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BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT, Complainant, vs. NATHANIEL LAVON MYERS, Respondent.	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER Docket No. 2023-4546 Donald H. Hansen Administrative Law Judge/Presiding Officer
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Complainant, Utah Insurance Department ("Department") and Respondent, Nathaniel Lavon Myers, 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 producer individual licensee, domiciled in [REDACTED], holding Utah license number 724813.
2. Respondent's mailing address is [REDACTED].
3. Respondent was the subject of a consumer complaint filed by [REDACTED]

████████████████████ and subsequent investigation by the Department's Health & Life Division.

4. Respondent submitted two (2) applications for life insurance policies on himself, both of which contained material misrepresentations. Policy ██████████, dated May 31, 2022, and policy ██████████, dated August 23, 2022, were ultimately rescinded.

5. In his May 30, 2023, response to the Department's May 11, 2023, request for information, the respondent indicated that he felt he had answered the application questions truthfully. However, in Respondent's application responses, there were inconsistencies in his answers to the application questions.

6. The applications also reflected an address in ██████, inconsistent with Sircon records, which at the time reflected an ██████ address. In his June 19, 2023, response to the Department's June 1, 2023, request for clarification, the Respondent indicated he had changed his home state from ██████ to ██████ and moved to ██████████ for a short time to be closer to family. On July 21, 2023, Carrie Backus, an examiner with the Department's Health & Life Division, informed the Respondent he was required to update his address with the Utah Insurance Department. The address was changed on August 4, 2023.

7. As a result of the Respondent's violations, the Department and Respondent have agreed to an administrative forfeiture of \$250.00.

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 the Department's

licensees who violate the Utah Insurance Code pursuant to Utah Code § 31A-2-308.

3. Respondents violated Utah Code § 31A-23a-111(5)(b)(xiii), by intentionally misrepresenting the terms of an actual or proposed insurance contract, application for insurance, or life settlement.

4. As a penalty for the violations in this case, the Respondent should be ordered to pay a forfeiture of \$250.00.

ORDER

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

1. Respondent shall pay a forfeiture of \$250.00 for the violations described in the Conclusions of Law. The forfeiture shall be paid in full to the Department no later than thirty (30) days after this order is signed.

2. Respondent is ordered not to commit the violations described in the Conclusions of Law in the future.

DATED this 4th day of October 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
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NOTICE TO RESPONDENT

Failure to obey this 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 may 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 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.

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 electronically mailed to:

Nathaniel Lavon Myers

[REDACTED]
[REDACTED]
[REDACTED]

and

Shelley A. Coudreaut
Assistant Attorney General
sacoudreaut@agutah.gov

DATED this 4th day October 2023.

/s/ Jeanine Couser
Jeanine Couser
Utah Insurance Department
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