

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

<p>UTAH INSURANCE DEPARTMENT, Complainant, vs. PARADISE SETTLEMENT SERVICES, LLC, Respondent.</p>	<p>FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER Docket No. 2020-4275</p>
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Complainant, Utah Insurance Department ("Department") and Respondent, Paradise Settlement Services, LLC, ("Respondent"), have stipulated to entry of the following Findings of Fact, Conclusions of Law, and Order. Based upon that stipulation, and good cause appearing, the following are made and entered:

FINDINGS OF FACT

1. Respondent is a resident producer organization holding Utah license number 636969.
2. Respondent's mailing address is 401 E. Corporate Dr. Ste. 290, Lewisville, TX 75057.
3. On August 4, 2020, the Department initiated an audit review of Respondent.
4. During the audit, the Department determined that Respondent's trust account was with

American National Bank of Texas, which does not have an office or branch in Utah.

5. On or about October 7, 2020, Respondent provided the Department with documentation of a new trust account with Chase Bank, which does have branches in Utah. The account was opened on September 21, 2020.

6. The Department and Respondent have agreed to an administrative forfeiture of \$5,000.00.

CONCLUSIONS OF LAW

1. The Utah Insurance Commissioner (“Commissioner”) has jurisdiction over the parties and this informal 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 pursuant to Utah Code § 31A-2-308.

3. Utah Code § 31A-23a-409(2)(a)(i) requires that trust monies be deposited in a federally insured trust account with a qualified depository with an office in Utah. Respondent violated this provision when trust account funds were deposited in a trust account maintained by American National Bank of Texas, which does not have an office in Utah.

4. As penalties for the violations in this case, Respondent should be ordered to pay a forfeiture of \$5,000.00.

ORDER

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

1. Respondent shall pay a forfeiture of \$5,000.00 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 12th day of December, 2020.

TANJI J. NORTHRUP
Interim Utah Insurance Commissioner

Tanji J. Northrup

Digitally signed by Tanji J. Northrup
DN: cn=Tanji J. Northrup, o=Utah Insurance
Department, ou=Commissioner,
email=tnorthrup@utah.gov, c=US
Date: 2020.12.02 15:30:51 -07'00'

Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114
801-538-3860
Email: uidadmincases@utah.gov

NOTICE TO RESPONDENT

Failure to obey this Order may subject you to further penalties that include a forfeiture of up to \$2,500 per violation, with each day of the violation constituting a separate violation. Other penalties for failing to obey this Order may include license suspension, probation, refusal to renew, or revocation. Failure to obey this Order may also result in an action taken against you in a court of competent jurisdiction where forfeitures of up to \$10,000 for each day the failure to comply continues until judgment is rendered. If you are licensed in other jurisdictions, you may be required to report this proceeding in those jurisdictions.

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:

Christopher McLucas, Owner
Paradise Settlement Services, LLC
chris.mclucas@yahoo.com

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

DATED this 15th day of December, 2020.



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

HELEN A. FROHLICH #8814
Assistant Utah Attorney General
SEAN D. REYES #7969
Utah Attorney General
160 East 300 South, 5th Floor
P.O. Box 140874
Salt Lake City, Utah 84114-0874
Telephone: (801) 366-0364
hfrohlich@agutah.gov

BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT,	COMPLIANCE WITH UTAH CODE § 31A-2-404(1)(b)(ii)
Complainant,	
vs.	
PARADISE SETTLEMENT SERVICES, LLC,	Docket No. 2020-4275
Respondent.	

Pursuant to Utah Code § 31A-2-404(1)(b)(ii) the Interim Utah Insurance Commissioner consulted with and sought the concurrence of the Title and Escrow Commission (“Commission”), in an open meeting, regarding the imposition of the penalty set forth in the Findings of Fact, Conclusions of Law and Order in this matter.

By a vote of 5 to 0, the Commission:

5 concurred

0 did not concur

with the imposition of the penalty.

Dated: 12/14/2020, 2020.

Chase Phillips

Chase Phillips (Dec 14, 2020 14:28 MST)

Chase Phillips, Chair
Title and Escrow Commission

BEFORE THE UTAH INSURANCE COMMISSIONER

<p>UTAH INSURANCE DEPARTMENT,</p> <p style="text-align: center;">Complainant,</p> <p style="text-align: center;">vs.</p> <p>PARADISE SETTLEMENT SERVICES, LLC,</p> <p style="text-align: center;">Respondent.</p>	<p>IMPOSITION OF PENALTY IN COMPLIANCE WITH UTAH CODE § 31A-2-404(1)(b)(ii)</p> <p>Docket No. 2020-4275</p>
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Pursuant to Utah Code § 31A-2-404(1)(b)(ii), I Tanji J. Northrup, Interim Utah Insurance Commissioner consulted with and sought the concurrence of the Title and Escrow Commission, in an open meeting, regarding the imposition of the penalty set forth in the Findings of Fact, Conclusions of Law and Order in this matter. I hereby agree with and impose said penalty.

Dated: December 15, 2020.

Tanji J. Northrup

Digitally signed by Tanji J. Northrup
DN: cn=Tanji J. Northrup, ou=Utah Insurance
Department, ou=Commissioner,
email=northrup@utah.gov, c=US
Date: 2020.12.15 12:40:55 -0700

Tanji J. Northrup
Interim Utah Insurance Commissioner

RIGHT TO AGENCY REVIEW

Pursuant to Utah Code § 63G-4-301, any party may file a written request for agency review within 30 days of the date of this order.

RIGHT TO JUDICIAL REVIEW

Pursuant to Utah Code § 63G-4-401, either party may obtain judicial review of final agency action by filing a petition for judicial review within 30 days of the date the order constituting final agency action is issued.

CERTIFICATE OF SERVICE

The undersigned certifies that on this date a true and correct copy of the foregoing
Imposition of Penalty in Compliance with Utah Code § 31A-2-402(1)(b)(ii) were emailed to:

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

Christopher McLucas
Paradise Settlement Services
chris_mcclucas@yahoo.com

DATED this 15th day of December 2020.



Jeanine Couser
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114
(801) 538-3860