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FILED

DEC 21 2022

Department of Insurance
State of Idaho

Attorneys for the Idaho Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

IDAHO DEPARTMENT OF INSURANCE,

Complainant,

vs.

MATTHEW VEGA-SANZ, an individual
holding Idaho Nonresident Surplus Broker
and Idaho Nonresident Producer NPN No.
19442827,

Respondent.

Docket No. 18-4069-22

**ORDER OF DEFAULT REVOKING
IDAHO NONRESIDENT
PRODUCER LICENSE AND IDAHO
NONRESIDENT SURPLUS
BROKER LICENSE OF MATTHEW
VEGA-SANZ**

The Director of the Idaho Department of Insurance (“Director”) having reviewed the record herein; and Respondent, Matthew Vega-Sanz (“Vega-Sanz”), having been lawfully served the *Verified Complaint and Notice of Right to Hearing* (the “Complaint”), a copy of which is attached hereto as Exhibit “A”, and Vega-Sanz having failed to submit a written request for hearing or address the allegations, violations and charges set forth in the Complaint, and the Director finding

ORDER OF DEFAULT REVOKING IDAHO NONRESIDENT PRODUCER LICENSE AND IDAHO
NONRESIDENT SURPLUS BROKER LICENSE OF MATTHEW VEGA-SANZ - 1

as a result thereof that Vega-Sanz has waived his rights regarding the opportunity for hearing; and in consideration of the above, and good cause appearing,

The Director finds that Vega-Sanz has violated the laws of the state of Idaho to wit, 41-1228, Idaho Code and section 41-1230 Idaho Code.

THEREFORE, IT IS ORDERED that Idaho Nonresident Surplus Broker License and Idaho Nonresident Producer License NPN No. 19448287 issued to Vega-Sanz are hereby revoked and that Vega-Sanz shall not be eligible to apply for or receive any license under title 41, Idaho Code, for a period of five (5) years from the entry of this Order.

IT IS FURTHER ORDERED that after expiration of the five-year revocation period, in accordance with section 41-1026(3), Idaho Code, should Vega-Sanz file an application for any license under title 41, Idaho Code, Vega-Sanz must petition and show good cause why the prior revocation shall not be deemed a bar to the issuance of a new license.

IT IS FURTHER ORDERED that an administrative penalty of One Thousand Dollars (\$1,000) is imposed against Vega-Sanz for violations of sections 41-1016(1)(b), due and payable **within thirty (30) days** of the entry of this Order.

IT IS FURTHER ORDERED that the tax penalty for failing to file the annual surplus line report is assessed against Vega-Sanz in the amount of Five Thousand Five Hundred Twenty-Five Dollars (\$5,525), due and payable **within thirty (30) days** of the entry of this Order.

IT IS FURTHER ORDERED that should Vega-Sanz make application for licensure under title 41, Idaho Code, at any time in the future, the Department shall not consider any such

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application until the administrative and tax monetary penalties imposed against Vega-Sanz by this Order, have been paid in full.

DATED this 20th day of December, 2022.

STATE OF IDAHO
DEPARTMENT OF INSURANCE


DEAN L. CAMERON, Director

NOTIFICATION REGARDING REPORTABLE PROCEEDINGS

This is considered a reportable administrative proceeding. As such, it is a public record and is public information that may be disclosed to other states and reported to companies of which you are actively appointed. This information will be reported to the National Association of Insurance Commissioners (NAIC) and will appear in the Idaho Department of Insurance's online searchable database. Be aware that you may be required to disclose this proceeding on any license application, and you may be required to report this action to any and all states in which you hold an insurance license.

NOTIFICATION OF RIGHTS

This is a final order of the agency and is effective immediately. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the motion for reconsideration within twenty-one (21) days of its receipt, or the motion will be considered denied by operation of law. See Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may file a petition for judicial review in the district court of the county in which:

- i. A hearing was held;
- ii. The final agency action was taken;
- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho; or
- iv. The real property or personal property that was the subject of the agency action is located.

