGOING FACTS

1. In failing to submit the replacement fees for licensure, the Respondent has violated Utah Code § 31A-2-202(4) and 31A-3-103.

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

**ORDER**

**IT IS HEREBY ORDERED:**

1. Respondent's is assessed an administrative forfeiture in the amount of \$500.00 and Respondent must pay the outstanding fee amount of \$81.18 to NIPR, 100 Walnut Street, Suite 1500, Kansas City, MO 64106. Said forfeiture and fee 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 regarding the lack of payment of fees.
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**

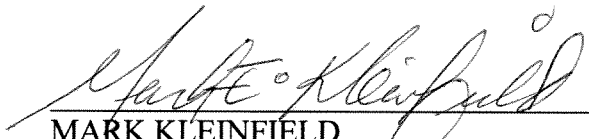
If you request a hearing regarding this matter, please contact Suzette Green-Wright, at 801-538-9674. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

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 21 day of October, 2014.

TODD E. KISER  
INSURANCE COMMISSIONER

  
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MARK KLEINFELD  
Administrative Law Judge  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
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