



UTAH DEPARTMENT OF COMMERCE

2 0 1 5 A N N U A L R E P O R T



OUR MISSION

To protect the public interest by ensuring fair commercial and professional practices.


OUR VISION

The Department of Commerce contributes to the success of Utah businesses, professionals and consumers by creating a favorable economic environment.

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Message from Governor Gary R. Herbert



STATE OF UTAH
OFFICE OF THE GOVERNOR
SALT LAKE CITY, UTAH
84114-2220

GARY R. HERBERT
GOVERNOR


SPENCER J. COX
LIEUTENANT GOVERNOR

Dear Reader,


It is my pleasure as governor of Utah to introduce the 2015 annual report for the Utah Department of Commerce. The department is vital to the success of Utah businesses, professionals, and consumers by creating a favorable economic environment.

Dedicated employees at the Department of Commerce and its eight divisions help keep business in our state running smoothly by licensing professionals across hundreds of industries, protecting the rights of consumers, and educating the public about fair commercial and professional practices. Thanks in part to their excellent efforts, for several years, Utah has been recognized nationally as one of the top states for doing business.

As our state continues to grow, I am proud that the Department of Commerce looks for new, innovative ways to provide services online and in person while meeting the changing needs of Utah businesses, professionals, and consumers.



Sincerely,



Gary R. Herbert
Governor

Message from Francine A. Giani, Executive Director



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah
Department of Commerce

FRANCINE A. GIANI
Executive Director

THOMAS A. BRADY
Deputy Director



Governor Herbert, Members of the Utah Legislature, Citizens of Utah:

It is my pleasure to present the Annual Report for Fiscal Year 2015 for the Utah Department of Commerce, recording how our agency and employees serve the people of Utah. With responsibility for issuing over 300,000 licenses and regulating hundreds of industries, Commerce is one of the Utah's chief regulatory agencies.

Our employees are dedicated to fair and efficient regulation across a variety of industries which impact Utah's citizens. The following are highlighted achievements for each Division:

Administration replaced two additional gasoline only fleet vehicles with hybrids to boost energy efficient fleet consisting of 74% hybrid vehicles in support of the Governor's emissions reduction initiatives.

Office of Property Rights Ombudsman conducted 93 formal mediations, arbitrations for property owners.

Office of Consumer Services worked on negotiating rate case settlements with Rocky Mountain Power and Questar Gas to ensure fair consumer rates and reliable energy resources.

Division of Consumer Protection recovered over \$1.3 M in benefits for consumers.

Division of Corporations and Commercial Code adopted online system to register DBAs (Doing Business As) to allow existing businesses that use an alternate or assumed name a quick registration process.

Division of Occupational and Professional Licensing completed application review to reduce the number of pages in license applications and standardize the process which resulted in faster response times.

Division of Public Utilities provided research in rate cases involving Rocky Mountain Power and Questar to ensure access to safe, adequate, and reliable energy at reasonable rates.

Division of Real Estate processed 89.98% of incoming applications within five working days to meet Governor Herbert's SUCCESS goals to increase efficiency in state government.

Division of Securities presented 80 investor seminars to over 13,293 attendees statewide to protect Utahns from investment fraud.

Commerce employees look forward to serving the citizens of Utah and building on our accomplishments in 2016. I invite you to visit our website at www.commerce.utah.gov to learn more about the Utah Department of Commerce.

Respectfully yours,
Francine A. Giani, Executive Director

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UTAH IS FOUR CORNERSTONES STRONG

EDUCATION
An educated workforce is critical for a prosperous economy.

ENERGY
Innovation plus initiative equals energy independence.

JOB
Promote public policies which lead to private sector job growth.

SELF DETERMINATION
Continue to find Utah solutions to Utah problems.

OUR VISION:
Utah will lead the nation as the best performing economy and be recognized as a premier global business destination.

Gary R. Herbert
governor.utah.gov

UTAH DEPARTMENT OF COMMERCE CORNERSTONES

ADMINISTRATION

Education: The Department of Commerce supports ongoing goals to educate the public and licensees on agency services to support a positive and robust business environment in Utah.

Energy: The Department of Commerce and its employees continue to participate in Governor Herbert's Air Pollution Mitigation Plan to bring positive impact on Utah's air quality. In addition, the agency replaced two gasoline only fleet vehicles with Hybrids, giving the Department of Commerce a fleet consisting of 74% Hybrid vehicles in support of the Governor's emissions reduction initiatives.

Jobs: The Department of Commerce aims to control business costs through fiscal responsibility by keeping license fees stable to encourage business growth across all licensing Divisions.

OFFICE OF PROPERTY RIGHTS OMBUDSMAN

Self-Determination: The Attorneys at the OPRO continue to work closely with legislators, lobbyists, and other stakeholders to ensure laws passed would protect the property rights of citizens.

Education: The OPRO staff partners with local universities and colleges to provide law students with hands-on legal experience in land use laws and eminent domain. In addition, the attorneys in the Office provided numerous training sessions for various local agencies and associations and are assisting in the creation of a training program for appeal authorities.

OFFICE OF CONSUMER SERVICES

Education: The Office continues to ensure that the interests of small consumers are fully represented in electric, natural gas, and telecommunication matters. This focus also includes the assessment of regulatory actions impacting customer rates, reliability of service, and public policy issues.

DIVISION OF CONSUMER PROTECTION

Jobs: The Division monitors business compliance with the Utah Consumer Sales Practices Act to protect consumers and help ensure a more level playing field for companies that deal fairly with consumers.

Education: The Division regularly presents to the public in various outreach settings to educate consumers and businesses.

Self-Determination: The Division continues to regulate immigration consultants to ensure that immigration consultants lawfully assist those individuals who are seeking to enter the country and State of Utah lawfully.

DIVISION OF CORPORATIONS

Jobs: The Division searches and adopts new services online to meet the changing needs of businesses in the State of Utah. By adapting to the growing business environment statewide, Corporations has provided frictionless business registration with a rapid turnaround which in turn benefits job creation in Utah.

DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING

Education: The Division worked with the Uniform Building Code Commission Education Advisory Committee to simplify access to building code education training funds. While building inspectors and others in the construction industry have always accessed the funds, the rules permit more educational expenses to be covered by the funds.

Jobs: The Division, with assistance from the Department and the Governor's Office of Management and Budget continued work on the Governor's SUCCESS continuous improvement initiative. Division licensing team members have now increased the percentage of licenses processed within seven days from under 50% of the total license applications submitted to nearly 70%. Faster license processing times allow professionals to quickly get to work serving Utah citizens. The Division processed 33,402 licensing applications and 134,439 renewal applications for licensure. A total of 95.6% of renewal licenses were performed online, allowing individuals to more easily renew and practice their profession.