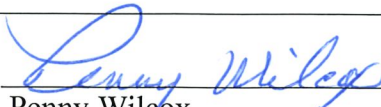
A petition for judicial review must be filed within twenty-eight (28) days of: (a) the service date of this final order, (b) the service of an order denying motion for reconsideration, or (c) the

failure within twenty-one (21) days to grant or deny a motion for reconsideration, whichever is later. See Idaho Code § 67-5273. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the order under appeal. Idaho Code § 67-5274.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of December, that I caused a true and correct copy of the foregoing ORDER OF DEFAULT REVOKING IDAHO NONRESIDENT PRODUCER LICENSE AND IDAHO NONRESIDENT SURPLUS BROKER LICENSE OF MATTHEW VEGA-SANZ to be served on the following parties by the method(s) indicated below:

Matthew Vega-Sanz 8950 SW 74 th CT, Suite 1506 Miami, FL 33156-3174	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email: matthew@lularides.com mvegasanz2@babson.edu matthew@lula.is
Matthew Vega-Sanz 1340 S. Dixie Hwy, Apt. 618 Coral Gables, FL 33146-2979	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input type="checkbox"/> Email:
Matthew Vega-Sanz LULA TRANSPORT, LLC 12420 SW 64 th Street Miami, FL 33143	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input type="checkbox"/> Email:
FLORIDA DEPARTMENT OF FINANCIAL SERVICES Attn: Insurance Agent & Agency Licensing 200 E. Gaines Street Tallahassee, FL 32399	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input type="checkbox"/> Email:
Karl T. Klein DEPUTY ATTORNEY GENERAL Idaho Department of Insurance 700 W. State St., 3 rd Floor PO Box 83720 Boise, ID 83720-0043	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email: karl.klein@doi.idaho.gov


Penny Wilcox

LAWRENCE G. WASDEN
Attorney General

JOHN C. KEENAN, ISB No. 3873
Deputy Attorney General
Idaho Department of Insurance
700 W. State Street
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Boise, Idaho 83720-0043
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Attorneys for the Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

IDAHO DEPARTMENT OF INSURANCE,

Complainant,

vs.

MATTHEW VEGA-SANZ, an individual
holding Idaho Non-Resident Surplus Broker
License No. 820259, and Idaho Non-Resident
Producer License No. 820257;

Respondent.

Docket No. 18-4069-22

**VERIFIED COMPLAINT AND
NOTICE OF RIGHT TO HEARING**

COMES NOW the Idaho Department of Insurance (“Department”), by and through its undersigned counsel, and does hereby give notice of verified allegations constituting violations of Idaho law, notice that relief will be requested from the Director of the Department, and a notice of the right to contest the allegations and requested relief herein, and of the right to hearing to MATTHEW VEGA-SANZ.

The Department alleges the following facts and violations of title 41, Idaho Code, as itemized below. The Department will present an order seeking the relief described below upon

twenty-one (21) days following service of this Verified Complaint, and MATTHEW VEGA-SANZ is further notified of his right to object to the requested relief, including the basis for any objection, and to make a written request for hearing.

JURISDICTION

1. Jurisdiction in this matter is founded in the Idaho Insurance Code, Idaho Code § 41-101 *et seq.*, including Idaho Code § 41-210, which authorizes the Director of the Department of Insurance (“Director”) to enforce the provisions of title 41 of the Idaho Code, including those governing Respondent’s activities as described herein.

2. Jurisdiction is further founded in section 41-213, Idaho Code, which authorizes the Department to institute such proceedings as deemed necessary for the enforcement of any provision of the Idaho Insurance Code including, but not limited to, license revocation and the imposition of administrative penalties.

CONTROLLING LAW

3. Section 41-1224(1), Idaho Code, provides that the Director may suspend or revoke a surplus line broker’s license, if the Director finds that any of the causes or violations set forth in subsections 41-1224(1)(a) through (d) exist.

4. Section 41-117, Idaho Code, provides that each instance of violation may be considered a separate offense.

5. Pursuant to section 41-1224(2), Idaho Code, the procedures for suspension and revocation as provided in chapter 12, title 41, Idaho Code, are applicable to the suspension or revocation of a surplus line broker’s license.

6. Section 41-1224(4), Idaho Code, provides that any broker license suspended or revoked shall not again be so licensed until any fines or delinquent taxes owing by him have been paid, or, in case of revocation, until after the expiration of one (1) year from the date of revocation

becomes final.

