
BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT,

Complainant,

vs.

Benjamin T. Larson



Respondent.

NOTICE OF AGENCY ACTION AND
ORDER

Docket No. 2018-4025

Lisa Watts Baskin
Presiding Officer

NOTICE OF AGENCY ACTION

The Utah Insurance Department (“the Department”) commences this agency action against Benjamin T. Larson (“Respondent”) pursuant to Utah Code §§ 31A-2-201 and 63G-4-201 through 63G-4-203 and Utah Admin. Code R590-160.

This agency action is based on the facts and law set forth in the attached Declaration and is designated as an informal adjudicative proceeding pursuant to Utah Code § 63G-4-202(1) and Utah Admin Code R590-160-4 and R590-160-7.

ORDER

Based on the facts and the law set forth in the attached Declaration, and good cause appearing, the Utah Insurance Commissioner orders as follows:

1. Respondent’s Individual Producer License No. 556035 is hereby revoked.
2. Pursuant to Utah Code § 63G-4-203(1)(i) and Utah Admin. Code R590-160-7(1), this informal adjudicative proceeding shall be deemed closed, and this Order shall become final and

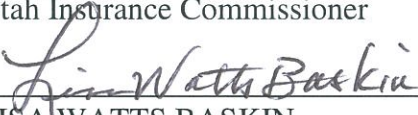
take full effect, 15 days after this Notice of Agency Action and Order is emailed to Respondent unless a request for a hearing on this matter is received from Respondent prior to that date.

3. A request for a hearing shall be sent by email to uidadmincases@utah.gov or by U.S. mail to Office of the Administrative Law Judge, Utah Insurance Department, 3110 State Office Building, Salt Lake City, UT 84114. The request for hearing shall be signed by the person making the request and shall state the basis for the relief requested.

4. If you fail to request a hearing, you will be bound by this Order. Failure to request a hearing will be deemed a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

DATED this 22nd day of August, 2018

TODD E. KISER
Utah Insurance Commissioner



LISA WATTS BASKIN

Presiding Officer
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114
801-538-3800
uidadmincases@utah.gov

NOTICE REGARDING ENFORCEMENT OF THE ORDER

Failure to obey the Order may subject you to further penalties that include forfeitures of up to \$2,500 per violation, license suspension or revocation, further enforcement action before the Utah District Court where forfeitures of up to \$10,000 may be imposed. If you are licensed in other jurisdictions, you may be required to report this proceeding to those jurisdictions.

DECLARATION

Under criminal penalty of Utah law, I, Adam Martin, declare the following:

1. I am currently employed as a market conduct examiner with the Utah Insurance Department (“the Department”) where my responsibilities include investigating and enforcing Utah insurance laws.
2. I submit this Declaration as the basis for issuing the Notice of Agency Action and Order to which this Declaration is attached.
3. Respondent Benjamin T. Larson currently holds an individual producer license issued by the Department.
4. Based on my personal knowledge and/or based on the facts appearing in the Department’s records and files, Respondent engaged conduct that resulted in the following violations of Utah law.

COUNT 1

5. During an audiotaped interview conducted by Adam Martin and Cherrie Roberts, on July 17, 2018 at the Utah Insurance Department, Respondent admitted that, for personal gain, he wrote four commercial insurance policies for entities that he knew did not exist.
6. By writing those policies Respondent violated the following statutes:
 - a) Utah Code §31A-23a-111(5)(b)(xiii) which prohibits intentional misrepresentation of the terms of an actual application for insurance.
 - b) Utah Code §31A-23a-402(1)(a)(i), which prohibits providing false and misleading information relating to an insurance product or contract.

COUNT 2

7. Respondent paid a portion of the premium due on a term life insurance policy that he sold to a client.

8. During an audiotaped interview, Respondent admitted to paying a partial premium with his own personal funds.

9. By paying a portion of the premium the Respondent violated Utah Code §31A-23a-402.5(5)(a)(i) which prohibits a licensee from paying for premiums on behalf of an insured.

RELIEF SOUGHT

Based on the facts, and the law set forth above, and in the Order DKT 2010-077-LC (attached), the Respondent's individual producer license should be revoked.

DATED this 22 day of August 2018.



Adam Martin, Market Conduct Examiner
Utah Insurance Department