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BEFORE THE UTAH INSURANCE COMMISSIONER

<p>UTAH INSURANCE DEPARTMENT, Complainant, vs. LORETTA A. MORRIS, Respondent.</p>	<p>NOTICE OF AGENCY ACTION AND ORDER</p> <p>Docket No. 2022-4435</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 Loretta A. Morris (“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 non-resident producer individual insurance license number 685387 is revoked.

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 25th day of October, 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 this Order may subject you to further penalties that include a forfeiture of up to \$5,000 per violation, with each day of the violation constituting a separate violation. Other penalties for failing to obey this Order may 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 jurisdiction where forfeitures of up to \$10,000 for each day the failure to comply continues until judgment is rendered. If you are licensed in other jurisdictions, you may be required to report this proceeding in those jurisdictions.

DECLARATION

Under criminal penalty of Utah law, I, Tracy L. Klausmeier, declare the following:

1. I am currently employed as Director of Property and Casualty 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 against Loretta A. Morris (“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 is a Utah non-resident producer individual insurance licensee holding Utah license number 685387.

b. On March 9, 2022, the Department received notice that an administrative action had been taken against the Respondent by the Wisconsin Department of Insurance. Subsequent investigation uncovered administrative actions revoking Respondent’s license had also been taken against the Respondent in multiple other jurisdictions, including Indiana, Oregon, Pennsylvania, Washington, Virginia, Louisiana, and South Dakota.

c. The Respondent failed to report the actions to the Department as required pursuant to Utah Code § 31A-23a-105(2).

d. On March 9, 2022, Royalyn Andrus (Andrus), a producer licensing specialist with the Department’s Financial Regulation and Licensing Division, sent a letter of inquiry to the Respondent via email at [REDACTED], the Respondent’s business email address of record. The letter requested information regarding the administrative actions taken against the Respondent in other jurisdictions and advised that Respondent needed to formally report the

administrative actions within fourteen days of the letter.

e. The email was returned “undeliverable”, and Respondent did not respond to the Department’s March 9, 2022, email request for information.

f. On March 9, 2022, Andrus called the respondent at [REDACTED] the Respondent’s telephone number of record. A female answered identifying herself as “Loretta”, however when questioned, she stated she was not Loretta Morris.

g. On March 14, 2022, Andrus sent the letter of inquiry via USPS to [REDACTED] [REDACTED] [REDACTED] [REDACTED], the Respondent’s residential and business address of record. Respondent failed to respond, and Andrus referred the matter to the Market Conduct Division on April 5, 2022.

h. On July 11, 2022, Tracy L. Klausmeier, Director of the Property and Casualty Division (Klausmeier), sent a request for explanation letter to the Respondent at a new email address which was found listed for the Respondent on the NIPR document warehouse. The email sent to [REDACTED] did not bounce back and was assumed to be delivered.

i. On August 05, 2022, Klausmeier sent a letter requesting information concerning the administrative actions by certified mail to Respondent’s business and residence address listed on record. On August 23, 2022, Klausmeier received the certified mail receipt back. The signature line stated “Covid-19”.

j. The Department has tried multiple times, through every means of contact available to them to contact Respondent.

k. Respondent has failed to respond to the any of the requests for information sent via email or post from the Department.

4. The above declared facts demonstrate that the following Utah insurance law(s) were not complied with:

a. Utah Code § 31A-2-202(4)(a) by not replying promptly in writing or in other designated form to a reasonable written inquiry from the commissioner.

b. Utah Code § 31A-23a-412(1)(a)(ii) by failing to have a business email address registered and maintained with the commissioner.

c. Utah Admin. Code R590-258-3 by failing to submit to, and maintain with, the commissioner a valid business email address where the person can receive communications from the Department.

d. Utah Code § 31A-23a-105(2)(b) by failing to report to the commissioner an administrative action taken against the person, including a denial of a new or renewal license application.

e. Utah Code § 31A-23a-111(5)(b)(ii)(A) by violating an insurance statute as outlined above.

f. Utah Code § 31A-23a-111(5)(b)(ii)(B) by violating an insurance rule that is valid under Subsection 31A-2-201(3) as outlined above.

g. Utah Code § 31A-23a-111(5)(b)(xvii) by having an insurance license or other professional or occupational license, or an equivalent to an insurance license or registration, or other professional or occupational license or registration denied, suspended, revoked, or surrendered to resolve an administrative action.

h. Utah Code § 31A-23a-111(7)(a) by failing to immediately report to the commissioner a revocation, suspension, or limitation of the person's license in another state.

5. Based on Utah Code § 31A-2-308 and other similar enforcement cases, the Respondent's insurance license should be revoked.

DATED this 21st day of October, 2022, at Salt Lake City, Salt Lake County, Utah.

/s/ Tracy Klausmeier
Tracy Klausmeier, Examiner
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 sent to:

Loretta A. Morris

██████████ ██████████ ██████████
██

Loretta A. Morris

██
██

and

Tracy L. Klausmeier
Utah Insurance Department

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DATED this 25th day of October, 2022.

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