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I.S.B. No. 3873

**FILED**  
**AUG 10 2015**  
Department of Insurance  
State of Idaho

*Attorneys for the Department of Insurance*

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**

**STATE OF IDAHO**

IDAHO DEPARTMENT OF INSURANCE,

Complainant,

vs.

MARK BENSON PETERSON, an individual  
holding Idaho Non-Resident Insurance  
Producer License No. 426363,

Respondent.

Docket No. 18-3056-15

**ORDER OF DEFAULT REVOKING  
IDAHO NON-RESIDENT  
PRODUCER LICENSE**

The Director of the Idaho Department of Insurance (Director) has reviewed the record in the above-captioned case. Respondent Mark Benson Peterson has been lawfully served with the Verified Complaint and Notification of Rights, a copy of which is attached hereto as Exhibit A. The Respondent has failed to file an answer to the Verified Complaint and has failed to request a hearing. Accordingly, having found that the Respondent has waived his rights regarding the opportunity for hearing,

IT IS HEREBY ORDERED that Idaho Non-Resident Producer License No. 426363 issued to Mark Benson Peterson is hereby REVOKED.

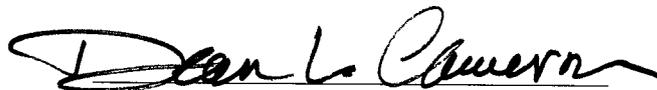
IT IS HEREBY FURTHER ORDERED that the Respondent pay to the Department an administrative penalty of One Thousand Dollars (\$1,000) per violation of law, as alleged in the Verified Complaint, for a total penalty of Nineteen Thousand Dollars (\$19,000).

IT IS HEREBY FURTHER ORDER that, pursuant to Idaho Code § 41-1027(1), the Respondent shall immediately return Idaho Non-Resident Producer License No. 426363 to the Idaho Department of Insurance, P.O. Box 83720, Boise, Idaho 83720-0043.

IT IS SO ORDERED.

DATED: August 7, 2015.

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 this proceeding must be disclosed on any license application and must be reported to any and all states in which you hold an insurance license.

### **NOTIFICATION OF RIGHTS**

This constitutes a final order of the agency. 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 petition for reconsideration within twenty-one (21) days of its receipt, or the petition 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 may appeal it by filing a petition for judicial review in the district court of the county in which: (1) the hearing was held; or (2) the final agency action was taken; or (3) the aggrieved party resides or operates its principal place of business in Idaho; or (4) the real property or personal property that was the subject of the agency decision is located. An appeal must be filed within twenty-eight (28) days of: (a) the service date of this final order, or (b) an order denying a petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. *See Idaho Code § 67-5273.* The filing of a petition for judicial review to the district court does not itself stay the effectiveness or enforcement of the order under appeal.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have, on this 10 day of August, 2015, caused a true and correct copy of the foregoing ORDER OF DEFAULT REVOKING IDAHO NON-RESIDENT PRODUCER LICENSE to be served upon the following by the designated means:

Mark Benson Peterson  
319 Sunrise Rim Road  
Nampa, ID 83686-8327

- first class mail
- certified mail
- hand delivery
- via facsimile

John C. Keenan  
Deputy Attorney General  
Idaho Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, ID 83720-0043

- first class mail
- certified mail
- hand delivery
- via facsimile

  
\_\_\_\_\_  
Kelly Grady

LAWRENCE G. WASDEN  
Attorney General

JOHN C. KEENAN  
Deputy Attorney General  
State of Idaho  
Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, Idaho 83720-0043  
Telephone: (208) 334-4283  
Facsimile: (208) 334-4298  
[john.keenan@doi.idaho.gov](mailto:john.keenan@doi.idaho.gov)  
I.S.B. No. 3873

**FILED**  
**JUN 30 2015** *WMA*  
Department of Insurance  
State of Idaho

*Attorneys for the Department of Insurance*

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**

**STATE OF IDAHO**

IDAHO DEPARTMENT OF INSURANCE,

Complainant,

vs.

