

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 R590-160-7(1), this informal adjudicative proceeding shall be 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., Taylorsville, UT 84129. The request for hearing 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 is a failure to exhaust administrative remedies and precludes any further administrative or judicial review or appeal of this matter.

DATED this 2nd 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 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 jurisdiction 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 Stephanie Amanda Bird (“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 January 13, 2023.

b. Respondent answered “no” to the background question that asked whether she had ever been convicted of a misdemeanor, had a judgment withheld or deferred, or was currently charged with committing a misdemeanor, and “no” to the question that asked whether she had ever been convicted of a felony, had a judgment withheld or deferred, or was currently charged with committing a felony.

c. On or about July 7, 2022, Respondent was charged with aggravated child abuse – intentionally or knowingly, a 2nd degree felony, and assault, a class B misdemeanor. A preliminary hearing is scheduled for March 2, 2023. *See* State of Utah et al. vs. Stephanie Amanda Bird, case no. 221906602, Third District Court – Salt Lake, Salt Lake County, State of Utah.

d. On or about October 23, 2019, a monetary judgment was entered against Respondent in the amount of \$4,533.11. Based upon the court documents that I reviewed, this

judgment remains outstanding. See Mountain Land Collections Inc. vs. Stephanie Bird, case no. 199916056, Third District Court – Salt Lake, Salt Lake County, State of Utah.

e. On or about March 24, 2020, a monetary judgment was entered against Respondent in the amount of \$1,712.58. Based upon the court documents that I reviewed, this

judgment remains outstanding. See Midland Credit Management Inc vs. Stephanie Bird, case no. 209902942, Third District Court – Salt Lake, 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)(ix), providing incorrect, misleading, or materially untrue information on the license application by answering “no” to the background question regarding being currently charged with committing a misdemeanor and by answering “no” to the background question regarding being currently charged with committing a felony;
- b. Utah Code § 31A-23a-105(5)(a)(ii), committing an act that is grounds for denial, suspension, or revocation as set forth in Section 31A-23a-111;
- c. Utah Code § 31A-23a-107(2)(a)(ii), failing to meet the trustworthy character requirement;
- d. Utah Code § 31A-23a-111(5)(b)(i), unqualified for a license under Utah Code § 31A-23a-104, -105, or -107; and
- e. Utah Code § 31A-23a-111(5)(b)(iv), failing to pay a final judgment rendered against Respondent within 60 days after the day on which the judgment became final.

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

Signed on this 1st day of February, 2023, 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:

Stephanie Amanda Bird

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Randy Overstreet

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

and

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

DATED this 2nd day of February, 2023.

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