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**BEFORE THE UTAH INSURANCE COMMISSIONER**

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UTAH INSURANCE DEPARTMENT,  Complainant,  vs.  SHILO WALKER,  Respondent.	NOTICE OF AGENCY ACTION AND ORDER  Docket No. 2018-4062  Lisa Watts Baskin Presiding Officer
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**NOTICE OF AGENCY ACTION**

The Utah Insurance Department (“the Department”) commences this agency action against Respondent Shilo Walker (“Respondent”) pursuant to Utah Code §§ 31A-2-201 and 63G-4-201 through 203 and to 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 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 application for an individual insurance license is denied.

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 28<sup>th</sup> day of December, 2018.

TODD E. KISER  
Utah Insurance Commissioner

/s/ Lisa Watts Baskin  
LISA WATTS BASKIN  
Presiding Officer  
Utah Insurance Department  
3110 State Office Building  
Salt Lake City, UT 84114  
801-538-3800  
Email: 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, Randy Overstreet, declare the following:

1. I am currently employed as Director of the Producer Licensing Division with the Utah Insurance 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 against Shilo Walker (“Respondent”) to which this Declaration is attached.

3. Based on my personal knowledge and/or based on the facts appearing in the Department’s records and files, the following facts are true:

a. On or about August 12, 2015, Respondent entered into a Plea in Abeyance for a charge of Retail Theft, a Class B Misdemeanor. On September 12, 2017, Respondent’s Plea in Abeyance was revoked by the court and entered as a conviction. On September 14, 2017, the remaining balance owed to the court was transferred to the Office of State Debt Collection and a monetary judgment was entered against Respondent in the amount of \$705.09.

b. On or about December 21, 2017, a monetary judgment was entered against Respondent in the amount of \$1091.22. As of November 29, 2018, this continues to be an outstanding judgment.

c. On November 21, 2018, the Department received an online license application from Respondent for a resident producer individual insurance license. Respondent answered “no” to the criminal background question that asked “Have you ever been convicted of a

misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?”

d. Respondent failed to report the above criminal prosecution at the time of filing the license application.

4. The above declared facts demonstrate that the following Utah insurance laws were not complied with:

a. Utah Code Ann. § 31A-23a-111(5)(b)(xiv)(2), convicted of a misdemeanor involving fraud, misrepresentation, theft, or dishonesty;

b. Utah Code Ann. § 31A-23a-105(2)(b)(ii), failing to report at the time of filing the license application a criminal prosecution taken against Respondent;

c. Utah Code Ann. § 31A-23a-111(5)(b)(ix), providing incorrect, misleading, incomplete, or materially untrue information in the license application;

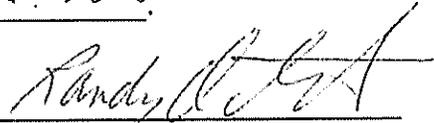
d. Utah Code Ann. § 31A-23a-107(2)(a)(ii), failing to meet the trustworthy character requirement;

e. Utah Code Ann. § 31A-23a-111(5)(b)(iv), by failing to pay a final judgment rendered against Respondent in this state; and

f. Utah Code Ann. § 31A-23a-111(5)(b)(i), unqualified for a license under Utah Code Ann § 31A-23a-104, 105, or 107.

5. Based on the facts and law set forth above, Respondent's application for an individual insurance license should be denied.

DATED this 19<sup>th</sup> day of December, 2018.



Randy Overstreet, Director  
Producer Licensing Division  
Utah Insurance Department