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**BEFORE THE UTAH INSURANCE COMMISSIONER**

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<p>UTAH INSURANCE DEPARTMENT,  Complainant,  vs.  GRANT NIELSEN EGGERTSEN IV,  Respondent.</p>	<p><b>NOTICE OF AGENCY ACTION AND ORDER</b></p> <p>Docket No. 2021-4320</p> <p>Donald H. Hansen Presiding Officer</p>
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**NOTICE OF AGENCY ACTION**

The Utah Insurance Department (the “Department”) commences this informal adjudicative proceeding against Respondent Grant Nielsen Eggertsen IV (“Respondent”) pursuant to Utah Code §§ 31A-2-201 and 63G-4-201 through -203 and Utah Admin. Code R590-160.

This informal adjudicative proceeding 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 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 Agency Action and Order is emailed to Respondent unless a written 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](mailto:uidadmincases@utah.gov) or by U.S. mail to Office of the Administrative Law Judge, Utah Insurance Department, 4315 South 2700 West, Ste. 2300, Taylorsville, UT 84129. 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 15 day of April, 2021.

JONATHAN T. PIKE  
Utah Insurance Commissioner



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Donald H. Hansen  
Presiding Officer  
Utah Insurance Department  
4315 South 2700 West, Ste. 2300  
Taylorsville, UT 84129  
801-957-9321  
Email: [uidadmincases@utah.gov](mailto:uidadmincases@utah.gov)

**NOTICE REGARDING ENFORCEMENT OF THIS ORDER**

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 to those jurisdictions.

## DECLARATION

Under criminal penalty of Utah law, I, Randy Overstreet, declare the following:

1. I am currently employed as a manager in the Financial Regulation & Licensing Division of 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 Agency Action and Order against Grant Nielsen Eggertsen IV (“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 March 19, 2021, the Department received an online license application from Respondent for a resident producer individual insurance license.

i. Respondent answered “No” to the question “Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?”

ii. Respondent answered “No” to the question “Have you ever been named or involved as a party in an administrative proceeding, including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration.

b. On May 23, 2013, Respondent pleaded guilty to violating Utah Code § 76-6-301, Attempted Robbery, a 2nd Degree Felony, amended pursuant to Utah Code § 76-3-402 to a 3rd Degree Felony, and thereafter a Class A Misdemeanor, in the Third District Court, Salt Lake County, State of Utah, Case Number 131904011.

c. On August, 2, 2019, a monetary judgment in the amount of \$2,662.95 was entered against Respondent in the Provo City Justice Court, Utah County, State of Utah, Case Number 198000477. My review of the proceedings in this matter shows that this judgment remains unsatisfied and unexpired.

d. On January 22, 2020, a monetary judgment in the amount of \$1,377.03 was entered against Respondent in the West Jordan City Justice Court, Salt Lake County, State of Utah, Case Number 198300400. My review of the proceedings in this matter shows that this judgment remains unsatisfied and unexpired.

e. On January 29, 2020, a monetary judgment in the amount of \$2,438.46 was entered against Respondent in the Fourth District Court, Provo, Utah County, State of Utah, Case Number 199402758. My review of the proceedings in this matter shows that this judgment remains unsatisfied and unexpired.

f. On May 18, 2020, a monetary judgment in the amount of \$2,327.79 was entered against Respondent in the Third District Court, Salt Lake County, State of Utah, Case Number 209905796. My review of the proceedings in this matter shows that this judgment remains unsatisfied and unexpired.

g. In October 2020, Respondent applied to the Department for a Utah resident producer individual insurance license (“Application”).

i. On December 7, 2020, in the matter of *Utah Insurance Department v. Grant Nielsen Eggertsen IV*, Docket Number 2020-4274, Interim Utah Insurance Commissioner Tanji Northrup (“Commissioner Northrup”) via Commissioner Northrup’s designee Reed Stringham, executed an order denying Respondent’s Application (“Order”).

ii. The Order was emailed to Respondent, [lbc2slc@gmail.com](mailto:lbc2slc@gmail.com), on December 7, 2020. Pursuant to the Order, Respondent had 15 days from the date the Order was emailed to Respondent to provide the Department with a written request for a hearing on the Order. The Order informed Respondent that after 15 days the “informal adjudicative proceeding shall be deemed closed, and this Order shall become final and take full effect.”

iii. Respondent did not request a hearing on the Order, and after the 15 days lapsed the Order went into effect denying Respondent’s Application.

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

a. Utah Code § 31A-23a-111(5)(b), authorizes the Commissioner to act in compliance with the Violent Crime Control and Law Enforcement Act of 1994, 18 U.S.C. § 1033. 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, Respondent 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).

b. 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 became final.

c. Utah Code § 31A-23a-111(5)(b)(ix), providing incorrect, misleading, or materially untrue information on the license application by answering “No” to the

question concerning having ever been involved in an administrative proceeding regarding any professional or occupational license.

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

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

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 14th day of April, 2021, at Salt Lake City, Utah.

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