7. Section 41-1016(1), Idaho Code, provides that the Director may suspend, revoke or refuse to issue or renew a producer's license and may impose an administrative penalty not to exceed one thousand dollars (\$1,000), if the Director finds that any of the causes or violations set forth in subsections 41-1016(1)(a) through (o) exist, including but not limited to subsections 41-1016(1)(b), which prohibits: violating any provision of title 41, Idaho Code, department rule, subpoena or order of the director or of any other state's insurance director.

8. Section 41-1026(3), Idaho Code, provides that the Director shall not issue a license under title 41, Idaho Code, to any person whose license has been revoked until after the expiration of not less than one (1) year to a maximum of five (5) years from the date of revocation, and, upon a former licensee's application for re-licensure, the Director may require the former licensee to show good cause why the prior revocation shall not be deemed a bar to issuance of a new license.

9. Section 41-1228, Idaho Code, requires a surplus line broker to file on or before the first day of March of each year with the Director of the Department a verified report of all surplus line insurance transacted by the broker during the preceding calendar year.

10. Section 41-1230, Idaho Code states that if the broker fails to file the annual report or fails to remit the tax, prior to the first day of April after the tax is due, the broker shall be liable for a fine of twenty-five dollars (\$25) for each day of delinquency commencing on the first day of April.

RESPONDENT

11. MATTHEW VEGA-SANZ (hereinafter "Vega-Sanz" or "Respondent"), is a resident of the state of Florida and holds Idaho Non-Resident Surplus Line Broker License No. 820259, originally issued on December 18, 2020, and Idaho Non-Resident Producer No. 820257, originally issued on December 18, 2020.

FACTUAL ALLEGATIONS

12. On or about April 9, 2021, The Department emailed a late notice to the Respondent, using an email address provided to the Department on the Respondent's initial application for a surplus line broker's license, notifying the Respondent that he had failed to file the required annual surplus tax report ("annual report"), for the calendar year 2020 before the April 1, 2021 deadline. In the said notice, the Department notified the Respondent that penalties are assessed and accruing at a rate of twenty-five dollars (\$25) per day, commencing on April 2, 2020, for failing to file the annual report.

13. On or about September 30, 2021, a member of the staff of the Department attempted to contact the Respondent via a telephone number provided by the Respondent in his application for a surplus line broker's license. No person answered the telephone call. The staff member left a voice message on the telephone call advising the Respondent to return the call.

14. On or about October 13, 2021, the Department sent the Respondent via Certified U.S. Mail, a final demand letter relating to his failure to file the annual report and the late penalties accruing for each day of delinquency. On October 18, 2021, the Department received a signed receipt of the certified mail.

15. On or about November 9, 2021, the Department emailed the Respondent a notice relating to the assessment of penalty.

16. On or about November 16, 2021, the Department received an email from the Respondent stating that he could not afford to pay the penalties and asked for options. On the same date, the Department responded via email, providing two options, (1) set up a payment plan; or (2) surrender his Idaho non-resident licenses and request a waiver of penalty.

17. On January 19, 2022, the Respondent notified the Department of his request to seek a waiver of the penalty and to surrender his Idaho non-resident licenses.

18. On January 20, 2022, the Department granted the waiver upon license surrender and notified the Respondent on January 21, 2022, that he had 10 days to meet the conditions outlined in the letter for the waiver to be effective.

19. On January 31, 2022, the Respondent notified the Department of his hesitation of surrender the license; and, on the same date the Department again notified the Respondent that failure to surrender to the license will mean the conditional waiver was not met.

