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BEFORE THE UTAH INSURANCE COMMISSIONER

<p>UTAH INSURANCE DEPARTMENT, Complainant, vs. MATTHEW VEGA-SANZ, Respondent.</p>	<p>NOTICE OF AGENCY ACTION AND ORDER</p> <p>Docket No. 2022-4455</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 Matthew Vega-Sanz (“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 -7.

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 Utah non-resident surplus lines producer license, number 821298, and Utah non-resident producer individual insurance license, number 819351, 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 27th day of December 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 the 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 Informal Adjudicative Proceeding and Order against Matthew Vega-Sanz (“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 surplus lines producer, license number 821298, and a Utah non-resident producer individual insurance licensee, license number 819351.

b. Under Utah Code § 31A-2-202(4)(a), Respondent is required to reply promptly in writing or in other designated form to a reasonable written inquiry from the commissioner.

c. On September 1, 2021, the Department received notice that an administrative action had been taken against the Respondent in Kansas. Subsequent investigation uncovered administrative actions, either issuing a monetary penalty or revoking the Respondent’s license, had also been taken against the Respondent in multiple other jurisdictions, including Wisconsin, Illinois, Louisiana, Kentucky, and Washington.

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

e. On September 1, 2021, [REDACTED], a producer licensing specialist with the Department’s Producer Licensing Division, sent a letter of inquiry to the Respondent via email at

██████████, the Respondent's email address of record. The letter requested information regarding the administrative actions taken against the Respondent in other jurisdictions.

f. Respondent failed to respond to the Department's September 1, 2021, request for information. ██████████ referred the matter to the Market Conduct Division on October 4, 2021.

g. On October 13, 2021, ██████████, a market conduct examiner with the Department's Property and Casualty Division, sent a certified letter to the Respondent's Florida business address of record. The receipt was returned unclaimed. A copy of the letter was also emailed to the Respondent at his email address of record, but the Respondent failed to respond to the request.

h. On January 5, 2022, the Respondent updated his resident, mailing, business, and email addresses of record with the Department.

i. On August 30, 2022, Tracy Klausmeier (Klausmeier), Director of the Property and Casualty Division, sent a request for information to the new email address which had been provided by the Respondent to the department on January 5, 2022. Respondent failed to respond to the request for information.

j. On October 5, 2022, Klausmeier sent another certified letter requesting information to Respondent's residential address of record. The receipt was returned signed by "██████████" on October 11, 2022, indicating it had been delivered to the Respondent.

k. Respondent failed to respond to 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-23a-105(2)(a) by failing to report to the commissioner an administrative action taken against the person, including a denial of a new or renewal application, in another jurisdiction within 30 days of the final disposition of the administrative action.

b. 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.

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

d. 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.

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

f. 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 16th day of December 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:

Matthew Vega-Sanz

[REDACTED]

[REDACTED]

and

Tracy Klausmeier
Utah Insurance Department
4315 S 2700 W Suite 2300
Taylorsville UT 84129
tklausmeier@utah.gov

DATED this 27th day of December 2022.

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