

HELEN A. FROHLICH #8814
Assistant Utah Attorney General
SEAN D. REYES #7969
Utah Attorney General
Attorneys for Utah Insurance Department
160 East 300 South, 5th Floor
P.O. Box 140874
Salt Lake City, Utah 84114-0874
Telephone: (801) 366-0375
hfrohlich@agutah.gov

BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT, Complainant, vs. DYLAN A. BRAITHWAITE, Respondent.	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER Docket No. 2023-4465 Donald H. Hansen Administrative Law Judge/Presiding Officer
---	---

Complainant, Utah Insurance Department ("Department") and Respondent, Dylan A. Braithwaite ("Respondent"), have stipulated to entry of the following Findings of Fact, Conclusions of Law and Order.

Based upon that Stipulation, and good cause appearing, the Presiding Officer makes and enters the following:

FINDINGS OF FACT

1. Respondent is a non-resident individual producer holding Utah license number 938408. Respondent obtained this license on June 28, 2022.
2. Respondent's mailing address is [REDACTED].

3. The Department opened an investigation following a consumer complaint alleging that the Respondent had called a Utah consumer and told the consumer that he was calling from the Utah Insurance Department.

4. During the investigation, Respondent admitted to telling the consumer that he was calling from the Utah Insurance Department during a sales call in July 2022.

5. The Department and Respondent have agreed to an administrative forfeiture of \$125.00.

CONCLUSIONS OF LAW

1. The Utah Insurance Commissioner (“Commissioner”) has jurisdiction over the parties and this adjudicative proceeding pursuant to Utah Code §§ 31A-1-105 and 31A-2-201.

2. The Commissioner has legal authority to impose penalties on licensees who violate the Utah Insurance Code pursuant to Utah Code § 31A-2-308.

3. Respondent violated Utah Code § 31A-23a-402(1)(a)(iii)(B) by providing information to a Utah consumer that would cause the consumer to believe the Respondent worked for the Department.

4. As penalties for the violations in this case, Respondent should be ordered to pay a forfeiture of \$125.00.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby Ordered that:

1. Respondent shall pay a forfeiture of \$125.00 for the violations described in the Conclusions of Law.

2. The forfeiture shall be paid in full to the Department no later than 30 days after this order is signed.

3. Respondent is ordered not to commit the violation described in the Conclusions of Law in the future.

DATED this 3rd day of February, 2023.

JONATHAN T. PIKE
Utah Insurance Commissioner

/s/ Donald H. Hansen
Donald H. Hansen
Administrative Law Judge/Presiding Officer
Utah Insurance Department
4315 South 2700 West, Suite 2300
Taylorsville, UT 84129
801-957-9321
Email: uidadmincases@utah.gov

NOTICE TO RESPONDENT

Failure to obey this Order may subject you to further penalties that include forfeitures 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 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 to those jurisdictions.

CERTIFICATE OF SERVICE

The undersigned certifies that on this date a true and correct copy of the foregoing

Findings of Fact, Conclusions of Law and Order was emailed to:

Dylan A. Braithwaite

████████████████████
████████████████████
████████████████
████████████████

Helen A. Frohlich
Assistant Attorney General
hfrohlich@agutah.gov
160 E. 300 S., 5th Floor
P.O. Box 140874
Salt Lake City, UT 84114-0874

DATED this 3rd day of February, 2023.

/s/ Jeanine Couser _____
Jeanine Couser
Utah Insurance Department
4315 South 2700 West, Suite 2300
Taylorsville, UT 84129
801-957-9321