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BEFORE THE UTAH INSURANCE COMMISSIONER

<p>UTAH INSURANCE DEPARTMENT, Complainant, vs. GREGORY BJ FORD, Respondent.</p>	<p>NOTICE OF AGENCY ACTION AND ORDER</p> <p>Docket No. 2022-4392</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 Gregory BJ Ford (“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 22nd 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

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 \$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 Gregory BJ Ford (“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 December 1, 2021.
- b. Respondent answered “yes” to the question that asked whether he had been convicted of a misdemeanor, and “no” to the question that asked whether he had been convicted of a felony.
- c. On March 3, 2014, Respondent was convicted of Attempted Theft by Receiving Stolen Property, a Class A Misdemeanor. Respondent was sentenced to 30 days jail and placed on supervised probation for a period of 24 months. On April 27, 2016, the Respondent received a 402 reduction, and the conviction was reduced to a Class B Misdemeanor. (See State of Utah vs. Gregory BJ Ford, case # 131912068, Salt Lake County, State of Utah.)
- d. On August 19, 2013, Respondent was convicted of Retail Theft, a Class B Misdemeanor. Respondent was placed on court probation for a period of 9 months. The

case was closed on May 6, 2014. (See West Jordan City vs. Gregory BJ Ford, case # 131300056, Salt Lake County, State of Utah.)

e. On June 10, 2013, Respondent was convicted of one count of Attempted Forgery and one count of Theft by Deception, both Class A Misdemeanors. Respondent was sentenced to 12 days jail and placed on supervised probation for a period of 12 months. On April 28, 2016, the Respondent received a 402 reduction, and the convictions were reduced to Class B Misdemeanors. (See State of Utah vs. Gregory BJ Ford, case # 131901991, Salt Lake County, State of Utah.)

f. On October 16, 2013, Respondent was convicted of Wrongful Appropriation, a Class C Misdemeanor. The Respondent was sentenced to community service hours and the case was closed on January 14, 2015. (See Taylorsville City vs. Gregory BJ Ford, case # 131100159, Salt Lake County, State of Utah.)

g. On March 19, 2015, Respondent was convicted of four counts of Unlawful Acquisition, Possession, or Transfer of Financial Transaction Card, all Third-Degree Felonies. Respondent was sentenced to 1 day in jail, ordered to pay restitution and a fine. On March 1, 2018, the Respondent received a 402 reduction, and the convictions were reduced to Class A Misdemeanors. The case was closed on February 7, 2018. (See State of Utah vs. Gregory BJ Ford, case # 141701354, Davis County, State of Utah.)

h. On April 7, 2015, Respondent plead guilty to one count of Burglary, a Second-Degree Felony. The plea was held in abeyance and Respondent was placed on probation for a period of 36 months. On April 27, 2016, the plea in abeyance was dismissed and the case was closed. (See State of Utah vs. Gregory BJ Ford, case # 151902454, Salt Lake 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. Utah Code § 31A-23a-111(5)(b)(xiv)(B) by being convicted of a misdemeanor involving fraud, misrepresentation, theft, or dishonesty;

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

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

f. 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 misdemeanor conviction involving fraud, misrepresentation, theft, or dishonesty; and

g. 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. Pursuant to R590-281-4(4)(c)(i), an application for written consent is required even if a felony charge involving dishonesty or breach of trust has been dismissed under a plea in abeyance agreement or a felony conviction has been reduced to a lower degree of offense pursuant to UCA § 76-3-402.

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 19th 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:

Gregory BJ Ford
[REDACTED]

and

Randy Overstreet
Utah Insurance Department
[REDACTED]

DATED this 22nd day of April, 2022.

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