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BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT,	NOTICE OF AGENCY ACTION AND ORDER
Complainant,	
vs.	
MARK D. STEVENSON,	Docket No. 2021-4285
Respondent.	Curtis L. Garner Presiding Officer

NOTICE OF AGENCY ACTION

The Utah Insurance Department (“Department”) commences this agency action as an informal adjudicative proceeding against Respondent Mark D. Stevenson (“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 -8.

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 Non-Resident Individual Producer License No. 724463 is revoked.

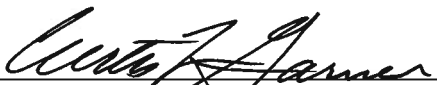
2. Pursuant to Utah Code § 63G-4-203(1)(i) and Utah Admin. Code R590-160-8(1), this informal adjudicative proceeding shall be deemed closed, and this Order shall become final and take full effect, 15 days after this Notice of Agency Action and Order is mailed to Respondent unless a request for a hearing on this matter is received from Respondent prior to that date.

3. A request for a hearing shall be in writing and 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 11th day of January, 2021.

JONATHAN T. PIKE
Acting Utah Insurance Commissioner



CURTIS L. GARNER
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, 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 to those jurisdictions.

DECLARATION

Under criminal penalty of Utah law, I, William Stimpson, 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 Informal Adjudicative Proceeding and Order against Mark D. Stevenson (“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. Respondent is a Non-Resident Individual Producer authorized to do insurance business in the State of Utah. Respondent’s License No. is 724463.
- b. On or about October 15, 2020, Respondent was terminated for cause from Freedom Life Insurance Company of America (“Freedom Life”) due to suspected fraudulent activity.
- c. During an audit, Freedom Life discovered that several of Respondent’s seemingly unrelated applicants shared the same bank account and phone number despite residing in different states. Respondent initially cooperated with the audit but did not respond to a follow up questionnaire.
- d. On November 18, 2020, I attempted to call Respondent and left voicemails for him on both phone numbers listed in Sircon. He did not respond.
- e. On November 18, 2020, and December 8, 2020, I sent information request letters to the two different email addresses listed in Sircon for the Respondent. He did not reply.

f. On November 18, 2020, I sent the information request letters to the two different physical addresses listed in Sircon for Respondent. He did not reply.

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

- a. Respondent violated Utah Code § 31A-23a-111(5)(b)(xvi)(B) and demonstrated untrustworthiness by submitting applications for unrelated individuals in different states with the same bank accounts and phone numbers;
- b. Respondent violated Utah Code § 31A-2-202(4)(a) by failing to respond promptly to a reasonable written inquiry from the Commissioner; and
- c. Respondent violated Utah Code § 31A-23a-412(1) by failing to maintain current contact information with the Department.

5. Based on the facts and law set forth above, Utah Code § 31A-23a-111(5)(b)(ii), and other similar enforcement cases, Mark D. Stevenson's Individual Non-Resident Producer License No. 724463 should be revoked.

DATED this 7th day of January, 2021, at Salt Lake City, Salt Lake County, Utah.

/s/ William Stimpson

William Stimpson, Market Conduct Examiner
Utah Insurance Department