Self-Determination: The Division, working with the Department, requested and achieved passage of the Interstate Medical Licensure Compact. The Compact is an effort by states to simplify medical licensing across state lines while retaining the ability of states self-determination. Utah was one of the first states to pass this effort allowing an applicant who wants to become licensed in multiple jurisdictions to apply once for multiple state licenses.

DIVISION OF REAL ESTATE

Education: The Division created a Public Service Ad Campaign which included three television commercials and 42 billboards across the state. The messaging focus was aimed at helping the public avoid real estate fraud, understanding a residential appraisal, and using a licensed professional in all real estate transactions.

Jobs and Energy: The Division is working on a system that would allow all applicants the ability to apply for a license online. This new system will make it easier to apply for a license as well as reduce the amount of paper the Division uses.

DIVISION OF PUBLIC UTILITIES

Energy: The Division of Public Utilities helps ensure Utahns' access to safe, adequate, and reliable energy at reasonable rates. In Fiscal Year 2015, the Division worked with Rocky Mountain Power and Questar Gas and interested parties on numerous matters to preserve Utah's reasonable utility rates. Adjustments to the methods for valuing third-party renewable power electric generation and large gas customers' use of services paid for by other Questar ratepayers were among these cases. Furthermore, Division activities helped ensure the safety of Utah's intrastate natural gas infrastructure, including an aggressive replacement program for aging or vulnerable pipelines.

DIVISION OF SECURITIES

Education: The Division of Securities has continued to expand its public outreach and investor education programs throughout the state. This program has resulted in tens of thousands of Utahns being educated on how to better manage their savings and investments, how to choose a financial adviser, and how to recognize and avoid investment fraud. As this investor education message has penetrated the state, more Utah citizens are equipped to make wise choices with their investments. These efforts have contributed to a decrease in the number of complaints regarding new investment frauds being filed with the Division of Securities.



MISSION STATEMENT



Administration's mission is to provide administrative support (financial, human resources, information technology, public relations, and adjudicative) to the following Divisions within the Department of Commerce:

- Office of Consumer Services (OCS)
- Division of Consumer Protection (DCP)
- Division of Corporations and Uniform Commercial Code (CORP)
- Division of Occupational and Professional Licensing (DOPL)
- Office of Property Rights Ombudsman (OPRO)
- Division of Public Utilities (DPU)
- Division of Real Estate (DRE)
- Division of Securities (DS)



Questions
specific to the
**Commerce
Administration**
may be directed to:

Francine A. Giani
Executive Director
(801) 530-6431
fgiani@utah.gov

INTERNAL EFFICIENCIES

The Department of Commerce is continually looking for ways to increase operating efficiency and has implemented new programs to lower costs. The following are measures taken during the fiscal year 2014-2015. Additional cost savings are included in each Division’s report.

BUDGET HIGHLIGHTS FY 2015

- Replaced two additional gasoline-only fleet vehicles with Hybrids, giving the Department of Commerce a fleet consisting of 74% Hybrid vehicles in support of the Governor’s emissions reduction initiatives.
- Decreased General Travel expenditures for FY 2015 which totaled less than .5% of the Commerce Service Budget, due to ongoing heightened scrutiny of travel authorizations.
- National class-action settlements collected through the Division of Consumer Protection exceeded \$2.5 Million most of which was transferred to the general fund.
- The Department of Commerce building staff and agency administration managed a building construction project with a final cost of 25% less than estimates, through the competitive bid process and minimization of overhead.
- Prolonging the useful life of IT equipment and employee workstations contributed to savings of 13% in information technology expenditures.

SERVING THE PUBLIC

Commerce Administration oversees the following programs and procedures:

- Office of the Property Rights Ombudsman
- New Automobile Franchise Act
- Powersport Vehicle Franchise Act
- Agency Review of Administrative Actions

NEW AUTOMOBILE FRANCHISE ACT
AND POWERSPORT VEHICLE FRANCHISE ACT

The New Automobile Franchise Act (NAFA) and the Powersport Vehicle Franchise Act (PVFA) protect the public interest by helping ensure fair business practices between vehicle franchisors and franchisees. The Acts establish a standard of conduct and clarify the duties of a franchisor (generally a manufacturer) and a franchisee (a dealer). In addition, they establish a right to notice and hearing for franchisees with regards to a franchisor’s intent to terminate, relocate, or establish a new franchised dealership. Franchisors and franchisees must pay an annual registration fee to cover the cost of adjudication.

Franchise Cases Adjudicated	FY 2013		FY 2014		FY 2015	
	Filed	Closed	Filed	Closed	Filed	Closed
Motor Vehicle	4	4	0	0	3	6*
Powersport Vehicle	0	0	1	0	0	0

*3 additional closed cases included one FY 2014 case and two were remanded to the Commerce Administrative Hearing Judge in FY 2015 by Third District Court.

ADMINISTRATIVE ACTIONS

A business registrant or licensee, having been adversely impacted by a Department of Commerce Division action, may request agency review by the Executive Director. Upon review, the decision could be upheld, reversed, modified, or remanded to the Division for further consideration.

Agency Review Statistics	TOTAL	DCP	CORP	DOPL	DRE	DS
Filed	59	5	0	49	2	3
Closed	60	4	0	51	2	3
Affirmed	27	3	0	19	2	3
Remanded	6	0	0	6	0	0
Dismissed	27	1	0	26	0	0
Reversed	0	0	0	0	0	0
Modified	0	0	0	0	0	0

PUBLIC OUTREACH

Administration participated in media interviews, created and aired public service announcements throughout the state through local television as well as presenting at several Utah events to educate the public about consumer fraud awareness topics.

Declutter Day 2015

On May 1, 2015, the Utah Department of Commerce hosted its third annual “Declutter Day” public event where employees partnered with Big Brothers Big Sisters of Utah, METech recycling, and Columbus Secure Shred to offer the community an opportunity to protect them from fraud and identity theft. During the daylong community event, the public was invited to drop off documents for secure shredding, recycle old electronics/computers, and donate clothing to charitable causes. The purpose of “Declutter Day” is to help the public protect their consumer information from fraud and declutter their home environments in one stop. In addition, “Declutter Day” 2015 added an additional public service by offering secure prescription drug disposal with assistance from our law enforcement partners with the Salt Lake City Police Department. The May 1st event resulted in shredding 10 tons of documents, 13.4 tons of electronic waste, 1 ton of clothing and 310 pounds of expired medications collected for safe disposal.

The Utah Department of Commerce “Declutter Team” was further honored by being recognized on May 5, 2015 by Governor Gary R. Herbert for “Outstanding Public Service” at the Governor’s Award for Excellence Ceremony.





Utah Department of Commerce

OFFICE OF

CONSUMER SERVICES



The Office of Consumer Services is Utah’s utility consumer advocate, representing residential, small commercial and agricultural consumers of natural gas, electric and telephone service. Utah’s utility consumer advocate was first established as the Committee of Consumer Services in 1977 by the Utah Legislature, reorganized into the Office of Consumer Services in 2009.

