

HELEN A. FROHLICH #8814
Assistant Utah Attorney General
SEAN D. REYES #7969
Utah Attorney General
Attorney for Utah Insurance Department
160 East 300 South, 5th Floor
P.O. Box 140874
Salt Lake City, Utah 84114-0874
Telephone: (801) 366-0375
hfrohlich@agutah.gov

BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT, Complainant, vs. YOUNG KIA, Respondent.	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER Docket No. 2018-4007 Lisa Watts Baskin Presiding Officer
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Complainant, Utah Insurance Department ("Department") and Respondent, Young Kia, have stipulated to entry of the following Findings of Fact, Conclusions of Law, and Order. Based upon that stipulation, and good cause appearing, the Presiding Officer makes and enters the following:

FINDINGS OF FACT

1. Respondent, Young Kia, is a limited line retail seller holding license number 104069.
2. Respondent's mailing address is 308 N Main, Layton, UT 84041.
3. The Department received a consumer complaint that an employee of Young Kia had required the purchase of a vehicle protection product (VPP) as a condition to purchase a vehicle,

although the VPP contract indicates that the purchase of the product is optional. Respondent refunded the consumer upon his request.

4. The Department opened an investigation. Several customers contacted during the investigation indicated that they were instructed to purchase a VPP as a condition of purchasing a vehicle.

5. Three of Respondent's four financial and insurance representatives were selling guaranteed asset protection (GAP) waivers without holding a limited line producer license.

6. The Department and Respondent have agreed to an administrative forfeiture of \$9,500.00

CONCLUSIONS OF LAW

1. The Utah Insurance Commissioner ("Commissioner") has jurisdiction over the parties and this adjudicative proceeding pursuant to Utah Code §§ 31A-1-105 and 31A-2-201.

2. The Commissioner has legal authority to impose penalties on the Department's licensees who violate the Utah Insurance Code. Utah Code § 31A-2-308.

3. Respondent's conduct violates Utah Code §31A-6b-201 and its alleged conduct would violate Utah Code § 31A-6a-105(5).

4. As penalties for the violations in this case and as a resolution of the alleged violations in this case, Respondent should be ordered to pay a forfeiture of \$9,500.00.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby Ordered that:

1. Respondent shall pay a forfeiture of \$9,500.00 for the violations described in the

Conclusions of Law.

2. Respondent is ordered not to commit the violations described in the Conclusions of Law in the future.

DATED this 6th day of September, 2018.

TODD E. KISER
Utah Insurance Commissioner



Lisa Watts Baskin
Presiding Officer
Utah Insurance Department

NOTICE 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.