20. As of the undersigned date, the Respondent had not surrendered his license.

PRAYER FOR RELIEF

Based on the foregoing facts and allegations, the Department prays for relief as follows:

1. For an Order revoking **MATTHEW VEGA-SANZ's** Idaho Non-Resident Surplus Line Broker License No. 820259;

2. For an Order revoking **MATTHEW VEGA-SANZ's** Idaho Non-Resident Producer License No. 820257;

3. For an Order stating that **MATTHEW VEGA-SANZ** shall not be relicensed for a period of five (5) years, after which time he shall be required to appear and show good cause why the prior revocation shall not be deemed a bar to the issuance of a new license;

4. For an Order imposing an administrative penalty against **MATTHEW VEGA-SANZ**, in the amount of \$1,000 per violation of Idaho Code § 41-1016(1)(b), Idaho Code, for a total sum of One Thousand Dollars (\$1,000), and for an Order stating the said administrative penalty is due and payable within thirty (30) days of entry of the Order;

5. For an Order stating that the amount of penalty for failing to file the annual surplus line report as of the date of assessment of November 9, 2021 is the total of Five Thousand Five Hundred Twenty-Five Dollars (\$5,525), and for an Order stating the said penalty is due and payable within thirty (30) days of entry of the Order.

6. For an Order providing that, in the event **MATTHEW VEGA-SANZ** makes application for licensure under title 41, Idaho Code, at any time in the future after revocation of said license, the Department shall not consider any such application for licensure until such time as the total sum of any administrative penalty and tax penalty imposed are paid in full;

7. For such other and further relief as the Director deems just and necessary under the circumstances.

NOTICE OF RIGHT TO A HEARING

TO: **MATTHEW VEGA-SANZ**, Respondent:

Pursuant to Idaho Code § 41-232A, you have the right to a hearing on this matter. In order to exercise this right, a written request for a hearing must be filed and served upon the Department **within twenty-one (21) days after service of this Complaint**. Failure to file and serve a written request for a hearing upon the Department within the 21-day time period shall be deemed a waiver of the opportunity for a hearing and to contest the allegations in the Complaint, pursuant to Idaho Code § 41-232A(2).

Any written request for a hearing shall be served on the Director of the Idaho Department of Insurance, addressed as follows:

Dean L. Cameron, Director
Idaho Department of Insurance
P.O. Box 83720
Boise, ID 83720-0043

A copy shall also be provided to the Department's counsel, John C. Keenan, Deputy Attorney General, in this matter at the following address:

John C. Keenan
Deputy Attorney General
Idaho Department of Insurance
P.O. Box 83720
Boise, ID 83720-0043

In lieu of a hearing, this matter may be resolved by negotiation, stipulation, agreed settlement, or consent order, pursuant to Idaho Code § 67-5241. Should you wish to discuss these options, please contact the undersigned deputy attorney general. If you fail to submit a timely written response to the allegations within 21 days of the service of this Complaint, a final order will be entered imposing the relief described above.

DATED this 25th day of February, 2022.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL



John C. Keenan
Deputy Attorney General
Attorneys for Idaho Department of Insurance

VERIFICATION

STATE OF IDAHO)
 : ss.
County of Ada)

RENEE IVERSON, for the Department of Insurance, State of Idaho, being first duly sworn,
deposes and says:

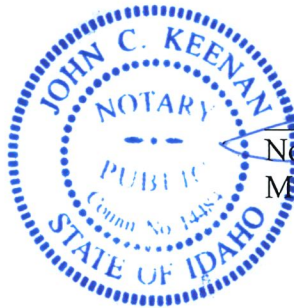
I have read the foregoing Verified Complaint and Notice of Right to Hearing and know the
contents thereof, and the same are true to the best of my knowledge and belief and based on the
records of the Department.


DATED this 25th day of February, 2022.



TERESA EASLEY
Premium Tax Specialist
Idaho Department of Insurance

SUBSCRIBED AND SWORN to before me this 25th day of February, 2022.





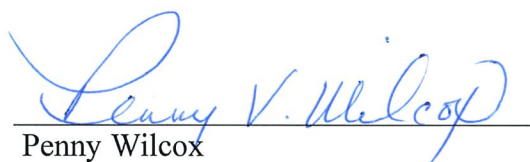
Notary Public for Idaho
My commission expires on _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of February, 2022, I caused a true and correct copy of the foregoing VERIFIED COMPLAINT AND NOTICE OF RIGHT TO HEARING to be served upon the following by the method indicated:

Matthew Vega-Sanz
5701 Sunset Dr., Suite 130
South Miami, FL 33143-5363

- ☒ first class mail
- ☐ certified mail
- ☐ hand delivery
- ☐ facsimile
- ☒ email: matthew@lularides.com
mvegasanz2@babson.edu


Penny Wilcox