

HELEN A. FROHLICH #8814
Assistant Utah Attorney General
SEAN D. REYES #7969
Utah Attorney General
Attorneys 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. KYLE DEAN JOHNSON, Respondent.	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER Docket No. 2019-4153 Lisa Watts Baskin Presiding Officer
--	---

Complainant, Utah Insurance Department ("Department") and Respondent, Kyle Dean Johnson, 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 is a resident producer holding license number 242993.
2. Respondent's mailing address is 750 S 400 E, Springville, UT 84663-2410.
3. On April 30, 2019, Respondent allowed his resident producer license with a Title Escrow and Title Marketing Representative line of authority to lapse.

3. Respondent reinstated his license on May 7, 2019
4. On or about July 17, 2019, Respondent notified the Department that he had conducted three closings while his producer license was lapsed.
5. The Department and Respondent have agreed to an administrative forfeiture of \$150.00.

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. Utah Code § 31A-23a-103(1)(a) states that a person cannot perform, offer to perform, or advertise any service as a producer in Utah without a valid individual license. A valid license includes at least one license type and one line of authority pertaining to that license type. Respondent violated this section by conducting three escrow closings while his producer licenses were lapsed.
4. As penalties for the violations in this case, Respondent should be ordered to pay a forfeiture of \$150.00.

ORDER


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

1. Respondent shall pay a forfeiture of \$150.00 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 9th day of August, 2019.

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.

CERTIFICATE OF SERVICE

The undersigned certifies that on this date a true and correct copy of the foregoing Findings of Fact, Conclusions of Law and Order was emailed to:

Kyle Dean Johnson
kylej@capstonetitleutah.com

Helen A. Frohlich
Assistant Attorney General
hfrohlich@agutah.gov

DATED this 9th day of August, 2019.



Jeanine Couser
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114