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**BEFORE THE UTAH INSURANCE COMMISSIONER**

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| <p>UTAH INSURANCE DEPARTMENT,<br/><br/>Complainant,<br/><br/>vs.<br/><br/>ISMAEL ORRANTIA MALDONADO,<br/><br/>Respondent.</p> | <p>NOTICE OF AGENCY ACTION AND<br/>ORDER</p> <p>Docket No. 2023-4507</p> <p>Donald H. Hansen<br/>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 Ismael Orrantia Maldonado (“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 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](mailto: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.

4. The request for hearing shall be signed by the person making the request and shall state the basis for the relief requested.

5. 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 2<sup>nd</sup> day of May 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](mailto: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 being taken against you in a court of competent 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 Ismael Orrantia Maldonado (“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. On March 31, 2023, Respondent applied for a Utah resident limited line producer individual insurance license.

b. On his application, Respondent answered “no” to the background question that asked, “Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?”

c. Respondent also answered “no” to the background question that asked, “Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?”

d. On August 17, 2007, Respondent was convicted of one count of Attempted Unlawful Dealing of Property by Fiduciary, a 3rd Degree Felony. The case was closed on October 1, 2010. On December 9, 2015, the conviction was reduced through a 402 reduction to a Class B Misdemeanor. (See State of Utah vs. Ismael Orrantia, Case #071901442, Third District Court, Salt Lake County, State of Utah.)

e. On May 20, 2008, Respondent was charged with one count Possession of Another's Identifying Document(s), a 3<sup>rd</sup> Degree Felony, and one count of Wrongful Appropriation, a 3<sup>rd</sup> Degree Felony. On October 16, 2009, Respondent pled guilty to an amended charge of Attempted Forgery, a Class A Misdemeanor, and an amended charge of Attempted Theft by Deception, a Class A Misdemeanor. The case was closed on May 29, 2012. On December 22, 2015, count two was amended through a 402 reduction to Class B Misdemeanor, and on January 26, 2016, count one was amended through a 402 reduction and reduced to a Class B Misdemeanor. (See State of Utah vs. Ismael Orrantia, Case #081903894, Third District Court, Salt Lake County, State of Utah).

f. As part of the application process, the Department conducted a background check and identified outstanding monetary judgments entered against the Respondent that disqualify him from obtaining an insurance license in Utah.

g. On July 29, 2008, a monetary judgment was entered against Respondent in the amount of \$1,359.20. Based upon the court documents that I have reviewed, this judgment remains outstanding. (See Revenue Recovery LC vs. Ismael Orrantia et al., Case # 080910550, Third District Court, Salt Lake County, State of Utah).

h. On December 7, 2010, a monetary judgment was entered against Respondent in the amount of \$2,221.19. Based upon the court documents that I have reviewed, this judgment remains outstanding. (See Liberty Acquisitions LLC vs. Ismael Orrantia, Case # 100918938, Third District Court, Salt Lake County, State of Utah).

i. On January 2, 2014, a monetary judgment was entered against Respondent in the amount of \$847.79. Based upon the court documents that I have reviewed, this judgment remains

outstanding. (See Checknet Inc vs. Ismael Orrantia et al., Case #130410831, Third district Court-West Jordan Department, Salt Lake County, State of Utah).

j. On March 21, 2016, a monetary judgment was entered against Respondent in the amount of \$4,637.36. Based upon the court documents that I have reviewed, this judgment remains outstanding. (See Mountain Loan Centers Inc vs. Ismael Orrantia, Case # 169400310, Fourth District Court-Provo Department, Utah County, State of Utah).

k. On April 26, 2017, a monetary judgment was entered against Respondent and [REDACTED] in the amount of \$1,064.89. Based upon the court documents that I have reviewed, this judgment remains outstanding. (See Outsource Receivables Mgmt. Inc vs. [REDACTED] et al., Case # 170405473, Third District Court-West Jordan Department, Salt Lake County, State of Utah).

l. On August 17, 2018, a monetary judgment was entered against Respondent in the amount of \$2,930.34. Based upon the court documents that I have reviewed, this judgment remains outstanding. (See Capital One Bank USA NA vs. Ismael Orrantia, Case # 189907664, Third District Court, Salt Lake County, State of Utah).

m. On February 26, 2021, a monetary judgment was entered against Respondent in the amount of \$2,003.94. Based upon the court documents that I have reviewed, this judgment remains outstanding. (See Unifund CCR LLC vs. Ismael Orrantia, Case # 209903800, Third District Court, 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. Respondent violated Utah Administrative Code § R590-28 1-4(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;

c. Respondent violated Utah Code § 31A-23a-105(2)(b)(ii) by failing to report at the time of filing the license application a criminal prosecution taken against the Respondent;

d. Respondent violated Utah Code § 31A-23a-111(5)(b)(ix), by providing information in the license application that is incorrect, misleading, incomplete, or materially untrue;

e. Respondent violated Utah Code Utah Code § 31A-23a-111(5)(b)(xi) by obtaining or attempting to obtain a license through misrepresentation or fraud;

f. Respondent violated Utah Code Utah Code § 31A-23a-104(2)(b)(v), by failing to provide information in his application related to whether the Respondent has committed an act that is ground for denial, suspension, or revocation as set forth under Utah Code §§ 31A-23a-104, 105, or 111;

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

h. Respondent violated Utah Code § 31A-23a-105(5)(a)(ii), by committing an act that is grounds for denial, suspension, or revocation as set forth in Section 31A-23a-111;

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

j. Respondent violated Utah Code § 31A-23a-111(5)(b)(iv) by failing to pay a final judgment rendered against Respondent within 60 days after the day on which the judgment became final;

k. Respondent violated Utah Code § 31A-23a-111(5)(b)(ii), by violating an insurance statute, a rule that is valid under Subsection 31A-2-201(3), or order that is valid under Subsection 31A-2-201(4) as outlined herein;

l. Respondent violated Utah Code § 31A-23a-111(5)(b)(xiv)(B) by having been convicted of a misdemeanor involving fraud, misrepresentation, theft, or dishonesty; and

m. Respondent violated Utah Code § 31A-23a-111(5)(b)(xxv), by having been convicted of any criminal felony involving dishonesty or breach of trust and has not obtained written consent to engage in the business of insurance or participate in such business as required by 18 U.S.C. Sec. 1033.

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

Signed on this 2nd day of May 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:

Ismael Orrantia Maldonado

[REDACTED]  
[REDACTED]  
[REDACTED]

and

Randy Overstreet  
Utah Insurance Department  
4315 South 2700 West, Suite 2300  
Taylorsville UT 84129

[REDACTED]

DATED this 2<sup>nd</sup> day of May 2023.

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