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**BEFORE THE UTAH INSURANCE COMMISSIONER**

<p>UTAH INSURANCE DEPARTMENT,  Complainant,  vs.  BRITTANY SHERELLE EVANS GOULD,  Respondent.</p>	<p>NOTICE OF AGENCY ACTION AND ORDER</p> <p>Docket No. 2022-4385</p> <p>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 Brittany Sherelle Evansgould (aka Brittany Sherelle Evans, aka Brittany S. Evans) (“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 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](mailto: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 8<sup>th</sup> day of April 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](mailto: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 Brittany Sherelle Evansgould (aka Brittany Sherelle Evans, aka Brittany S. Evans) (“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 February 3, 2022.
- b. The application was filed under the name Brittany Sherelle Evansgould and identified her date of birth as [REDACTED].
- c. Respondent answered “yes” to the question that asked whether she had been convicted of a misdemeanor but answered “no” to the question that asked whether she had ever been convicted of a felony.
- d. Respondent answered “yes” to the question that asked whether she had a child support obligation in arrearage, and claimed she was fourteen (14) months in arrears. No supplemental supporting documents were received from Respondent in connection with the license application.

- e. In searching Respondent's court case history on the Utah Courts Xchange, it was noted that Respondent's name was identified in court records under the names Brittany Sherelle Evans and Brittany S. Evans, with the same identified birthdate of [REDACTED].
- f. On April 3, 2018, Respondent was convicted of Attempted Aggravated Assault Resulting in Serious Bodily Injury, a 1<sup>st</sup> Degree Felony amended to a 2<sup>nd</sup> Degree Felony, and Attempted Aggravated Robbery, a 1<sup>st</sup> Degree Felony amended to a 2<sup>nd</sup> Degree Felony. As a result of the convictions, respondent was sentenced to two, consecutive, indeterminate terms of one to fifteen years in the Utah State Prison. *See State of Utah vs. Brittany Sherelle Evans*, case no. [REDACTED], Weber County, State of Utah.
- g. On March 7, 2018, a paperless child support lien was filed, and a monetary judgment was entered against Respondent initially in the amount of \$900. This judgement remains outstanding with a modified amount owing increased to \$4,470.81 as of March 2, 2022. *See Child Support Services Office of Recovery Services vs. Brittany S. Evans*, case no. [REDACTED], Weber County, State of Utah.
- h. On June 23, 2021, a paperless child support lien was filed, and a monetary judgment was entered against Respondent initially in the amount of \$2,043.31. This judgement remains outstanding with a modified amount owing increased to \$4,470.81 as of March 2, 2022. *See Child Support Services Office of Recovery Services vs. Brittany S. Evans*, case no. [REDACTED], Box Elder 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) 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. Respondent violated Utah Code § 31A-23a-107(2)(a)(ii), by failing to meet the trustworthy character requirement.

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

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

e. Respondent violated Utah Administrative Rule R590-281-4(1)(e), by applying for a license prior to the end of the required time period resulting from Respondent's felony convictions involving dishonesty or breach of trust.

f. Respondent violated Utah Administrative Rule R590-281-4(4)(a)(i), by applying for a license without first obtaining written consent from the Commissioner to engage or participate in the business of insurance; and

g. Respondent violated Utah Code § 31A-23a-111(5)(b)(ix), by providing information in the license application that is incorrect, misleading, incomplete and/or materially untrue.

5. Based on the facts and law set forth above, Respondent's application for a Utah resident limited line producer individual insurance license should be denied.

Signed on this 7<sup>th</sup> day of April, 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:

Brittany Sherelle Evansgould  
[REDACTED]

and

Randy Overstreet  
Utah Insurance Department  
[REDACTED]

DATED this 8<sup>th</sup> day of April, 2022.

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