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**BEFORE THE UTAH INSURANCE COMMISSIONER**

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UTAH INSURANCE DEPARTMENT,  Complainant,  vs.  RICHARD R. BALDWIN,  Respondent.	NOTICE OF AGENCY ACTION AND ORDER  Docket No. 2019-4132  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 Richard R. Baldwin (“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 a resident producer individual insurance license is denied.

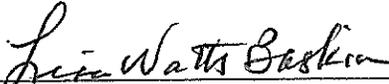
2. Pursuant to Utah Code § 63G-4-203(1)(i) and Utah Admin. Code R590-160-7(1), this informal adjudicative proceeding shall be deemed closed, and this Order shall become final and take full effect, 15 days after this Notice of Agency Action and Order is emailed to Respondent unless a request for a hearing 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](mailto: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 19<sup>th</sup> day of June, 2019.

TODD E. KISER  
Utah Insurance Commissioner

  
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LISA WATTS BASKIN  
Presiding Officer  
Utah Insurance Department  
3110 State Office Building  
Salt Lake City, UT 84114  
801-538-3800  
Email: [uidadmincases@utah.gov](mailto: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 Richard R. Baldwin (“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 May 21, 2019, the Department received an online license application from Respondent for a resident producer individual insurance license.

b. Respondent answered “no” to the question that asked whether he had been notified of any delinquent tax obligation that is not the subject of a repayment agreement and “no” to the question that asked whether he is currently charged with committing a misdemeanor.

c. On October 19, 2009, a state tax lien judgment was entered against Respondent in the amount of \$9,583.22. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 096706517.

d. On March 1, 2010, a state tax lien judgment was entered against Respondent in the amount of \$72,062.60. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 106701389.

- e. On March 1, 2010, a state tax lien judgment was entered against Respondent in the amount of \$77,807.94. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 106701399.
- f. On March 8, 2010, a state tax lien judgment was entered against Respondent in the amount of \$77,975.49. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 106701510.
- g. On May 17, 2010, a state tax lien judgment was entered against Respondent in the amount of \$31,569.52. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 106703016.
- h. On February 21, 2011, a state tax lien judgment was entered against Respondent in the amount of \$17,152.61. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 116906740.
- i. On February 28, 2011, an abstract of judgment was entered against Respondent in the amount of \$17,152.61. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 116701403
- j. On April 18, 2011, a state tax lien judgment was entered against Respondent in the amount of \$5,179.12. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 116913211.
- k. On January 16, 2012, a state tax lien judgment was entered against Respondent in the amount of \$9,516.70. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 126902673.

- l. On October 22, 2012, a state tax lien judgment was entered against Respondent in the amount of \$38,411.07. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 126939866.
- m. On August 5, 2013, a state tax lien judgment was entered against Respondent in the amount of \$38,233.19. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 136926995.
- n. On August 5, 2013, a state tax lien judgment was entered against Respondent in the amount of \$11,428.05. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 136927081.
- o. On August 5, 2013, a state tax lien judgment was entered against Respondent in the amount of \$4,500.18. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 136927229.
- p. On December 16, 2013, a state tax lien judgment was entered against Respondent in the amount of \$12,288.11. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 136946276.
- q. On December 16, 2013, a state tax lien judgment was entered against Respondent in the amount of \$41,575.90. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 136946743.
- r. On April 18, 2016, a state tax lien judgment was entered against Respondent in the amount of \$87,550.91. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 166910321.

s. On April 18, 2016, a state tax lien judgment was entered against Respondent in the amount of \$2,032.23. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 166910670.

t. On April 18, 2016, a state tax lien judgment was entered against Respondent in the amount of \$22,515.65. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 166910841.

u. On May 16, 2016, a state tax lien judgment was entered against Respondent in the amount of \$6,975.63. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 166913513.

v. On August 21, 2017, a state tax lien judgment was entered against Respondent in the amount of \$160,249.73. As of June 10, 2019, this continues to be an outstanding judgment. See case no. 176704620.

w. On May 20, 2019, Respondent was charged with possession or use of a controlled substance, a class A misdemeanor. As of June 10, 2019, the charge is still pending. See case no. 195700031.

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

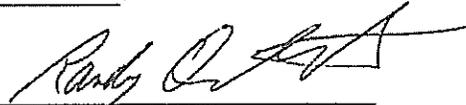
a. Utah Code § 31A-23a-111(5)(b)(xxii), failing to pay state income tax or comply with an administrative or court order directing payment of state income tax;

b. Utah Code § 31A-23a-111(5)(b)(iv), failing to pay a final judgment rendered against Respondent in this state within 60 days after the day on which the judgment became final.

c. Utah Code § 31A-23a-111(5)(b)(ix), providing incorrect, misleading, or materially untrue information by answering “no” to the questions that asked whether he had been notified of any delinquent tax obligation that is not the subject of a repayment agreement and “no” to the question that asked whether he is currently charged with committing a misdemeanor.

5. Based on the facts and law set forth above, Respondent’s application for a resident producer individual license should be denied.

DATED this 18<sup>th</sup> day of June 2019.



Randy Overstreet, Director  
Producer Licensing Division  
Utah Insurance Department