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The Office has a staff of five led by a Director, who, on behalf of the Office, represents the interests of residential and small commercial consumers in regulatory proceedings. A nine member layperson committee advises the Office on its regulatory and advocacy work and helps establish policy objectives.

The Office serves Utah consumers by ensuring that the interests of small consumers are fully represented in electric, natural gas, and telecommunication matters — which includes the vigilant assessment of regulatory actions impacting customer rates, reliability of service, and public policy issues.

UTILITY REGULATORY FILINGS

The core work of the Office is to evaluate the impact of utility rate proposals and other regulatory actions and to advocate positions advantageous to residential and small commercial customers. Regulatory filings occur throughout the year and include a wide range of issues such as: requests for rate increases, proposals for energy efficiency and conservation programs, and presentation of long-term resource plans to meet customer’s future electricity and natural gas needs. Some of the Office’s key issues for FY 2015 included:

- **Deer Creek Mine Closure:** The Office worked with Rocky Mountain Power and other stakeholders to develop the proper regulatory treatment of the costs and benefits associated with closing the Deer Creek mine. This ensured that Utah customers would receive the cost savings associated with the mine closure and continue to be served with cost effective replacement energy.
- **Net Metering:** At the conclusion of Rocky Mountain Power’s last general rate case, the Public Service Commission initiated a proceeding focused on the costs and benefits of net metering. The Office represented small customers by presenting analyses and making a proposal for the evaluation of costs and benefits such that subsidies between customer classes are minimized. At the end of FY 2015, the Utah Public Service Commission adopted the cost of service “as is” versus “no one”.
- **Avoided Cost Calculations:** The last two years have seen an increase in the number of Public Utility Regulatory Policies Act (PURPA) Qualifying Facility (QF) power purchase agreements. The Commission approved 370 MW of new solar contracts in FY 2015. Since federal law mandates purchase of this energy at the utility’s “avoided cost,” the proceedings determining methods and calculations of avoided cost are critically important. The Office worked with Rocky Mountain Power, other state agencies, developers, and other stakeholders and reached agreement on new processes to bring more certainty to contracting with QFs which is anticipated to be beneficial to both developers and consumers.



- **Integrated Resource Planning:** Long-term resource planning is an ongoing activity for all utilities and the Office actively participates in these resource planning processes. This fiscal year the Office participated in the intense stakeholder process through which PacifiCorp shapes its plans for its six-state system (including Rocky Mountain Power.) After providing input in the development phase, the Office also provided recommendations to the Public Service Commission. In our view, PacifiCorp submitted a reasonable plan in this period of exceptional uncertainty. Questar Gas also files an annual resource plan, in which it identifies future needs and risks. The Office works closely with the utilities to understand their key planning issues and to ensure that the needs of Utah customers will be met.
- **Utah USF Requests:** The Utah Universal Service Fund is designed to augment the revenues for telephone providers in order to ensure that all Utahns have access to basic telephone service. The Office supports the goals of the Utah USF, but also believes it is necessary to maintain proper oversight of the use of this public fund. Requests for disbursements from this fund continue to rise, and the Office continues to participate in these proceedings to ensure that this public money is being administered appropriately and fairly.



- **Energy Efficiency:** The Office proactively participates in the demand-side management (DSM) advisory groups for Rocky Mountain Power and Questar Gas. Energy efficiency is an important energy resource, especially to lessen the impact of Utah's growing demand for electric resources. The Office supports cost-effective conservation and energy efficiency programs as being in the interest of all customers.
- **Misc. Reports and Utility Filings:** In addition to the larger cases, each year the Office participates in the review of contract approvals, the audit of utility cost trackers and a large number of utility reports. The Office reviews these reports to ensure that the needs of the small customers we represent are being met by the various, ongoing utility initiatives.



Questions
specific to the
**Office of
Consumer
Services**
may be directed to:

Michele Beck
Director
(801) 530-6674
ocs@utah.gov

FEDERAL AND REGIONAL REGULATORY ISSUES

While the majority of the Office's work is focused on state regulatory proceedings and state/regional policy initiatives, the Office also monitors federal actions and regional forums that play a key role in utility regulation. The Office continues to participate in the Northern Tier Transmission Group to monitor transmission planning for our region and ensure that costs from those efforts are allocated fairly to Utah customers. The Office also continues to monitor the regional electric reliability work taking place at Western Electricity Coordinating Council and Peak Reliability.



Utah Department of Commerce

DIVISION OF

CONSUMER PROTECTION

MISSION STATEMENT



The Division of Consumer Protection's mission is to respond to consumer complaints, protect consumers from unfair and deceptive practices, encourage businesses to develop fair practices, and to provide consumer education.

ABOUT THE DIVISION

The Division has a staff of twenty-one employees who accomplish the Division's mission through a three-pronged approach: education, registration, and enforcement.

Education:

The Division works with governmental agencies, consumer groups, and others to ensure consumer awareness of deceptive practices and to distribute brochures and other educational materials to the public.

The Division also works with trade groups in explaining their obligations to consumers under state and federal consumer protection laws.

In Fiscal Year 2015, the Division had over 22 speaking engagements, reaching many consumers, regulators, and industry members.

Registration:

The Division regulates the following business organizations:

- Charitable Organizations
- Credit Service Organizations
- Debt-Management Service Providers
- Health Spas
- Immigration Consultants
- Pawnshops and Secondhand Merchants
- Postsecondary Proprietary Schools
- Professional Fund Raisers
- Sellers of business opportunities
- Telemarketers
- Transportation Network Companies
- Postsecondary Proprietary School Act
- Postsecondary School State Authorization Act
- Price Controls During Emergencies Act
- Prize Notices Regulation Act
- Telephone and Facsimile Solicitation Act
- Telephone Fraud Prevention Act
- Transportation Network Company Registration Act
- Unfair Practices Act
- Uniform Debt-Management Services Act

Enforcement:

The Division administers the following statutes:

- Business Opportunity Disclosure Act
- Charitable Solicitations Act
- Child Protection Registry
- Consumer Sales Practices Act
- Credit Services Organizations Act
- Health Spa Services Protection Act
- Immigration Consultants Registration Act
- Music Licensing Practices Act
- New Motor Vehicle Warranties Act
- Pawnshop and Secondhand Merchandise Transaction Information Act

FY 2015 HIGHLIGHTS

Benefits recovered for consumers.

The Division recovered over \$1,363,175.29 in benefits for consumers during FY 2015.

The Division worked with state and federal enforcement agencies to protect consumers.

The Division has coordinated investigations with the Federal Trade Commission (FTC) and other administrative/civil and criminal agencies.

Transportation Network Company Registration Act.

