

1. Respondent's application for a Utah 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 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 26th day of September, 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, 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 Jordan Fernandez (“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 August 14, 2019, the Department received an online license application from Respondent for a resident producer individual insurance license. Respondent answered “yes” 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?”

b. On March 25, 2015, Respondent was convicted of Retail Theft, a Class B Misdemeanor, and was placed on probation for one year. The case was closed on March 21, 2016.

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;

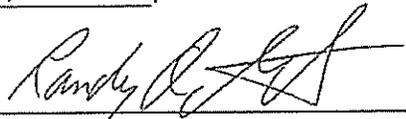
b. Utah Code Ann. § 31A-23a-107(2)(a)(ii), failing to meet the trustworthy character requirement;

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

d. Utah Admin. Code R590-281-4(1)(c), by applying for a license prior to the end of the required time period from the date Respondent was released from court ordered probation resulting from a misdemeanor conviction involving fraud, misrepresentation, theft, or dishonesty.

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

DATED this 25TH day of September, 2019.



Randy Overstreet, Director
Producer Licensing Division
Utah Insurance Department