MARK BENSON PETERSON, an individual  
holding Idaho Non-Resident Insurance  
Producer License No. 426363,

Respondent.

Docket No. 18-3056-15

**VERIFIED COMPLAINT AND  
NOTIFICATION OF RIGHTS**

The Idaho Department of Insurance (hereinafter "Department"), by and through its attorney of record, John C. Keenan, Deputy Attorney General, does hereby complain and allege as follows:

1. The Director of the Department has jurisdiction in the state of Idaho over matters involving insurance regulation and licensing, in accordance with title 41, Idaho Code.

**EXHIBIT**

**A**

2. This administrative proceeding is brought under the provisions of the Idaho Insurance Code, Idaho Code § 41-101 *et seq.*, including Idaho Code § 41-1016, which authorizes the Department to initiate a contested case against an Idaho-licensed insurance producer, seeking revocation of the insurance producer's license, as well as the imposition of administrative penalties, if the Director of the Department finds that any one or more of the causes or violations set forth in subsections (1)(a) through -(n) of that section exist.

### **RESPONDENT**

3. MARK BENSON PETERSON (hereinafter "Peterson") is a resident of the state of Utah and holds Idaho Non-Resident Insurance Producer License No. 426363, which was originally issued on October 4, 2012.

### **FACTS**

4. As an Idaho Non-Resident Producer, Peterson is authorized to write business in the lines of casualty, disability, life, and property lines of insurance.

5. On April 6, 2015, Royal Neighbors of America (hereinafter "Royal Neighbors"), a fraternal benefit society holding Idaho Certificate of Authority No. 1891, gave written notice to the Department that the appointment of Peterson had been terminated for cause.

6. On or about January 29, 2015, Peterson filled out an application for life insurance for the face amount of \$150,000 with Melissa Taylor as the proposed insured. Peterson forged Melissa Taylor's name on the application without Melissa Taylor's knowledge or consent.

7. On the same date, Peterson filled out a Royal Neighbors insurance form entitled an "Authorization for Electronic Funds Transfer (EFT)" (hereinafter "EFT") on behalf of Melissa Taylor. Peterson forged Melissa Taylor's name on the EFT without Melissa Taylor's knowledge or consent.

8. The bank account number and routing number on the EFT referenced a bank account owned by Peterson and not the proposed insured, Melissa Taylor.

9. Without the knowledge or consent of Melissa Taylor, Peterson submitted the EFT and the application for life insurance for the face amount of \$150,000 with Melissa Taylor as the proposed insured to the insurer, Royal Neighbors.

10. On or about January 14, 2015, Peterson filled out an application for life insurance for the face amount of \$200,000 with Jasmine Coonrod as the proposed insured. Peterson forged Jasmine Coonrod's name on the application without Jasmine Coonrod's knowledge or consent.

11. On the same date, Peterson filled out a Royal Neighbors insurance form entitled an EFT on behalf of Jasmine Coonrod. Peterson forged Jasmine Coonrod's name on the EFT without Jasmine Coonrod's knowledge or consent.

12. The bank account number and routing number on the EFT reference a bank account owned by Peterson and not the proposed insured, Jasmine Coonrod.

13. Without the knowledge or consent of Jasmine Coonrod, Peterson submitted the EFT and the application for life insurance for the face amount of \$200,000 with Jasmine Coonrod as the proposed insured to the insurer, Royal Neighbors.

14. On April 15, 2015, the Department sent an email inquiry to Peterson and a letter to Peterson via U.S. Mail, to the last known email address and physical mailing address of Peterson in the Department records. The purpose of the inquiry to Peterson was to inquire about the applications filled out and submitted by Peterson, as alleged above.

15. To date, Peterson has failed to respond to the April 15, 2015, Department inquiry.

16. On April 27, 2015, the Department sent another inquiry to Peterson via certified U.S. Mail enclosing a copy of the April 15, 2015, letter, and asking for an update on the inquiry.

The April 27, 2015, letter from the Department was returned to the Department on May 14, 2015, with the notation from the U.S. Postal Service: "return to sender[,] not deliverable as addressed[,] unable to forward."