During the 2015 General Legislative Session, the Legislature passed the Transportation Network Company Registration Act. The Division is assigned as the administrator of the Act, and has been implementing the Act.



UTAH CONSUMER PROTECTION SUMMIT: COMMON GROUND 2015

On October 22, 2015 the Division successfully held the first Utah Consumer Protection Summit, co-hosted by the Federal Trade Commission in Salt Lake City. The “Common Ground” event was held at the City Creek Marriott, and was attended by approximately 280 registrants. During the Summit, Utah Lt. Governor Spencer Cox provided opening remarks, Utah Attorney General Sean Reyes spoke, and FTC Commissioner Maureen Ohlhausen provided the keynote address. The premier event included panel discussions and continuing education regarding key issues in the consumer protection arena such as illegal telemarketing, law enforcement collaboration, and enlisting business and consumer groups as consumer protection educators. Those attending included members of the public and representatives from the Federal Trade Commission, the Consumer Financial Protection Bureau, the Utah Attorney General’s Office, the Salt Lake County District Attorney’s Office, the U.S. Postal Inspection Service, local law enforcement, the Salt Lake Chamber of Commerce, AARP Utah, and other consumer advocate organizations. The Division of Consumer Protection received positive feedback from participants and the FTC confirmed that this was their highest attended regional event.

TOP TEN CONSUMER COMPLAINTS

The top consumer complaints received by the Division during FY 2015 and types of allegations the Division receives are as follows:

1. **Alarm Systems:** Aggressive sales tactics and misrepresentations used in door-to-door solicitations; failure to allow cancellations within stated time period.

2. **Internet Offer/Sales:** Misrepresentations or other deceptive practices; failure to deliver online purchases and hidden fees.

3. **Telemarketing:** Misrepresentations and deceptive refund policies made during telemarketing call to entice consumers to provide their credit card for product and services; failure to abide by do-not-call provisions; telemarketers not being registered with the Division to conduct telemarketing.

4. **Coaching Services:**
Typically involve misrepresentations and deceptive refund policies; failure to abide by do-not-call provisions and often selling their “Coaching” services for exorbitant fees that correlate with the amount that consumers have available on their credit cards. Coaching services are usually for Business Opportunities. (See number 8).

5. **Home Improvement/Repair:** Failure to start or complete job, refusal of job completion until consumer agrees to a higher price than originally agreed upon.



6. **Retail Sales/Deposits/Refunds:** False advertising and other deceptive practices, defective merchandise, problems with rebates, coupons, gift cards or gift certificates; failure to deliver and failure to honor stated refund policies.

7. **Charitable Solicitations:** Donations being solicited by entities not registered with the division; charitable donations not being used for the stated charitable purpose.

8. **Business Opportunities:** Failure to file disclosures with the Division prior to selling Business Opportunities; failure to provide consumers the required disclosures, including disclosure of risks; misrepresentations and deceptive refund policies. (See number 4).

9./10. **Utah Postsecondary Proprietary School Act:** Complaints span a variety of issues including misrepresentations during the enrollment process, advertising, and billing concerns.

9./10. **Travel/Vacation/Timeshare:** Misrepresentations made during the telemarketing call (see number 3) and/or sales presentation, such as notifying consumers that they have won a prize or will receive something of value by attending a seminar and then not providing the item awarded at the beginning of the seminar. When the prize is awarded, it is often not of the quality or grade initially represented to entice the consumer to attend. Also, misrepresentations of the product a consumer is purchasing.


-  Division of Consumer Protection
- STATISTICS
- | Fiscal Year | 2013 | 2014 | 2015 |
|---|-------|-------|-------|
| Complaints | | | |
| Complaints Received | 2,620 | 2,912 | 1,949 |
| Complaints Opened | 2,127 | 2,350 | 1,531 |
| Complaints Closed | 1,374 | 1,459 | 1,844 |
| Complaints Referred/Not Assigned | 493 | 562 | 419 |
| Active Registrations | | | |
| Business Opportunities | 9 | 4 | 7 |
| Business Opportunity Exemptions | 1,093 | 1,133 | 1,189 |
| Charitable Organizations | 3,934 | 3,678 | 4,248 |
| Charitable Organizations Exemptions | 1,361 | 1,397 | 1,464 |
| Credit Service Organizations | 56 | 14 | 19 |
| Debt Management Service Providers | 39 | 40 | 40 |
| Health Spas | 302 | 262 | 236 |
| Immigration Consultants | 19 | 26 | 38 |
| Pawn Shop Registration | 126 | 124 | 116 |
| Secondhand Merchandise Dealers | 423 | 250 | 291 |
| Professional Fund Raisers | 288 | 308 | 404 |
| Proprietary Schools | 78 | 70 | 73 |
| Proprietary School Exemptions | 703 | 847 | 989 |
| Postsecondary Private Nonprofit Schools | 46 | 66 | 87 |
| Postsecondary Public Nonprofit Schools | - | 7 | 49 |
| Postsecondary Accredited Schools | 135 | 143 | 96 |
| Telemarketers | 101 | 79 | 76 |
| Telemarketers Exemptions | 122 | 123 | 125 |
| Transportation Network Companies | — | — | 2* |

**As of September 2015.*
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- Questions**
specific to the
**Division of
Consumer
Protection**
may be directed to:

Daniel O'Bannon
Director
(801) 530-6303
dobannon@utah.gov
- | Fiscal Year | 2013 | 2014 | 2015 |
|--|----------------|--------------|----------------|
| Total Consumer Benefits
Recovered & Fines Collected | | | |
| Total Consumer Benefits Recovered | \$1,458,688.00 | \$852,911.00 | \$1,363,175.29 |
| Total Fines Collected | \$ 284,600.00* | \$195,875.00 | \$ 139,543.50 |

**The amended FY 2013 total fines collected number corrects a previous calculation error.*
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Utah Department of Commerce

DIVISION OF

CORPORATIONS & COMMERCIAL CODE

MISSION STATEMENT



The Division of Corporations & Commercial Code serves business enterprises by providing registration and informational assistance. Additionally, the Division serves the public by facilitating access to all of its records and data.

The Division functions as Utah's filing office and repository for all corporations, commercial code filings, business registrations, limited partnerships, limited liability companies, limited liability partnerships, collection agencies, and trademarks.



Division of Corporations & Commercial Code

ABOUT THE DIVISION

The Division of Corporations and Commercial Code in the Utah Department of Commerce registers and monitors principal changes, all statutory business entities, state trademarks, collection agencies, and article 9 (UCC) and agricultural (CFS) lien notice filings. There are other less noticeable, but equally important filings.

Those businesses which should register with the Division are: profit and non-profit corporations, limited liability companies, limited partnerships, limited liability partnerships, unincorporated cooperative associations, general partnerships and sole proprietors who have an assumed name, business trusts, real estate investment trusts, tribal businesses, and any other assumed business name.

