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BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

<p>UTAH INSURANCE DEPARTMENT, Complainant, vs. SHIDELER BENNETT, Respondent.</p>	<p>FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER Docket No. 2021-4353 Donald H. Hansen Administrative Law Judge/Presiding Officer</p>
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Complainant, Utah Insurance Department ("Department") and Respondent, Shideler Bennett, have stipulated to entry of the following Findings of Fact, Conclusions of Law, and Order. Based upon that stipulation, and good cause appearing, the Presiding Officer makes and enters the following:

FINDINGS OF FACT

1. Respondent is a resident individual producer holding Utah license number 614176.
2. Respondent's mailing address is [REDACTED]
3. In December 2020, Respondent completed, signed, and submitted 29 Agent of Record Change Request Forms on behalf of policyholders without the knowledge or consent of those

policyholders.

4. Those 29 policies were transferred onto Respondent's book of business.
5. The improperly transferred policies were transferred back to the original agency/agent after the insurance carriers became aware of the improperly executed forms. Commission due under the policies was also transferred to the original agency.
6. The Department and Respondent have agreed to an administrative forfeiture of \$3,625.00.

CONCLUSIONS OF LAW

1. The Utah Insurance Commissioner ("Commissioner") has jurisdiction over the parties and this 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. Utah Code § 31A-2-308.
3. Respondent violated Utah Code § 31A-23a-111(5)(b)(xviii)(B) by signing 29 Agent of Record Change Request forms without the knowledge or consent of the policyholders.
4. As penalties for the violations in this case, Respondent should be ordered to pay a forfeiture of \$3,625.00

ORDER

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

1. Respondent shall pay a forfeiture of \$3,625.00 for the violations described in the Conclusions of Law.
2. Respondent may pay this forfeiture in monthly payments over 12 months. The first

payment shall be due within 30 days of the signing of this order.

3. Respondent is ordered not to commit the violations described in the Conclusions of Law in the future.

DATED this 16th day of November, 2021.

JONATHAN T. PIKE
Utah Insurance Commissioner

/s/ Donald H. Hansen
Donald H. Hansen
Administrative Law Judge/Presiding Officer
Utah Insurance Department
4315 South 2700 West, Suite 2300
Taylorsville, UT 84159
801-957-9321
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:

Shideler Bennett
[REDACTED]

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

DATED this 16th day of November, 2021.

/s/ Jeanine Couser _____
Jeanine Couser
Utah Insurance Department
4315 South 2700 West, Suite 2300
Taylorsville, UT 84129
801-957-9321