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**BEFORE THE UTAH INSURANCE COMMISSIONER**

<p>UTAH INSURANCE DEPARTMENT,  Complainant,  vs.  DESIREE NANETTE MORA,  Respondent.</p>	<p>NOTICE OF AGENCY ACTION AND ORDER  Docket No. 2024-4628  Donald H. Hansen Administrative Law Judge/Presiding Officer</p>
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**NOTICE OF AGENCY ACTION**

The Utah Insurance Department (“the Department”) commences this agency action as an informal adjudicative proceeding against Respondent Desiree Nanette Mora (“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 application for a Utah resident limited line producer individual insurance license is denied.

2. Pursuant to Utah Code § 63G-4-203(1)(i) and Utah Admin. Code R590-160-7(1), this informal adjudicative proceeding shall be 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](mailto: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 9<sup>th</sup> day of July 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](mailto:uidadmincases@utah.gov)

**NOTICE REGARDING ENFORCEMENT OF THE ORDER**

Failure to obey the 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 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 where forfeitures of up to \$10,000 for each day the failure to comply continues until judgement is rendered. If you are licensed in other jurisdictions, you may be required to report this proceeding to those jurisdictions.

**NOTICE REGARDING THE ADMINISTRATIVE LAW JUDGE  
CONDUCT COMMITTEE**

Utah Admin. Code R.477-101-8(1) requires a State of Utah agency to provide parties to an adjudicative proceeding access to information regarding the Administrative Law Judge Conduct Committee established in Utah Code Ann. § 63a-17-7, Administrative Law Judges. If you have an allegation of misconduct specific to Donald Hansen as the Utah Insurance Department's Administrative Law Judge, please refer to Utah Admin. Code R.477-101, Administrative Law Judge Conduct Committee, which is available [here](#).

## DECLARATION

Under criminal penalty of Utah law, I, Randy Overstreet, declare the following:

1. I am currently employed as Manager of Producer Licensing in the Financial Regulation & Licensing Division 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 Agency Action and Order against Desiree Nanette Mora (“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. On June 13, 2024, the Respondent applied for a Utah resident limited line producer individual insurance license.

b. In her application, Respondent answered “yes” to the background question that asked, “have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor”. Respondent answered “no” to the background question that asked, “have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony”.

c. On or about November 22, 2000, Respondent was convicted of Illegal Possession/Use of a Controlled Substance, a 2nd Degree Felony. (See State of Utah vs. Desiree N. Mora, Case # 991901685, Second Judicial District -Ogden District Court, Weber County, State of Utah).

d. On or about July 6, 2005, Respondent pled guilty to and was convicted of one count of Retail Theft, a 3<sup>rd</sup> Degree Felony. (See State of Utah vs. Desiree Nanette Mora, Case # 051901315, Second Judicial District-Ogden District Court, Weber County, State of Utah).

e. On or about October 23, 2006, Respondent pled guilty to and was convicted of one count of Robbery, a 2nd Degree Felony. (See State of Utah vs. Desiree Nanette Mora, Case # 061700350, Second Judicial District -Farmington District Court, Davis County, State of Utah.)

f. On or about August 2, 2010, Respondent pled guilty to and was convicted of one count of Retail Theft, a 3rd Degree Felony. (See State of Utah vs. Desiree Nanette Mora, Case # 091902319, Second Judicial District-Ogden District Court, Weber County, State of Utah).

g. Pursuant to Utah Code § 31A-23a-111(5)(b)(xxv) and 18 U.S.C. § 1033(e)(2), Respondent's two criminal convictions of Retail Theft and her criminal conviction to Robbery each qualify as a felony conviction involving dishonesty or breach of trust, requiring the Respondent to obtain written consent from the Commissioner to engage or participate in the business of insurance.

h. Respondent failed to submit the written consent of the Commissioner to engage in the business of insurance in Utah at the time Respondent filed her application, which disqualifies the Respondent from obtaining an insurance license in Utah.

i. As part of the application process, the Department also conducted a background check and identified outstanding monetary judgments entered against the Respondent that disqualify her from obtaining an insurance license in Utah.