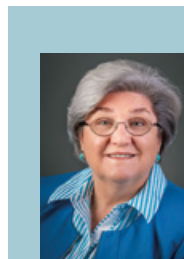
Out-of-state motorist service of process is also filed with the division. Certain bankruptcy filings are sent to the division for notice only.

The Division is charged with a variety of small filings, such as:

- *Pharmacy Benefit Managers, the Governmental Entity Database* — an online directory of contact for any governmental entity;
- *OneStop Business Registration web site* — a partnership with multiple agencies from local, state and federal level;
- *Verify Utah* — an online voluntary registry of businesses that have complied with the federal e-Verify program;
- *Archival business research* — searching old stock certificates to find disposition of business entity; and
- *Individual Name Searches* — those people involved as principals in businesses.

The Division staffs an information and help/phone center that answers an average of 7,000 phone calls per month. The help staff also provides an online information chat for those using online services. The agency has two customer service counters for walk-in assistance. We provide self-declaring women or minority owned businesses and often we are the first face of government for many citizens.

The Division of Corporations and Commercial Code continues to look for innovative ways to give business filers access to services 24 hours a day, 7 days a week.



Questions

specific to the

**Division of
Corporations and
Commercial Code**

may be directed to:

Kathy Berg
Director

(801) 530-4849
kberg@utah.gov

HELP CENTER

The Help Center answers about 77,500 calls a year. The five member Help Center fields questions ranging from “How do I start up a new business?” to “How do I reinstate an old business?”. With courtesy and understanding, the members of the Help Center educate citizens of Utah on business filings over the phone and in live online chats.

SERVICE CENTER

The Division has two service centers; one in the first floor lobby and one on the second floor with public access computers, which have streamlined the process of filing documents so customers face a minimal wait time. As a result, the Division of Corporations and Commercial Code usually keeps within the 24 to 48 hour turnaround time on all incoming documents.

Customer service is not something we can achieve with systems and processes alone. The Division's goal is to empower our employees, particularly those on the front line, to make a difference as they are the face of the Division. The Division of Corporations and Commercial Code continues to be committed to adopting new technology for online services that especially help all businesses meet regulatory obligations quickly and efficiently.

LEGISLATIVE UPDATE FROM 2015 GENERAL SESSION



HB 57 Benefit Corporations Amendments

This bill corrects the definition of “minimum status vote”; requires annual benefit reports to be filed with the Division of Corporations and Commercial Code at the same time the corporation files the annual report with the Division of Corporations and Commercial Code; and makes technical changes.

SB 74 Unincorporated Business Entities Related Amendments

This bill addresses permitted names related to a limited liability company; requires filings to be typewritten or computer generated; modifies language related to entities converting to a different type of entity; addresses location of notice of series that is filed with the division; and makes technical and conforming amendments.

SB 93 S2 Uniform Commercial Code Filing Amendments

This bill addresses the effectiveness of a filed record; provides for the termination of a wrongfully filed financing statement and possible reinstatement; modifies the provision of what constitutes a filing and the effectiveness of a filing; creates a crime for certain filings filed with intent to harass or defraud; and makes technical and conforming amendments.

SB 174 Registered Agents Amendments

This bill requires an entity, especially assumed name filings, to designate a registered agent; provides for changes in registered agents; and makes technical changes.

SB 206 Utah Revised Business Corporation Act Amendments

This bill amends the purposes for which a corporation may be formed under the act; amends the general powers of a corporation under the act; and makes technical changes.

SB 218 Nonprofit Corporation Act Amendments

This bill modifies definition provisions; provides for use of electronic transmissions; addresses private foundations; addresses incorporation; provides for mutual benefit corporations to purchase memberships; modifies provision addressing no property rights; addresses action without meeting; modifies provision related to voting entitlement; modifies provisions related to board of directors; addresses authorized actions of a committee of the board; modifies provisions related to conflicting interest transactions; modifies provisions related to court-ordered indemnification of a director; addresses provisions related to articles of incorporation; provides for voting members to vote on amendment to convert to a corporation; modifies effect of dissolution provision; and makes technical and conforming changes.

ONESTOP BUSINESS REGISTRATION

The OneStop Business Registration web site continues to improve and be recognized in the national and international community. Representatives from foreign countries continue to look at this site as a model of government filing efficiency.

- better user navigation
 - improved glossary and FAQ
 - live help
 - improved owners (principals) section
- ability to preview articles
 - ability to upload certificates
 - enhanced receipting system
 - faster name approval during business hours

The OneStop Business Registration program has even more enhancements. The OSBR Group was able to target problem areas based on customer input and adapt the flow of the application to allow for a more user-friendly experience.

This encouragement of online filings helps the Division manage growth in business without requiring growth of government.

OTHER DATA ENTRY

Fiscal Year	Reinstatements	Ammendments	Mergers	Conversions	Renewals	Change Forms	Average Entities Gained per Month	Total	Percent Increase
2006	4,504	4,001	413	1,298	15,629	20,590	1,503	18,036	8%
2007	5,009	4,132	296	1,293	13,844	13,578	1,669	20,030	11%
2008	3,232	4,401	499	1,618	22,111	6,288	1,512	18,144	-9%
2009	2,259	4,042	463	1,458	22,132	5,371	494	5,928	-67%
2010	2,665	3,049	352	617	19,498	4,617	516	6,192	4%
2011	2,433	2,828	320	997	17,752	3,895	791	9,492	53%
2012	2,191	2,971	299	1,006	17,041	3,462	823	9,976	4%
2013	1,840	2,974	303	1,146	15,326	3,276	1,106	13,272	34%
2014	1,904	2,777	300	1,101	15,199	3,607	935	11,220	-15%
2015	1710	2,906	589	928	11,250	4,210	872	10,464	-7%

The following local partners offer business licensing services

through OSBR: Salt Lake City, Salt Lake County, Sandy City, Provo, Logan, Murray, West Jordan, South Logan, and Springville.

The Division has put a system online to register DBAs (Doing Business As). This allows existing businesses that use an alternate or assumed name to conduct business, or small businesses, an opportunity to have a quick and simple registration process. In less than 30 minutes an assumed business name can be registered and available to the business filer. In the first month after launch the Division received over 400 registrations. Currently the Division is seeing an average of 64% online new registrations between the DBA system and OSBR. It was certainly time for these services.

DIVISION OF CORPORATIONS OUTREACH

The Utah Division of Corporations and Uniform Commercial Code has hosted participants from the Sandy City Chamber of Commerce, Young Women in Business Scholarship program for the past 4 years. Female students from 8 high schools the Canyons School District are chosen as candidates for college scholarships based on outstanding achievements in education, essays and community accomplishments. Kathy Berg, Division Director, visits with the Young Womens group each year to provide information and resources to our future business leaders.



