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**BEFORE THE UTAH INSURANCE COMMISSIONER**

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UTAH INSURANCE DEPARTMENT,  Complainant,  vs.  KYLE BRADLEY KOIVU,  Respondent.	NOTICE OF AGENCY ACTION AND ORDER  Docket No. 2021-4338  Donald H. Hansen Administrative Law Judge/Presiding Officer
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**NOTICE OF AGENCY ACTION**

The Utah Insurance Department (“the Department”) commences this agency action as an informal adjudicative proceeding against Respondent Kyle Bradley Koivu (“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 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 in writing and 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 S. 2700 W., Suite 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<sup>th</sup> day of July, 2021.

JONATHAN T. PIKE  
Utah Insurance Commissioner

/s/ Donald H. Hansen  
DONALD H. HANSEN  
Administrative Law Judge/Presiding Officer  
Utah Insurance Department  
4315 S. 2700 W., Suite 2300  
Taylorsville, UT 84129  
Telephone: (801) 957-9321  
Email: [uidadmincases@utah.gov](mailto: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 Manager of Producer Licensing in the Financial Regulation & Licensing Division 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 Agency Action and Order against Kyle Bradley Koivu (“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 applied for a Utah resident producer individual insurance license on June 30, 2021.

b. Respondent answered “yes” to the question that asked whether he had been convicted of a misdemeanor.

c. On January 10, 2017, Respondent was convicted of retail theft, a class B misdemeanor. *See American Fork City vs. Kyle Bradley Koivu*, case no. 161101405, Utah County, State of Utah. The case was closed on October 16, 2017.

d. On February 2, 2021, Respondent was convicted of theft, a class A misdemeanor. *See State of Utah vs. Kyle Bradley Koivu*, case no. 201902028, Salt Lake County, State of Utah. Respondent was ordered to pay fines and restitution and placed on probation for 24 months.

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)(B), by being convicted of misdemeanors involving fraud, misrepresentation, theft, or dishonesty;
  - b. Utah Code § 31A-23a-107(2)(a)(ii), by failing to meet the trustworthy character requirement;
  - c. Utah Code § 31A-23a-111(5)(b)(i), by being unqualified for a license under Utah Code § 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 resulting from Respondent's misdemeanor conviction involving fraud, misrepresentation, theft, or dishonesty.
5. Based on the facts and law set forth above, Respondent's application for a resident producer individual license should be denied.

Signed on this 14<sup>th</sup> day of July, 2021, in Salt Lake City, Salt Lake County, State of Utah.

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

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this date a true and correct copy of the foregoing Notice of Agency Action and Order, with the Declaration attached to it, was emailed to:

Kyle Bradley Koivu  
[REDACTED]  
[REDACTED]

and

Randy Overstreet  
Utah Insurance Department  
[REDACTED]

DATED this 15<sup>th</sup> day of July, 2021.

*/s/ Jeanine Couser* \_\_\_\_\_  
Jeanine Couser  
Utah Insurance Department  
4315 S. 2700 W, Suite 2300  
Taylorsville, UT 84129  
(801) 957-9321