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BEFORE THE UTAH INSURANCE COMMISSIONER

<p>UTAH INSURANCE DEPARTMENT, Complainant, vs. JOHN NICHOLS HARRISON, Respondent.</p>	<p>NOTICE OF AGENCY ACTION AND ORDER Docket No. 2019-4140 Lisa Watts Baskin Presiding Officer</p>
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NOTICE OF AGENCY ACTION

The Utah Insurance Department (“the Department”) commences this agency action against Respondent John Nichols Harrison (“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 Individual Resident Producer License No. 710822 is 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 mailed 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 17th day of July, 2019.

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
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, Portia Aumua, declare the following:

1. I am currently employed as a Market Conduct Examiner with the Utah Insurance Department (“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 John Nichols Harrison 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. Respondent is an Individual Resident Producer authorized to do insurance business in the State of Utah. Respondent’s License No. is 710822.

b. In May 2019, the Department opened an investigation regarding Respondent regarding allegations of nonpayment of child support.

c. I sent emails to Respondent regarding the investigation on May 9, 2019 and May 29, 2019. I also left a voicemail message on May 9, 2019 and sent a certified letter on June 12, 2019.

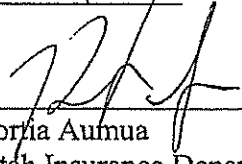
d. I did not receive a response to any of these requests for information.

4. The above declared facts demonstrate that the following Utah insurance law(s) were not complied with:

a. Utah Code § 31A-2-202(4) requires licensees to reply promptly in writing to a reasonable written inquiry from the Commissioner. Respondent violated this by failing to respond to the Department’s requests for information.

5. Based on the facts and law set forth above, Utah Code § 31A-23a-111(5)(b)(ii), and other similar enforcement cases, John Nichols Harrison's Individual Resident Producer License should be revoked.

DATED this 15th day of July, 2019.



Porria Aumua
Utah Insurance Department