Sandy Chamber of Commerce Young Women in Business scholarship candidates visit the Utah Department of Commerce, Division of Corporations and Commercial Code.

NEW FILINGS

Fiscal Year	CORP	% Increase	DBA	% Increase	LLC	% Increase	LP	% Increase	Total	% Increase
2005	11,423	5%	17,325	-1%	19,018	39%	556	-1%	48,322	13%
2006	12,674	11%	17,296	0%	23,320	23%	618	11%	53,908	12%
2007	12,633	0%	6,780	-3%	27,643	19%	744	20%	57,800	7%
2008	11,491	-9%	16,793	0%	27,283	-1%	618	-17%	56,185	-3%
2009	9,256	-19%	15,659	-7%	24,344	-11%	515	-17%	49,774	-11%
2010	8,566	-7%	15,747	1%	24,143	-1%	378	-27%	48,834	-2%
2011	8,043	-6%	15,747	1%	24,976	3%	436	15%	48,739	0%
2012	8,102	1%	15,667	3%	27,693	11%	622	43%	52,084	7%
2013	7,590	-6%	15,531	-1%	33,033	19%	1,058	70%	57,212	10%
2014	7,427	-2%	15,994	3%	34,303	4%	467	-56%	58,191	2%
2015	7,702	4%	16,150	1%	36,726	7%	374	-20%	60,952	5%

UNIFORM COMMERCIAL CODES

Fiscal Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
UCC-1										
In-house Filings	10,394	10,564	8,281	4,391	4,137	6,500	4,380	3,725	4,292	5,103
Online Filings	13,928	14,180	14,834	13,904	11,830	8,867	12,372	14,148	14,565	13,995
Total	24,322	24,744	23,115	18,295	15,967	15,367	16,752	17,873	18,857	19,098
Adoption Rate	57.27%	57.31%	64.17%	76.00%	74.09%	57.70%	73.85%	79.16%	77.24%	73.28%
Diff from Previous Year	-254	252	654	-930	-2,074	-2,963	3,505	1,776	417	-570
% Increase	-1.79%	1.81%	4.61%	-6.27%	-14.92%	-25.05%	39.53%	14.35%	2.95%	-3.91%
UCC-2										
In-house Filings	115	206	146	164	121	143	112	110	116	78
Online Filings	1,030	1,159	1,119	949	1,449	1,159	1,281	967	1,163	1,281
Total	1,145	1,365	1,265	1,113	1,570	1,302	1,393	1,077	1,279	1,359
Adoption Rate	89.96%	84.91%	88.46%	85.27%	92.29%	89.02%	91.96%	89.79%	90.93%	94.26%
Diff from Prev Year	-300	129	-40	-170	500	-290	122	-314	196	118
% Increase	-22.56%	12.52%	-3.45%	-15.19%	52.69%	-20.01%	10.53%	-24.51%	20.27%	10.15%
UCC-3 Terminations/Continuations										
In-house Filings	6,782	5,687	2,659	1,915	2,208	7,253	1,999	1,665	1,650	2,159
Online Filings	7,437	8,731	11,376	10,603	10,796	6,057	11,501	11,302	10,287	9,636
Total	14,219	14,418	14,035	12,518	13,004	13,310	13,500	12,967	11,937	11,795
Adoption Rate	52.30%	60.56%	81.05%	84.70%	83.02%	45.51%	85.19%	87.16%	86.18%	81.70%
Diff from Prev Year	526	1,294	2,645	-773	193	-4,739	5,444	-199	-1,015	-651
% Increase	7.61%	17.40%	30.29%	-6.80%	1.82%	-43.90%	89.88%	-1.73%	-8.98%	-6.33%

UNIFORM COMMERCIAL CODES

Fiscal Year	UCC-1	UCC-1 Addendum	UCC-2	UCC-3	UCC-3 Addendum	CFS-1	CFS-3
2006	24,322	9,609	1,145	19,145	1,567	419	724
2007	24,744	10,629	1,365	18,311	2,098	319	612
2008	23,115	7,805	1,265	18,748	3,278	303	668
2009	18,295	4,565	1,113	17,394	1,525	361	537
2010	15,967	4,801	1,570	17,034	2,341	436	613
2011	15,367	6,875	1,302	17,167	905	375	511
2012	16,752	4,020	1,393	17,887	1,242	367	559
2013	17,873	3,571	1,077	17,344	920	402	500
2014	18,857	4,372	1,279	16,028	1,286	405	682
2015	19,098	3,641	1,359	18,066	947	370	737

FILINGS

Fiscal Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
One Stop Business Registration										
In-house Filings	41,237	43,052	36,690	30,365	28,736	26,964	23,449	29,561	30,962	30,649
Online Filings	11,600	14,030	18,751	19,613	20,329	21,994	28,861	27,878	27,421	30,446
Total	52,837	57,082	55,441	49,978	49,065	48,958	52,310	57,439	58,383	61,095
Adoption Rate	21.52%	24.58%	34.13%	39.24%	41.43%	44.92%	55.17%	48.53%	46.97%	49.83%
Diff from Prev Year	2,144	2,430	4,721	862	716	1,665	6,867	-983	-457	3,025
% Increase	22.67%	20.95%	33.65%	4.60%	3.65%	8.19%	31.22%	-3.41%	-1.64%	11.03%
All Online Services										
Total Online Filings	83,800	212,497	255,616	332,613	331,080	339,710	411,905	411,974	434,516	445,866
Adoption Rate	35%	64%	77%	81%	82%	82%	84%	85%	87%	89%
Diff from Prev Year	15,573	128,697	43,119	76,997	-1,533	8,630	72,195	69	22,542	11,350
% Increase	22.83%	153.58%	20.29%	30.12%	-0.46%	2.61%	21.25%	0.02%	5.47%	2.61%
Certificates of Existence										
In-house Certificate	856	682	678	422	482	492	440	377	395	314
Online Certificate	10,116	12,163	11,337	10,530	10,716	12,369	12,152	12,786	14,644	15,525
Total	10,972	12,845	12,015	10,952	11,198	12,861	12,592	13,163	15,039	15,839
Adoption Rate	92.20%	94.69%	94.36%	96.15%	95.70%	96.17%	96.51%	97.14%	97.37%	98.02%
Diff from Prev Year	1,515	2,047	-826	-807	186	1,653	-217	634	1,858	881
% Increase	17.61%	20.24%	-6.79%	-7.12%	1.77%	15.43%	-1.75%	5.22%	14.53%	6.02%
Annual Business Renewal										
In-house Renewals	103,296	35,790	22,111	22,132	19,498	18,360	17,588	14,998	15,355	11,250
Online Renewals	39,308	113,733	149,447	160,163	166,964	175,246	183,899	188,947	206,262	222,686
Total	142,604	149,523	171,558	182,295	186,462	193,606	201,487	203,945	221,617	233,936
Adoption Rate	27.56%	76.06%	87.11%	87.86%	89.54%	90.52%	91.27%	92.65%	93.07%	95.19%
Diff from Prev Year	11,561	74,425	35,714	10,716	6,801	8,282	8,653	5,048	17,315	16,424
% Increase	41.67%	189.34%	31.40%	7.17%	4.25%	4.96%	4.94%	2.74%	9.16%	7.96%




Utah Department of Commerce

DIVISION OF

OCCUPATIONAL & PROFESSIONAL LICENSING

MISSION STATEMENT

 **The mission of the Division of Occupational & Professional Licensing (DOPL) is to protect the public and to enhance commerce through licensing and regulation.**

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DOPL Objectives

- Provide courteous customer service that is responsive, accurate and informative.
- Collaborate with stakeholders to balance regulation and commerce.
- Administer programs and applications efficiently.
- Enforce laws effectively and in a timely manner.
- Promote a positive working environment where employees can participate and develop as teams and individuals.

