

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 R590-160-8(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 Informal Adjudicative Proceeding 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 March, 2020.

TODD E. KISER
Utah Insurance Commissioner



LISA WATTS BASKIN
Presiding Officer
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114
801-538-3860
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, and/or 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 the manager of Producer Licensing in the Financial Regulation & Licensing Division of the Utah Insurance Department (the “Department”) where my responsibilities include investigating and enforcing Utah insurance laws.
2. I submit this Declaration as the basis for issuing the Notice of Informal Adjudicative Proceeding and Order against Kristen Cayias (“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 November 18, 2019, the Department received an online license application from Respondent for a resident producer individual insurance license.
 - i. 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?”
 - ii. Respondent answered “No” to the criminal background question that asked, “Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?”
 - b. On May 5, 2008, Respondent was convicted of violating Utah Code § 76-6-501, Forgery, a 3rd Degree Felony, amended to a Class A Misdemeanor; and Utah Code § 76-6-405, Theft by Deception, a Class A Misdemeanor, in the Third District Court, West Jordan, Salt Lake County, State of Utah.

c. On May 27, 2008, Respondent entered guilty pleas to the following charges: two counts of violating Utah Code § 76-6-506.3, Unlawful Acquisition/Possess/Transfer-Card, a 3rd Degree Felony; one count of violating Utah Code § 76-6-1105, Possession of Another's Identifying Documents, a Class A Misdemeanor; and one count of violating Utah Code § 76-6-602, Retail Theft (Shoplifting), a Class B Misdemeanor, in the Third District Court, Salt Lake, Salt Lake County, State of Utah. Respondent's guilty pleas were held in abeyance.

d. On February 14, 2017, a monetary judgment in the amount of \$1,190.09 was entered against Respondent in the Fourth District Court, American Fork, Utah County, State of Utah. Based upon the court documents that I have reviewed, this judgment remains outstanding.

e. On July 22, 2019, a monetary judgment in the amount of \$1,197.90 in favor of the Utah State Tax Commission was entered against Respondent in the Fourth District Court, Provo, Utah County, State of Utah. Based upon the court documents that I have reviewed, this judgment/tax lien remains outstanding.

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

a. Utah Code § 31A-23a-111(5)(b)(xiv)(A), being convicted of a felony.

b. Utah Code § 31A-23a-111(5)(b), authorizing the Utah Insurance Commissioner ("Commissioner") to act in compliance with the Violent Crime Control and Law Enforcement Act of 1994, 18 U.S.C. § 1033. Respondent, having been convicted of a felony involving dishonesty or breach of trust and having failed to obtain from the Commissioner the required written consent to engage or participate in the

business of insurance, is prohibited from engaging in the business of insurance pursuant to Utah Code § 31A-23a-111(5)(b)(xxv) and 18 U.S.C. § 1033(e)(2).

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

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

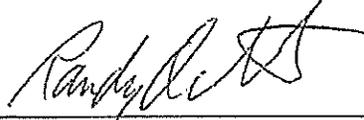
e. Utah Admin. Code R590-281-4(3)(a), applying for a license without first obtaining written consent from the Utah Insurance Commissioner to engage or participate in the business of insurance.

f. 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 was entered.

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

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

Signed on this 10th day of March, 2020, at Salt Lake City, Utah.



Randy Overstreet
Manager, Producer Licensing
Financial Regulation & Licensing Division
Utah Insurance Department