j. On November 9, 2000, a monetary judgment was entered against the Respondent in the amount of \$4,017.68. Based upon the court documents that I have reviewed, this judgment remains outstanding. (See IHC Health Services Inc. vs. Desiree Mora, Case # 000907328, Second Judicial District-Ogden District Court, Weber County, State of Utah).

k. On October 28, 2005, a monetary judgment was entered against the Respondent in the amount of \$1,829.00. Based upon the court documents that I have reviewed, this judgment remains outstanding. (See ██████████ vs. Desiree Mora, Case # 050905934, Second Judicial District-Ogden District Court, Weber County, State of Utah).

l. On January 23, 2006, a monetary judgment was entered against the Respondent in the amount of \$360.32. Based upon the court documents that I have reviewed, this judgment remains outstanding. (*See Express Recovery Services Inc. vs. Desiree N. Mora*, Case # 050906646, Second Judicial District-Ogden District Court, Weber County, State of Utah).

m. On September 16, 2010, a monetary judgment was entered against the Respondent in the amount of \$6,516.67. Based upon the court documents that I have reviewed, this judgment remains outstanding. (*See Misti LLC., A Utah Limited Liabi vs. Desiree Mora*, Case # 100905287, Second Judicial District-Ogden District Court, Weber County, State of Utah).

4. The above declared facts demonstrate that the following Utah insurance laws were not complied with:

a. Utah Code § 31A-23a-111(5)(b), authorizes the Commissioner to act in compliance with the Violent Crime Control and Law Enforcement Act of 1994, 18 U.S.C. §1033. Having been convicted of a felony involving dishonesty or breach of trust and having failed to obtain from the Commissioner the required written consent to engage or participate in the business of insurance, Respondent is prohibited from engaging in the business of insurance pursuant to Utah Code § 31A-23a-111(5)(b)(xxv) and 18 U.S.C. § 1033(e)(2);

b. Respondent violated Utah Code § 31A-23a-111(5)(b)(xiv)(A), by having been convicted of a felony;

c. Respondent violated Utah Code § 31A-23a-105(5)(a)(ii), by committing an act that is grounds for denial, suspension, or revocation as set forth in Section 31A-23a-111;

d. Respondent violated Utah Code § 31A-23a-107(2)(a)(ii), by failing to meet the trustworthy character requirement;

e. Respondent violated Utah Code § 31A-23a-111(5)(b)(i), by being unqualified for a license under Utah Code §§ 31A-23a-104, 105, or 107;

f. Respondent violated Utah Code § 31A-23a-111(5)(b)(ix), by providing information in the license application that is incorrect, misleading, incomplete, or materially untrue;

g. Respondent violated Utah Code § 31A-23a-111(5)(b)(xi), by obtaining or attempting to obtain a license through misrepresentation or fraud;

h. Respondent violated Utah Code Utah Code § 31A-23a-104(2)(b)(v), by failing to provide information in her application related to whether the Respondent has committed an act that is ground for denial, suspension, or revocation as set forth under Utah Code §§ 31A-23a-104, 105, or 111;

i. Respondent violated Utah Code § 31A-23a-105(2)(b)(ii), by failing to report at the time of filing the license application a criminal prosecution taken against the Respondent;

j. Respondent violated Utah Code § 31A-23a-111(5)(b)(iv), by failing to pay an enforceable final judgment rendered against Respondent within 60 days; and

k. Respondent violated Utah Administrative Rule R590-281-4(5)(a)(i), by applying for a license without first obtaining written consent from the Commissioner to engage or participate in the business of insurance.

5. Based on the facts and law set forth above, Respondent's application for a resident limited line producer individual insurance license should be denied.

Signed on this 9th day of July 2024, in Salt Lake City, Salt Lake County, State of Utah.

*/s/ Randy Overstreet*  
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Randy Overstreet, Manager, Producer Licensing  
Financial Regulation & Licensing Division  
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 emailed to:

Desiree Nanette Mora  
[REDACTED]  
[REDACTED]  
[REDACTED]

and

Randy Overstreet  
Utah Insurance Department  
4315 S. 2700 W., Suite 2300  
Taylorsville, UT 84129  
[REDACTED]

DATED this 9<sup>th</sup> day of July 2024.

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