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

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UTAH INSURANCE DEPARTMENT.

Complainant,

v.

NATIONAL ENROLLMENT SERVICES,  
INC.

450 Skokie Blvd. #702  
Northbrook, IL 60062  
License # 5835

and

HOWARD LABOW  
c/o National Enrollment Services, Inc.  
666 Dundee Rd Ste. 1603  
Northbrook, IL 60062  
License #546345

Respondents.

STIPULATION AND ORDER

Docket No. 2015-125-HL

Enf. Case No. 3685

Judge Gregory Soderberg  
Administrative Law Judge

## STIPULATION

The Utah Insurance Department (“Department”), by and through its attorney, Perri Ann Babalis, and National Enrollment Services, Inc. (“National Enrollment Services”) and Howard Labow (“Respondents”), by and through legal counsel, Suzanne Spradley, hereby stipulate and agree as follows:

1. Respondent, National Enrollment Services, is a non-resident producer organization licensed in Utah. Respondent’s business address is 450 Skokie Blvd. #702, Northbrook, IL 60062. Respondent National Enrollment Services’ license number is 5835.
2. Respondent, Howard Labow, is a licensed producer, holding license number 546345. Mr. Howard’s address is c/o National Enrollment Services, 666 Dundee Road Ste. 1603, Northbrook, IL 60026.
3. The Department has jurisdiction over the parties and subject matter of this administrative action.
4. Respondents acknowledge notice of agency action pursuant to Utah Code § 63G-4-201; acknowledge that this Stipulation and Order is an informal proceeding pursuant to Utah Code Section 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.
5. Respondents are represented by legal counsel with regards to this Stipulation.
6. This signed Stipulation, along with any Findings of Fact and Conclusions of Law, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

7. The Findings of Fact and Conclusions of Law presented below are accepted by the parties.

8. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

9. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

10. Respondents enter into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

11. The persons signing this Stipulation on behalf of the named parties hereby affirm that they are authorized to sign and bind the parties.

Dated this 14 day of 1, 2016,



HOWARD LABOW, Individually and on behalf of  
NATIONAL ENROLLMENT SERVICES, INC.

Dated this 19<sup>th</sup> day of January, 2016.



PERRI ANN BABALIS  
Utah Assistant Attorney General

Based upon the foregoing Stipulation and Department file, the Presiding Officer makes the following Findings of Fact:

### **FINDINGS OF FACT**

1. Based on a complaint received by the Department, the Department conducted an investigation against Respondent, National Enrollment Services, and its agent, Howard Labow.

2. The investigation revealed that Mr. Labow contacted Utah employers with the hopes of setting up appointments with their employees to discuss insurance products, including, earned income tax credit options and voluntary insurance products. The Department considers these acts to be the solicitation of insurance business.

3. The investigation concluded that Mr. Labow solicited insurance without a license.

4. As a result, Mr. Labow's agency, National Enrollment Services, utilized the services of an unlicensed producer.

5. Following the investigation, Mr. Labow obtained his Utah insurance license on October 6, 2015.

6. Respondents cooperated fully in the investigation and provided timely responses to the Department's requests for information and clarification.

7. As a result of the investigation, the Department recommends a forfeiture in the amount of \$3,000.00 to Respondents. Respondents agree to the recommended forfeiture.

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

### **CONCLUSIONS OF LAW**

1. Utah Code Section 31A-23a-103 states that a person may not perform, offer to perform, or advertise any service as a producer in Utah without a valid individual or agency

license. Also, a person may not utilize the services of another as a producer if that person knows or should have known that the other person does not have a license as required by law.

2. Respondent, National Enrollment Services, violated the above referenced statute when it failed to ensure that Mr. Labow was properly licensed in Utah before he carried on insurance activities on its behalf in Utah.

3. Respondent, Howard Labow, violated the above referenced statute by soliciting insurance without a Utah license.

4. The proposed administrative forfeiture is appropriate under the circumstances.

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

### **ORDER**


#### **IT IS HEREBY ORDERED:**

1. Respondents, National Enrollment Services and Howard Labow, are assessed a forfeiture in the amount of \$3,000.00, which shall be paid to the Department within 30 days of the date of this Order.

2. Respondent, Howard Labow, shall maintain his Utah insurance license, and shall have no further violation of the insurance statutes or Department rules described herein.

DATED this 19th day of January, 2016.

TODD E. KISER  
Insurance Commissioner

  
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GREGORY SODERBERG  
Administrative Law Judge  
Utah Department of Insurance  
State Office Building, Room 3110  
Salt Lake City, UT 84114  
Telephone (801) 530-6706

**NOTIFICATION TO RESPONDENT**

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 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 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.