

Utah Insurance Department  
State Office building, Rm 3110  
Salt Lake City, UT 84114  
801-538-3800  
Meldee Love

## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

|   |   |   |
|---|---|---|
| <b>COMPLAINANT:</b>                       | : | <b>NOTICE OF INFORMAL<br/>AGENCY ACTION<br/>AND ORDER</b> |
| UTAH INSURANCE DEPARTMENT                 | : |   |
|   | : |   |
| <b>RESPONDENT:</b>                        | : |   |
|   | : | Docket No. 2015-126 PC                                    |
| Security Planning & Insurance Corporation | : |   |
| 1307 South 1100 East                      | : | Enf. Case No. 3686  |
| Spanish Fork UT 84660                     | : | Judge Mark Kleinfeld                                      |
| License No. 416769                        | : | 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 Commissioner, the Commissioner makes the following:

### FINDINGS OF FACT

1. Respondent is an insurance agent authorized to do the business of insurance in the State of Utah holding License number 416769.
2. Respondent failed to properly respond to an inquiry of the Commissioner dated 9/2/2015.
3. Thereafter, Respondent was required, by certified letter dated 9/25/2015, to provide a substantive response to the Commissioner's initial inquiry on or before 9/30/2015.

4. As of the date of this Notice of Informal Adjudicative Proceeding and Order, no response has been received and the time for response and any extensions granted has expired.

Having entered his Findings of Fact, the Commissioner now enters his:

**CONCLUSION OF LAW**

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

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

**ORDER**

**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**

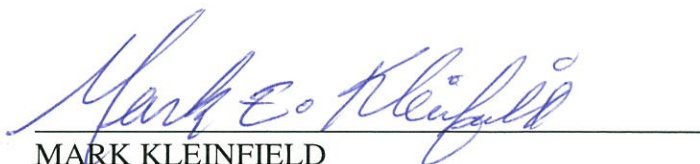
If you request a hearing regarding this matter, please contact Linda Hardy, at 801-538-3860. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

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 5 day of October, 2015.

TODD E. KISER  
INSURANCE COMMISSIONER

A handwritten signature in blue ink that reads "Mark E. Kleinfeld". The signature is written in a cursive style and is positioned above a horizontal line.

MARK KLEINFELD  
Administrative Law Judge  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800