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BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

<p>UTAH INSURANCE DEPARTMENT, Complainant, vs. RESHELL HOPE CONOVER, Respondent.</p>	<p>NOTICE OF AGENCY ACTION AND ORDER Docket No. 2021-4356 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 Reschell Hope Conover (“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 Agency Action 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 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 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 Reschell Hope Conover (“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 September 21, 2021.
- b. Respondent answered “no” to the question that asked whether she had been convicted of a misdemeanor, had a judgment withheld or deferred, or was currently charged with committing a misdemeanor.
- c. On March 24, 2020, Respondent was charged with retail theft, a class B misdemeanor. *See Midvale City vs. Reschell Hope Conover*, case no. 201000172, Salt Lake County, State of Utah.
- d. Respondent entered into a plea in abeyance agreement regarding the above charge on October 28, 2021.
- e. On December 5, 2020, Respondent was charged with retail theft, a class B misdemeanor. *See Sandy City vs. Reschell Hope Conover*, case no. 201001148, Salt Lake County, State of Utah. The charge is still pending.

f. On October 5, 2021, Respondent was charged with retail theft, a class B misdemeanor. *See* South Jordan City vs. Reschell Hope Conover, case no. 211800339.

The charge is still pending.

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

a. Utah Code § 31A-23a-111(5)(b)(ix), by providing incorrect, misleading, or materially untrue information in the license application by answering “no” to the criminal background question regarding having ever been convicted of or being currently charged with a misdemeanor;

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

c. Utah Code § 31A-23a-105(2)(b)(ii), by failing to report at the time of filing the license application a criminal prosecution taken against Respondent;

d. Utah Code § 31A-23a-111(5)(b)(i), by being unqualified for a license under Utah Code § 31A-23a-104, 105, or 107; and

e. Utah Admin. Code R590-281(4)(1)(b), by applying for a license while a criminal proceeding is pending against the individual.

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 10th 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:

Reschell Hope Conover

████████████████████
████████████████████

and

Randy Overstreet
Utah Insurance Department
roverstreet@utah.gov

DATED this 16th day of November, 2021.

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