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BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

<p>UTAH INSURANCE DEPARTMENT, Complainant, vs. CHRISTOPHER HANKS, Respondent.</p>	<p>NOTICE OF AGENCY ACTION AND ORDER Docket No. 2021-4357 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 Christopher Hanks (“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 23rd 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 Christopher Hanks (“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 October 25, 2021.

b. Respondent answered “yes” to the questions that asked whether he had been convicted of a felony, a misdemeanor, had a judgment withheld or deferred, and whether he had a child support obligation in arrearage.

c. On November 7, 1994, Respondent was convicted of attempted theft, a 3rd degree felony. *See State of Utah vs. Christopher Lee Hanks*, case no. 941901276, Salt Lake County, State of Utah.

d. On December 4, 2015, a monetary judgment was entered against Respondent in the amount of \$2,550.34. *See Checknet Inc. vs. Christopher L Hanks*, case no. 159104958, Utah County, State of Utah. Based upon the court documents that I reviewed, this judgment remains outstanding.

e. On February 1, 2017, a paperless child support lien was filed and a monetary judgment was entered against Respondent in the amount of \$1,327.94. *See State of Utah*

ORS. vs. Christopher L Hanks, case no. 176400925, Utah County, State of Utah. Based upon the court documents that I reviewed, this judgment remains outstanding with an amount owing of \$8,304.26.

f. On April 23, 2018, a paperless tax lien was filed and a monetary judgment entered against Respondent for \$2,929.81. See Utah State Tax Commission vs. Christopher L Hanks, case no. 186403168, Utah County, State of Utah. Based upon the court documents that I reviewed, this tax lien remains outstanding.

g. On April 23, 2018, a paperless tax lien was filed and a monetary judgment entered against Respondent in the amount of \$579.84. See Utah State Tax Commission vs. Christopher L Hanks, case no. 186403015, Utah County, State of Utah. Based upon the court documents that I reviewed, this tax lien remains outstanding.

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)(xiv)(A) by being convicted of a felony;

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

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

e. Utah Code § 31A-23a-111(5)(b)(iv) by failing to pay a final judgment rendered against Respondent in this state within 60 days after the day on which the judgment became final;

f. Utah Code 31A-23a-111(5)(b)(xxi) by failing to comply with an administrative or court order imposing a child support obligation;

g. Utah Code § 31A-23a-111(5)(b)(xxii) by failing to pay state income tax, or to comply with an administrative or court order directing payment of state income tax; and

h. Utah Administrative Rule R590-281-4(3)(a) by 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 resident producer individual insurance license should be denied.

Signed on this 22nd 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:

Christopher Hanks
[REDACTED]

and

Randy Overstreet
Utah Insurance Department
[REDACTED]

DATED this 23rd day of November, 2021.

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