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

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UTAH INSURANCE DEPARTMENT,

Complainant,

v.

RICHARD E. DAVIS  
1036 N 600 E  
Springville, UT 84663  
Utah License # 232152

Respondent.

**STIPULATION AND ORDER**

Docket No. 2016-041 PC

Enf. Case No. 3755

Judge Gregory Soderberg  
Administrative Law Judge

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**STIPULATION**

The Utah Insurance Department ("Department"), by and through its attorney, Perri Ann Babalis, and Richard E. Davis ("Respondent"), hereby stipulate and agree as follows:

1. Respondent, Richard E. Davis, is a property and casualty insurance producer, holding an insurance license in the state of Utah, License # 232152. Respondent's address is 1036 North 600 East, Springville, UT 84663.

2. The Department has jurisdiction over the parties and subject matter of this Stipulation.

3. Respondent acknowledges notice of agency action pursuant to Utah Code § 63G-4-201; acknowledges 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.

4. Respondent is represented by legal counsel with regards to this Stipulation, or has waived the right to review this Stipulation with counsel.

5. 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.

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

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

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

9. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

10. The person, if any, signing this Stipulation on behalf of the named party hereby affirms that he is authorized to sign and bind the party.

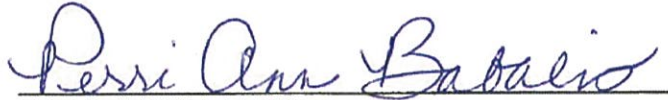
Dated this 19 day of April, 2016,

**Richard Edward  
Davis III**

Digitally signed by Richard Edward Davis III  
DN: cn=Richard Edward Davis III, o, ou,  
email=richarddavis@allstate.com, c=US  
Date: 2016.04.19 16:08:28 -06'00'

**RICHARD E. DAVIS**  
Respondent

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



**PERRI ANN BABALIS**  
Utah Assistant Attorney General for the  
Utah Insurance Department

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

**FINDINGS OF FACT**

1. The Utah Insurance Department received a complaint that the Respondent signed a Certificate of General Liability however, the policy only covered the insureds' tools against physical damage.
2. Respondent acknowledged that he wrongfully signed the Certificate of General Liability.
3. Based upon the Department's investigation, the Respondent was found to have provided false and misleading information on a certificate of liability insurance form.

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

**CONCLUSIONS OF LAW**

1. Utah Code Ann § 31A-23a-402 states that a producer may not make or cause to be made any communication that contains false or misleading information relating to an insurance product or contract, including making a false entry in a record.

2. Respondent, Richard E. Davis, violated the above referenced statute when he signed a certificate of liability insurance that was not an adequate representation of the product sold to the insured

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. Respondent, Richard E. Davis, is assessed a forfeiture in the amount of \$2,500.00. The forfeiture shall be paid to the Department within 30 days of the date of this Order.

DATED this 20th day of April, 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.