TOTAL LICENSEES

2015 Total Licensees:	203,865
2015 New Applications Submitted:	33,402
2015 Renewals:	
Online	128,590
Manual	5,849
<i>Total</i>	134,439
2015 Percent Online:	95.6%



LICENSEES BY PROFESSION – FISCAL YEAR 2015 (including Temporary Licences)

Profession Name	License Name	Count
Accountancy	CPA Firm	672
	Certified Public Accountant	4,999
Acupuncture	Licensed Acupuncturist	148
Architect	Architect	2,352
Athlete Agents	Athlete Agent	44
Athletic Trainer		
	Athletic Trainer	415
Building Inspector	Combination Inspector	288
	Limited Inspector	375
Burglar Alarm	Burglar Alarm Company	181
	Burglar Alarm Company Agent	7,325
	Temporary Burglar Alarm Company Agent	339
Chiropractic	Chiropractic Physician	917
Clinical Mental Health	Associate Clinical Mental Health Counselor	490
	Assoc Clinical Mental Health Counselor Extern	48
	Clinical Mental Health Counselor	1,037
	Volunteer Clinical Mental Health Counselor	1
Contractor	Contractor With LRF	16,748
	Contractor Without LRF	719
	Handyman Exemption Registration	1,438
	Instructor for Construction Mechanical	1
	Instructor for Electrical Trades	6
	Instructor for General Building Trades	23
	Instructor for Plumbing Trades	3
Controlled Substance Handler	Controlled Substance Handler Facility	52
	Controlled Substance Handler Individual	24

Profession Name	License Name	Count
Cosmetology	Barber	309
	Barber Instructor	10
	Barber School	9
	Cosmetologist / Barber	28,632
	Cosmetologist / Barber Instructor	1,799
	Cosmetology / Barber School	50
	Electrologist	142
	Electrologist Instructor	9
	Electrology School	1
	Esthetician	712
	Esthetician Instructor	478
	Esthetics School	26
	Master Esthetician	4,260
	Nail Technician	4,817
	Nail Technician Instructor	203
	Nail Technology School	15
Court Reporter	Certified Court Reporter – Shorthand	120
CS Precursor	Controlled Substance Precursor	9
Deception Detection	Deception Detection Examiner	17
	Deception Detection Intern	4
Dental	Dental Hygienist	156
	Dental Hygienist with Local Anesthesia	2,750
	Dentist – Anesthesia Class I Permit	858
	Dentist – Anesthesia Class II Permit	1,700
	Dentist – Anesthesia Class III Permit	303
	Dentist – Anesthesia Class IV Permit	91
	Dentist Educator	1
	Volunteer Dentist Anesthesia Class I	1
	Volunteer Dentist Anesthesia Class II	2
Dietitian	Certified Dietitian	736
Direct-Entry Midwife	Direct-Entry Midwife	41
Electrician	Apprentice Electrician	3,441
	Journeyman Electrician	3,937
	Master Electrician	1,964
	Residential Journeyman Electrician	139
	Residential Master Electrician	153

Profession Name	License Name	Count
<i>Elevator Mechanic</i>	Elevator Mechanic	127
<i>Engineer/Land Surveyor</i>	Professional Engineer	7,061
	Professional Land Surveyor	716
	Professional Structural Engineer	2,028
<i>Environmental Health Scientist</i>	Environmental Health Scientist	212
	Environmental Health Scientist–Training	19
<i>Factory Built Housing</i>	Factory Built Housing Dealer	37
<i>Funeral Service</i>	Funeral Service Director	338
	Funeral Service Establishment	128
	Funeral Service Intern	39
<i>Genetic Counselor</i>	Genetic Counselor	98
	Temporary Genetic Counselor	4
<i>Geologist</i>	Professional Geologist	850
<i>Health Facility Administrator</i>	Health Facility Administrator	336
<i>Hearing Instrument</i>	Hearing Instrument Intern	48
	Hearing Instrument Specialist	96
<i>Hunting Guides/Outfitters</i>	Hunting Guide	315
	Outfitter	117
<i>Landscape Architect</i>	Landscape Architect	378
<i>Marriage & Family Therapy</i>	Associate Marriage & Family Therapist	167
	Associate MFT Extern	3
	Marriage & Family Therapist	577
<i>Massage</i>	Massage Apprentice	31
	Massage Therapist	5,512
<i>Medical Language Interpreter</i>	Certified Medical Language Interpreter	60
<i>Medication Aide – Certified</i>	Temporary Medication Aide – Certified	7
<i>Music Therapy</i>	State Certified Music Therapist	37
<i>Naturopathic</i>	Naturopath including Surgery & OB	1
	Naturopathic Limited CS Testosterone	21
	Naturopathic Physician	35
	Temporary Naturopathic Physician	3

Profession Name	License Name	Count
<i>Nurse</i>	APRN	1,837
	APRN Intern	7
	APRN without PP	33
	APRN – CRNA Controlled Substance	250
	APRN – CRNA without PP	256
	Certified Nurse Midwife	152
	Certified Nurse Midwife without PP	1
	Licensed Practical Nurse	2,732
	Registered Nurse	29,101
	Temporary Licensed Practical Nurse	1
	Volunteer APRN	1
	Volunteer APRN Controlled Substance	1
<i>Occupational Therapy</i>	Occupational Therapist	733
	Occupational Therapy Assistant	298
<i>Online Internet Facilitator</i>	Online Internet Facilitator	2
<i>Optometrist</i>	CS	344
	Optometrist	467
	Optometrist (Without Certification)	4
	Optometrist Diagnostic Only	6
<i>Osteopathic Physician</i>	Osteopathic Online Prescriber	2
	Osteopathic Physician & Surgeon	716
	Temporary Osteopathic Physician	1
	Volunteer Osteopathic Physician/Surgeon	1
<i>Pharmacy</i>	Dispensing Medical Practitioner	44
	Dispensing Medical Practitioner Clinic	15
	Lethal Injection Use	1
	Online Contract Pharmacy	2
	Pharmacist	3,512
	Pharmacy – Class A	502
	Pharmacy – Class B	261
	Pharmacy – Class C	615
	Pharmacy – Class D	737
	Pharmacy – Class E Business	500
	Pharmacy Intern	868
	Pharmacy Technician	5,394
	Pharmacy Technician Trainee	977
	Temporary Pharmacist	13
<i>Physical Therapist</i>	Physical Therapist	1,882
	Physical Therapist Assistant	643
	Temporary Physical Therapist	14
	Temporary Physical Therapist Assistant	13
<i>Physician</i>	Physician & Surgeon	9,609
	Physician Educator CS	10
	Physician Educator Type I	4
	Physician Educator Type II	7
	Physician Online Prescriber	3
	Temporary Physician & Surgeon	4
	Volunteer Physician & Surgeon	3
	Volunteer Physician/Surgeon CS	2
<i>Physician Assistant</i>	Physician Assistant	1,241

