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BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

<p>UTAH INSURANCE DEPARTMENT, Complainant, vs. HANNA ARIEL ODEKIRK, Respondent.</p>	<p>AMENDED NOTICE OF AGENCY ACTION AND ORDER Docket No. 2021-4355 Donald H. Hansen Administrative Law Judge/Presiding Officer</p>
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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 Hanna Ariel Odekirk (“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 limited-line 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 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 8th 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 S. 2700 W., Suite 2300
Taylorsville, UT 84129
Telephone: (801) 957-9321
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, 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 Hanna Ariel Odekirk (“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 limited-line producer individual insurance license on October 6, 2021.

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

c. On August 17, 2017, Respondent entered a plea in abeyance to retail theft, a class B misdemeanor. *See Harrisville City vs. Hanna Ariel Odekirk*, case no. 171000051, Weber County, State of Utah.

d. On March 21, 2018, Respondent’s plea in abeyance was cancelled and her conviction was entered. The case was closed on January 2, 2019. *See Harrisville City vs. Hanna Ariel Odekirk*, case no. 171000051, Weber County, State of Utah.

e. Respondent answered “no” to the question that asked whether she had a child support obligation in arrearage.

f. On July 7, 2021, a child support lien was entered against Respondent in the amount of \$2,160.00. The judgment remains outstanding. *See Child Supp Services Office of*

Recovery Services vs. Hannah A. Odekirk, case no. 216902540, Weber County, State of Utah.

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 a misdemeanor 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;
- d. Utah Code § 31A-23a-111(5)(b)(xxi) by failing to comply with an administrative or court order imposing a child support obligation; and
- e. Utah Admin. Code R590-281(4)(1)(e), 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 limited-line producer individual license should be denied.

Signed on this 8th day of November, 2021, in Salt Lake City, Salt Lake County, State of Utah.

/s/ Randy Overstreet
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:

Hanna Ariel Odekirk
[REDACTED]

and

Randy Overstreet
Utah Insurance Department
[REDACTED]

DATED this this 8th day of November, 2021.

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