17. To date, Peterson has failed to respond to the April 27, 2015 Department inquiry.

18. On May 15, 2015, the Department sent another inquiry to Peterson via certified U.S. Mail enclosing a copy of the prior inquiries. This inquiry was mailed to an address in Meridian, Idaho, that was gleaned from documents provided to the Department by Royal Neighbors. U.S. Postal Service tracking information reflects that it was forwarded and delivered to an address in Boise, Idaho.

19. To date, Peterson has failed to respond to the May 15, 2015, Department inquiry.

20. The letters of inquiry sent to Peterson by the Department were returned as undeliverable or were forwarded by the U.S. Postal Service.

21. Peterson failed to notify the Department of his most current address within 30 days of the change of address.

22. On July 9, 2013, before the District Court of Canyon County, Idaho, Case No. CR-2013-3386-C, Peterson entered a plea of guilty for the felony charge of theft by receiving stolen property under section 18-2403(4), Idaho Code.

23. Based on the entry of the guilty plea, on February 23, 2015, the District Court of Canyon County, Idaho, entered a felony conviction and judgment against Peterson.

#### **COUNT ONE**

24. Paragraphs 1 through 23 above are re-alleged and incorporated herein as if fully set forth.

25. Section 41-1016(1)(j), Idaho Code, provides that it is a violation of Idaho Code for a producer to forge another person's name on an application for insurance or on any document related to an insurance transaction.

26. Peterson forged the name of another person on the two insurance applications and on the two EFT forms submitted to an insurer.

27. Peterson violated section 41-1016(1)(j), Idaho Code, four (4) times.

### **COUNT TWO**

28. Paragraphs 1 through 27 above are re-alleged and incorporated herein as if fully set forth.

29. Section 41-1016(1)(h), Idaho Code, provides that it is a violation of Idaho Code for a producer to use fraudulent or dishonest practices, demonstrate untrustworthiness or financial irresponsibility, or to be a source of injury to another in the conduct of business in the state of Idaho.

30. Peterson submitted two fraudulent applications for insurance and two fraudulent EFT forms to an insurer.

31. Peterson used his personal bank account to pay the premium due on the two fraudulent applications.

32. Peterson violated section 41-1016(1)(h), Idaho Code, six (6) times.

### **COUNT THREE**

33. Paragraphs 1 through 32 above are re-alleged and incorporated herein as if fully set forth.

34. Section 41-247, Idaho Code, states that the director has the power to direct an inquiry in writing to any person subject to his jurisdiction with respect to any insurance

transaction or matter relative to a subject of insurance resident, located, or to be performed in this state.

35. Section 41-247, Idaho Code, requires that the person to whom such an inquiry is directed shall promptly upon receipt furnish to the director all requested information.

36. Section 41-1016(1)(b), Idaho Code, provides that it is a violation of Idaho Code for a producer to violate any provision of title 41, Idaho Code.

37. Peterson failed to respond to three (3) separate inquiries within the reasonable time allotted and requested in the inquiries directed to him by the director.

38. Peterson violated section 41-247, Idaho Code, and therefore violated section 41-1016(1)(b), three (3) times.

#### **COUNT FOUR**

39. Paragraphs 1 through 38 above are re-alleged and incorporated herein as if fully set forth.

40. Section 41-1016(1)(e), Idaho Code, provides that it is a violation of Idaho Code for a producer to misrepresent any fact material to any insurance transaction or proposed transaction.

41. As alleged above, Peterson submitted to the insurer, Royal Neighbors, two applications for life insurance with forged signatures.

42. As also alleged above, Peterson submitted to the insurer, Royal Neighbors, two EFT forms with forged signatures and with a bank name, account number, and routing number belonging to an account owned by Peterson and not by the proposed insureds.

43. Peterson violated section 41-1016(1)(e), Idaho Code, four (4) times.

### COUNT FIVE

44. Paragraphs 1 through 43 above are re-alleged and incorporated herein as if fully set forth.

45. Section 41-1008(6), Idaho Code, provides that licensed producers shall inform the director by any means acceptable to the director of a change of address within thirty (30) days of the change.

