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Department of Insurance
State of Idaho

Attorneys for the Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

In the Matter of:

JORDAN TAIT

Resident Producer License No. 486803

Docket No. 18-3334-17

**STIPULATION AND
FINAL ORDER**

COMES NOW the staff of the Idaho Department of Insurance (the "Department") and JORDAN TAIT ("TAIT"), resident producer under title 41 of the Idaho Code, holding Resident Producer License No. 486803, and do hereby agree and stipulate as follows:

STIPULATION

1. TAIT is and has been a licensed insurance producer in the state of Idaho, holding Residence Producer License No. 486803 since its original issuance date of May 23, 2014, and is therefore subject to the provisions of title 41, Idaho Code, and to the rules of the Idaho Department of Insurance promulgated thereunder, for acts occurring during that time period.

2. The Director of the Idaho Department of Insurance (the "Director") has jurisdiction over TAIT and the subject matter herein pursuant to provisions of Idaho's Producer Licensing Act,

Idaho Code §§ 41-1001 through 41-1045, as well as the Idaho Insurance Code, Idaho Code §§ 41-101 *et. seq.*

3. TAIT was an appointed producer for Farmers Insurance Company of Idaho, Farmers Insurance Exchange, Farmers New World Life, Mid Century Insurance Company, Truck Insurance Exchange, Foremost Insurance Company, and Bristol West Insurance Company, which are all companies within the Farmers Insurance Group.

4. TAIT had no other appointments with any other insurance companies.

5. On September 30, 2016, TAIT's appointments with the companies listed in paragraph 3, above, were terminated by Farmers Insurance Group for cause.

6. By letter dated October 4, 2016, Farmers Insurance Group notified the Department that TAIT's appointments were terminated for cause.

7. Upon investigation of the Farmers Insurance Group allegations included in its notice, the Department determined that TAIT had paid or rebated the initial premiums for ten (10) customers as an inducement for them to enter into life insurance contracts. TAIT admitted that on at least one occasion, he rebated the premiums for a customer in order to meet his quarterly production goals and remain on the agent subsidy loan program through Farmers Insurance Group.

8. The parties agree that this matter may be brought to a close by this Stipulation and Final Order.

9. Idaho Code § 41-1016(1) provides that the Director of the Department may impose an administrative penalty of up to \$1,000, and suspend, revoke, or refuse to issue an insurance license for certain enumerated violations.

10. Idaho Code § 41-1016(1)(b) gives cause for the imposition of a penalty and action against a producer for "Violating any provision of title 41, Idaho Code...."

11. Idaho Code § 41-1016(1)(g) gives cause for the imposition of a penalty and action against a producer for “Admitting or being found to have committed any insurance unfair trade practice or fraud.”

12. Chapter 13, Idaho Code, relates to unfair trade practices and frauds. Within chapter 13, section 41-1314(1), Idaho Code, reads in pertinent part as follows:

Except as otherwise expressly provided by law, no person shall knowingly ... pay or allow, or give or offer to pay, allow, or give, directly or indirectly, as inducement to such insurance or annuity or in connection therewith, any rebate of premiums payable on the contract, or of any producer’s commission related thereto ... or any valuable consideration or inducement whatever not specified in the contract....

13. In each of the ten instances referenced above, wherein TAIT paid or rebated the cost of premiums as an inducement to or in connection with a life insurance contract, TAIT violated Idaho Code § 41-1314(1) which is considered an unfair trade practice or fraud.

14. As a result of the violations of Idaho Code § 41-1314(1), TAIT violated Idaho Code § 41-1016(1)(b) and (g).

15. The director of the Department is authorized under Idaho Code § 41-1016(1)(b) and (g) to impose a penalty of \$1,000 for each act in violation of Idaho law and revoke or suspend TAIT’s producer license.

16. Idaho Code § 41-117 makes clear that each violation may be considered a separate offense.

17. Based upon the foregoing, TAIT and the Department agree as follows:

- a. That TAIT admits to each and every fact detailed in this Stipulation;
- b. That TAIT admits to violating Idaho Code § 41-1016(b) and (g) on ten occasions as alleged herein;

- c. That the Director of the Department may enter the Final Order attached hereto, which provides as follows:
- i. That the Stipulation be adopted in full and incorporated into the Final Order;
 - ii. That TAIT's Idaho Resident Producer License No. 486803 shall be revoked, and that TAIT shall be barred from submitting an application to the Department of Insurance for a new license for a period of five (5) years from the date of entry of the Final Order herein;
 - iii. That an administrative penalty be imposed against TAIT in the amount of Ten Thousand Dollars (\$10,000);
 - iv. That all of the administrative penalty except for Two Thousand Dollars (\$2,000) shall be suspended;
 - v. That the total sum not suspended in the amount of Two Thousand Dollars (\$2,000) shall be paid in monthly installments of not less than \$400 per month until the balance of the \$2,000 is paid in full;
 - vi. That the first minimum payment of \$400 shall be due and payable within ten (10) business days of the entry of the Final Order herein, and each successive monthly payment shall be paid on the same date of each month thereafter until the \$2,000 penalty is paid in full;
 - vii. That, in the event TAIT in the future submits an application for an Idaho insurance license to the Idaho Department of Insurance, the total suspended amount of Eight Thousand Dollars (\$8,000) shall be immediately due and payable; and,

viii. Before the Department shall consider any such application from TAIT, the balance of the administrative penalty in the amount of Eight Thousand Dollars (\$8,000) shall be paid in full.

