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BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT, Complainant, vs. DAVID ARTHUR GLOVER, Respondent.	NOTICE OF AGENCY ACTION AND ORDER Docket No. 2022-4374 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 David Arthur Glover (“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 to reinstate his Utah resident producer individual insurance license number 435446 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 3rd day of February, 2022.

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 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 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 where forfeitures of up to \$10,000 for each day the failure to comply continues until judgement is rendered. 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 David Arthur Glover (“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 held Utah resident producer individual license number 435446.
- b. In May 2021, the Department began investigating allegations that Respondent had collected premium checks for insurance policies but failed to remit them to the insurer.
- c. Effective October 31, 2021, Respondent’s license lapsed and became inactive.
- d. On November 5, 2021, Respondent applied for reinstatement of his inactive license.
- e. On November 9, 2021, the Department filed a Complaint and Notice of Formal Adjudicative proceeding seeking to revoke Respondent’s insurance license.
- f. Respondent did not file a response to the Complaint and his default was entered on December 30, 2021.
- g. On January 13, 2022, Respondent’s license was revoked for multiple violations of the Utah Insurance Code. *See Utah Insurance Department vs. David Arthur Glover*, Docket No. 2021-4350.

h. Under Utah Code § 31A-23a-111(5)(a)(iv) and -111(5)(b)(ii), the Commissioner may deny an insurance license application if the Commissioner finds a licensee violated the Utah Insurance Code.

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

a. Utah Code § 31A-23a-111(5)(b)(xvii)(C), by having his insurance license revoked on the multiple grounds set forth in Utah Insurance Department vs. David Arthur Glover, Docket No. 2021-4350;

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

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

5. Based on the facts and law set forth above, Respondent's application to reinstate his resident producer individual insurance license number 435446 should be denied.

Signed on this 3rd day of February, 2022, 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:

David Arthur Glover
[REDACTED]

and

Randy Overstreet
Utah Insurance Department
[REDACTED]

DATED this 3rd day of February, 2022.

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