46. Section 41-1016(1)(b), Idaho Code, provides that it is a violation of Idaho Code for a producer to violate any provision of title 41, Idaho Code.

47. Peterson failed to inform the director of his change of address within thirty (30) days of such change.

48. Peterson violated section 41-1008(6), Idaho Code, and therefore violated section 41-1016(1)(b).

### COUNT SIX

49. Paragraphs 1 through 48 above are re-alleged and incorporated herein as if fully set forth.

50. Section 41-1016(1)(f), Idaho Code, provides that it is a violation of the Idaho Insurance Code for a producer to have been convicted of or plead guilty to any felony.

51. As alleged hereinabove, Peterson pleaded guilty to and was convicted of a felony, to wit: violation of section 18-2403(4), Idaho Code.

52. Peterson violated section 41-1016(1)(f), Idaho Code.

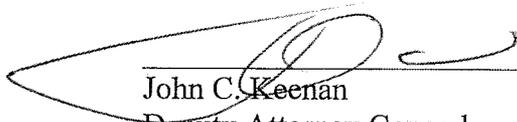
### PRAYER FOR RELIEF

Based on the foregoing allegations of fact and law, the Department prays that the Director enter an order revoking Mark Benson Peterson's Idaho Non-Resident Insurance

Producer License No. 426363 and imposing a One Thousand Dollar (\$1,000.00) administrative penalty for each violation of the law as alleged herein.

DATED this 30 day of June, 2015.

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL

  
\_\_\_\_\_  
John C. Keenan  
Deputy Attorney General

VERIFICATION

STATE OF IDAHO )  
 : ss.  
County of Ada )

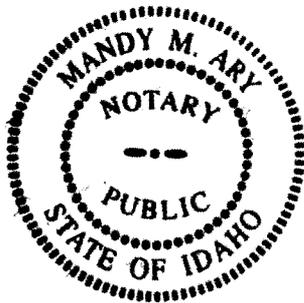
ELAINE MELLON, Consumer Services Bureau Chief, Department of Insurance, State of Idaho, being first duly sworn, deposes and says:

I have read the foregoing Complaint and know the contents thereof and the same are true to the best of my knowledge and belief.

Dated this 30 day of June, 2015.

Elaine Mellon  
ELAINE MELLON

SUBSCRIBED AND SWORN to before me the undersigned Notary Public of Idaho this 30<sup>th</sup> day of June, 2015.



Mandy M. Ary  
Notary Public for Idaho  
My Commission Expires 7/24/2018

**NOTICE OF RIGHT TO A HEARING**

THE RESPONDENT IS HEREBY NOTIFIED, pursuant to Idaho Code § 41-232A(2), that 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 twenty-one (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 in this matter, John C. Keenan, Deputy Attorney General, 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 holding 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 this matter, please contact the undersigned deputy attorney general.

  
John C. Keenan

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 30<sup>th</sup> day of June, 2015, I caused a true and correct copy of the foregoing VERIFIED COMPLAINT AND NOTIFICATION OF RIGHTS to be served upon the following by the designated means:

Mark Benson Peterson  
1201 NW 12<sup>th</sup> Street  
Meridian, ID 83646

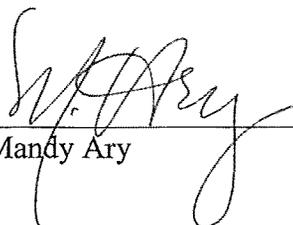
- first class mail
- certified mail
- hand delivery

Mark Benson Peterson  
847 N. Driscoll Ln., Apt. 202  
Boise, ID 83702-3872

- first class mail
- certified mail
- hand delivery

Mark Benson Peterson  
571 S. 425 W.  
Tooele, UT 84074-2906  
[markpeterson.royalelite@gmail.com](mailto:markpeterson.royalelite@gmail.com)

- first class mail
- certified mail
- hand delivery
- via email

  
\_\_\_\_\_  
Mandy Ary