18. By entering into this Stipulation, TAIT knowingly and voluntarily waives any rights he would otherwise have to notice and a hearing at which he may be represented by counsel, present evidence, and examine witnesses. The parties hereto further waive their right of reconsideration, appeal, and other rights as set forth in title 67, chapter 52, Idaho Code, including the right to submit this matter for review by a court of competent jurisdiction.

19. The parties agree that the terms of this Stipulation and Final Order are appropriate and proper under the circumstances referenced herein.

20. TAIT acknowledges that he has read this Stipulation and Final Order and understands its contents; that he has been given the opportunity to discuss this Stipulation and Final Order with independent legal counsel of his choosing; and that he has entered into this Stipulation knowingly, voluntarily, and with full knowledge of any rights he may be waiving thereby.

21. TAIT acknowledges that this is an administrative action that may be required to be reported on license applications and license renewal forms.

22. This Stipulation is subject to approval by the Director or the Director's designee, and shall become effective and binding upon the Department and TAIT upon such approval. Should the Director decline to approve this Stipulation and Final Order, the Department and TAIT shall retain all of their rights, claims and/or defenses, and any factual and/or legal admissions made by TAIT herein shall be withdrawn.

23. This Stipulation constitutes the full and final resolution of all matters addressed herein, and the Department agrees that, subject to the Director's approval described in Paragraph 22, above, the Department shall seek no further sanctions for the violations addressed herein.

24. TAIT agrees that, upon execution of this Stipulation, no subsequent action or assertion shall be maintained or pursued in any manner asserting the invalidity of this Stipulation and Final Order and its provisions.

25. This Stipulation and Final Order embodies the entire agreement between the Department and TAIT, and there are no agreements, understandings, representations, or warranties that are not expressly set forth herein.

26. Upon the Director's entry of the Final Order approving this stipulation, this Stipulation and Final Order shall be a public record under the Idaho Public Records Act.

AGREED THIS 25 day of JULY, 2017.

By: 
JORDAN TAIT

State of Idaho)
) ss.
County of Ada)

On this _____ day of _____, 2017, before me, the undersigned Notary Public, personally appeared JORDAN TAIT, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

Notary Public in and for the State of Idaho
My commission expires on _____

AGREED THIS 31 day of July 2017.

STATE OF IDAHO
DEPARTMENT OF INSURANCE

By: Elaine Mellon
Elaine Mellon, CLU, ChFC
Bureau Chief, Consumer Services

Approved as to Form:

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By: [Signature]
David M. Farney
Deputy Attorney General
Attorney for the Department of Insurance

FINAL ORDER

The parties hereto, namely the Idaho Department of Insurance and JORDAN TAIT, having entered into the foregoing Stipulation, and the form of the order having been approved, the Director, having reviewed the same, does hereby find that there is a factual basis for entry of a Final Order herein and does hereby conclude that JORDAN TAIT did violate title 41, Idaho Code, as stated in the Stipulation.

NOW, THEREFORE, based on the foregoing and in consideration of the premises,

IT IS HEREBY ORDERED that the foregoing Stipulation is approved and is incorporated herein as if set forth in full and made a part hereof;

IT IS FURTHER ORDERED that Idaho Resident Insurance Producer License No. 486803 issued to JORDAN TAIT is hereby REVOKED and that JORDAN TAIT shall be barred from submitting an application to the Department of Insurance for a new license for a period of five (5) years from the date of entry of the Final Order herein;

IT IS FURTHER ORDERED that an administrative penalty in the amount of Ten Thousand Dollars (\$10,000) is hereby imposed on JORDAN TAIT;

IT IS FURTHER ORDERED that Eight Thousand Dollars (\$8,000) of said administrative penalty is suspended;

IT IS FURTHER ORDERED that the total sum not suspended in the amount of Two Thousand Dollars (\$2,000) shall be paid in monthly installments of not less than \$400 per month until the balance of the \$2,000 is paid in full;

IT IS FURTHER ORDERED that the first minimum payment of \$400 shall be due and payable within ten (10) business days of the entry of the Final Order herein, and each successive monthly payment shall be paid on the same date of each month thereafter until the \$2,000 penalty is paid in full;

IT IS FURTHER ORDERED that, if at any time in the future JORDAN TAIT submits an application for an Idaho insurance license to the Idaho Department of Insurance, the suspended sum of Eight Thousand Dollars (\$8,000) shall be immediately due and payable; and,

IT IS FURTHER ORDERED that the Idaho Department of Insurance shall not consider any application from JORDAN TAIT for an Idaho insurance license until such time that the total administrative penalty has been paid in full.

DATED this 31 day of July, 2017.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



DEAN L. CAMERON
Director

NOTICE REGARDING REPORTABLE PROCEEDINGS

The foregoing 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 for which you are actively appointed. This information will be reported to the National Association of Insurance Commissioners (NAIC) and will appear in the online searchable database of the Idaho Department of Insurance. You should be aware that this proceeding must be disclosed on any insurance license application and must be reported to any and all states in which you hold an insurance license.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 1st day of AUGUST, 2017, I caused a true and correct copy of the foregoing, fully-executed **STIPULATION AND FINAL ORDER** to be served upon the following by the designated means:

Jordan Tait
562 Golden Willow Dr.
Rexburg, ID 83440
jtait0504@gmail.com

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

David M. Farney
Deputy Attorney General
Idaho Department of Insurance
700 W. State Street, 3rd Floor
P.O. Box 83720
Boise, ID 83720-0043

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



Pamela Murray