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FILED 
NOV 06 2018
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:

JOSEPH SMITH,
Idaho Nonresident Insurance Producer
License No. 659628

Docket No. 18-3559-18

**SUMMARY ORDER REVOKING
IDAHO NONRESIDENT INSURANCE
PRODUCER LICENSE**

The Director of the Idaho Department of Insurance (Director), having been apprised of the lapse of the Colorado resident insurance producer license of JOSEPH SMITH (“SMITH”), as further described below, and pursuant to the authority granted by Idaho Code § 41-1016(2), does hereby make the following findings and enter a Summary Order as follows:

FINDINGS OF FACT

1. According to records maintained by the National Association of Insurance Commissioners and by the Colorado Department of Regulatory Agencies, Division of Insurance, SMITH was licensed as a resident insurance producer in the state of Colorado from the issuance

of such license on March 15, 2007, until SMITH requested cancellation of the license effective April 12, 2018.

2. The Department has not received notification from SMITH of relicensing as a resident in any other state.

3. SMITH has been continuously licensed as an Idaho nonresident insurance producer, holding license number 659628 from the date of the initial issuance of such license on March 19, 2018, to the present date.

CONCLUSIONS OF LAW

4. Idaho Code § 41-1016(2)(b)(i) provides that the Director shall, without hearing, suspend for not more than twelve (12) months, or shall revoke or refuse to continue any nonresident insurance producer license issued under title 41, chapter 10, Idaho Code, where the nonresident no longer has a license in the licensee's home state because the home state license was "[v]oluntarily surrendered for any reason except relicensing as a resident in another state."

5. Based on the foregoing, the Director finds that the circumstances set forth above justify the revocation of SMITH's Idaho nonresident insurance producer license, pursuant to Idaho Code § 41-1016(2)(b)(i).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Idaho Nonresident Insurance Producer License No. 659628 issued to SMITH is hereby REVOKED, effective immediately.

IT IS FURTHER ORDERED, pursuant to Idaho Code § 41-1027(1), that SMITH shall immediately return Idaho Nonresident Insurance Producer License No. 659628 to the Idaho Department of Insurance at the following address: 700 West State Street, P.O. Box 83720, Boise, Idaho, 83720-0043.

DATED this 5th day of November, 2018.

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 by 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 is a final order of the Director. 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 this order by filing a petition 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.

An appeal must be filed within twenty-eight (28) days of (a) the service date of this final order, (b) an order denying 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 an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 6th day of November, 2018, I caused a true and correct copy of the foregoing SUMMARY ORDER REVOKING IDAHO NONRESIDENT INSURANCE PRODUCER LICENSE to be served upon the following by the designated means:

Joseph Smith
 USAA
 Telstar Drive
 Colorado Springs, CO 80920-1005

- first class mail
- certified mail
- hand delivery

Joseph Smith
 1207 Aspen Avenue
 Colorado Springs, CO 80905-2801

- first class mail
- certified mail
- hand delivery

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- certified mail
- hand delivery


 Pamela Murray