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BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT, Complainant, vs. CHRISTOHER JOHN RUBY, Respondent.	NOTICE OF AGENCY ACTION AND ORDER Docket No. 2024-4593 Donald H. Hansen Administrative Law Judge/Presiding Officer
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NOTICE OF AGENCY ACTION

The Utah Insurance Department (“the Department”) commences this agency action as an informal adjudicative proceeding against Christopher John Ruby (“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 non-resident producer individual insurance license number 951212 is revoked.

2. Pursuant to Utah Code § 63G-4-203(1)(i) and Utah Admin. Code R590-160-7(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.

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 30th day of January 2024.

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 \$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.

DECLARATION

Under criminal penalty of Utah law, I, Kathleen Jaques, declare the following:

1. I am currently employed as a Market Conduct Examiner 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 Christopher John Ruby (“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. The Respondent is a Utah non-resident producer individual insurance licensee, domiciled in Ohio, and authorized to do insurance business in Utah under Utah license number 951212.

b. On October 6, 2023, the Department received notice that on September 13, 2023, an administrative action had been taken against the Respondent in his home state of Ohio. In that action, Ohio revoked Respondent’s resident license based on administrative findings that, on at least four occasions, the Respondent had altered and intentionally misrepresented information on quotes for homeowner’s insurance policies in an effort to lower the replacement cost associated with the homeowner’s insurance policy.

c. Respondent failed to report the Ohio license revocation to the Department as required pursuant to Utah Code §§ 31A-23a-105(2)(b) and 31A-23a-111(7)(a).

d. On December 8, 2023, Kathleen Jaques (Jaques), a Market Conduct Examiner with the Department, sent to the Respondent’s email address of record, “[REDACTED]”, a

notice advising Respondent that he must formally report the Ohio administrative action to the Department, and provide a signed statement detailing the Ohio administrative action.

e. On December 8, 2023, Respondent responded to Jaques' email indicating that he had been in a medical facility and was getting limited access to phone or email. Respondent further indicated he would be able to communicate more after January 2024, and if Jaques needed any documentation he could get back to her ASAP.

f. On December 19, 2023, Jaques again sent Respondent a request for information and told Respondent he was required to respond by December 29, 2023. Respondent failed to respond to the Department's request for information as required by Utah Code § 31A-2-202.

g. On January 5, 2024, Jaques sent a third request for information to the Respondent by email and by certified mail to his address of record.

h. To date, Respondent has failed to respond to any of the Department's requests for information as required by Utah Code § 31A-2-202.

4. The above declared facts demonstrate that the following Utah insurance law(s) were not complied with:

a. Respondent violated Utah Code § 31A-23a-111(5)(b)(xvii)(C) by having had an insurance license or other professional or occupational license, or an equivalent to an insurance license or registration or other professional or occupational license or registration revoked;

b. Respondent violated Utah Code § 31A-23a-105(2)(b)(i) 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;

c. Respondent violated 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;

d. Respondent violated Utah Code §§ 31A-23a-105(1)(b)(viii)(B) and 31A-23a-109(1), by failing to maintain in good standing a valid license in the Respondent's home state or designated home state;

e. 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;

f. Respondent violated Utah Code § 31A-23a-111(5)(b)(xvi), when in the conduct of business in this state or elsewhere used fraudulent, coercive, or dishonest practices; or demonstrated incompetence, untrustworthiness, or financial irresponsibility;

g. Respondent violated Utah Code § 31A-23a-111(5)(b)(xxiv), by engaging in a method or practice in the conduct of business that endangers the legitimate interests of customers and the public;

h. Respondent violated Utah Code § 31A-31-103(1)(a)(ii), by knowingly presenting or causing to be presented to an insurer any oral or written statement or representation knowing that the statement or representation contained false, incomplete, or misleading information concerning any fact material to an application for the issuance or renewal of an insurance policy, certificate, or contract, as part of or in support of a scheme or artifice to avoid paying the premium that an insurer charges on the basis of underwriting criteria applicable to the person.

- i. Respondent violated Utah Code § 31A-23a-107(2)(a)(ii) by failing to meet the trustworthy character requirement; and
 - j. Respondent violated Utah Code § 31A-2-202(4)(a), by failing to reply promptly in writing or in other designated form to a reasonable written inquiry from the commissioner.
5. Based on Utah Code § 31A-2-308 and other similar enforcement cases, the Respondent's insurance license should be revoked.

DATED this 25th day of January 2024, at Salt Lake City, Salt Lake County, Utah.

/s/ Kathleen Jaques

Kathleen Jaques, 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:

Christopher John Ruby

[REDACTED]
[REDACTED]
[REDACTED]

and

Kathleen Jaques
Utah Insurance Department

[REDACTED]

DATED this 30th day of January 2024.

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