Profession Name	License Name	Count	Profession Name	License Name	Count
<i>Plumber</i>	Apprentice Plumber	1,231	<i>Security Companies & Guards</i>	Armed Private Security Officer	1,107
	Journeyman Plumber	842		Armored Car Company	8
	Master Plumber	1,793		Armored Car Security Officer	306
	Residential Journeyman Plumber	55		Armored Car Training Program Provider	8
	Residential Master Plumber	41		Contract Security Company	58
<i>Podiatric Physician</i>	Podiatric Physician	209		Contract Security Training Program Provider	6
<i>Preneed</i>	Pre-Need Sales Agent	318		Interim Armed Private Security Officer	7
<i>Private Probation Provider</i>	Private Probation Provider	94		Interim Unarmed Private Security Officer	17
<i>Psychologist</i>	Psychologist	920		Unarmed Private Security Officer	3,221
	Psychology Resident	38	<i>Social Work</i>	Certified Social Worker	1,285
<i>Radiology</i>	Radiologic Technologist	2,454		Certified Social Worker Intern	9
	Radiologist Assistant	10		LCSW Extern	1
	Radiology Practical Technician	406		Licensed Clinical Social Worker	3,324
<i>Recreational Therapy</i>	Master Therapeutic Recreation Specialist	32		Social Service Worker	1,874
	Temp – Therapeutic Recreation Specialist	3		Volunteer Licensed Clinical Social Worker	1
	Therapeutic Recreation Specialist	265	<i>Speech/Audiology</i>	Audiologist	249
	Therapeutic Recreation Technician	269		Speech Lang Pathologist & Audiologist	10
<i>Respiratory Care</i>	Respiratory Care Practitioner	1,464		Speech Language Pathologist	731
				Temp Speech Language Pathologist	41
			<i>Substance Use Disorder</i>	Certified Advanced SUDC	6
				Certified SUDC	60
				Licensed Advanced SUDC	134
				Licensed SUDC	218
			<i>Veterinarian</i>	Veterinarian	759
				Veterinary Intern	21
			<i>Vocational Rehab Counselor</i>	Licensed Vocational Rehab Counselor	197
				<i>Total Active Licenses</i>	203,865

STATE CONSTRUCTION REGISTRY (SCR)



As an internet based registry, the SCR regulates construction lien rights within the State of Utah. The SCR allows subcontractors and suppliers to register for lien rights at the beginning of their contribution to an improvement. This information is then available to Owners and helps them to manage payments and exposure to liens. When used effectively, the SCR protects Owners from liens and over-payment and ensures the pay and rights of Subcontractors and Suppliers.

Fiscal Year	2010	2011	2012	2013	2014	2015
PreConstruction Service	—	6	519	219	389	485
Construction Loan	—	—	3,939	6,176	6,544	6,717
Building Permits	43,266	49,976	36,151	37,482	36,778	34,311
Commencement	43,435	44,655	5,987	1,006	951	878
Preliminary Notice	108,445	97,873	140,272	183,466	207,966	210,551
Intent to Complete	36	41	65	111	108	138
Remaining to Complete	91	395	210	130	449	376
Completions	4,094	3,174	2,955	4,880	6,709	7,119
Loan Default	—	—	—	2	3	0
Total Filings	199,367	196,120	190,098	233,472	259,897	260,575

RESIDENCE LIEN RECOVERY FUND

The residence lien recovery fund exists to protect homeowners from paying twice for construction on their homes. Additionally, the fund provides a remedy for contractors and suppliers who lose income due to homeowner protection.

	Fiscal Year 2015	Since Inception
Number of Claims Filed	57	2868
Amount of Claims	579,020	20,400,958
Number of Claims Paid	51	2048
Amount of Paid Claims	460,843	13,512,679
Number of Claims Denied	11	565
Number of Claims Dismissed	0	243

PRELITIGATION

Prelitigation provides malpractice prelitigation hearing panels when properly requested by a petitioner. A certificate of compliance is required from DOPL before the petitioner may file a medical malpractice complaint in District Court.



Fiscal Year 2015			
Actions		Outcomes	
Cases Opened	240	No Merit	127
Requests Denied	26	Meritorious	14
Hearings Scheduled	168	Stipulated	37
Cases Closed	251	Dismissed	48
		Dismissed – Arbitration	2
		Split Decision:	20
		Jurisdiction	2
		Other	1

INVESTIGATIONS

DOPL is legislatively responsible to investigate acts or practices inconsistent with generally recognized standards of conduct, unlicensed practice in regulated professions or occupations, allegations of gross negligence or incompetence, and patterns of negligence or incompetence.

Fiscal Year 2015			
Complaints		Actions	
Received	3,820	Administration Filings	354
Assigned	3,483	Criminal Felony Filings	28
Closed	3,712	Misdemeanor Filings	19
		Letters of Concern	343
		Diversion Referrals	22
		Citations Issued	947

UTAH RECOVERY ASSISTANCE PROGRAM (URAP) AND PROBATION

The Division offers two programs to protect the public from licensees who engage or may engage in misconduct, while still allowing them to practice their occupation or profession. URAP is a confidential approach allowing certain first time offenders diversion rather than disciplinary action. Probation is a public disciplinary approach. Both approaches have terms and conditions that are carefully monitored and further action is taken for noncompliance.



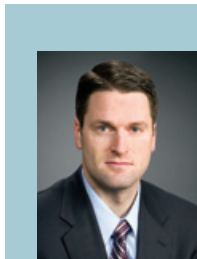
Fiscal Year 2015	
Total Number of Active Licensees	203,865
Total Number of Diversionees (URAP)	140
Total Number of Probationers	570

CONTROLLED SUBSTANCE DATABASE

The Utah Controlled Substance Database Program tracks and collects data on the dispensing of Schedule II-V drugs by all retail, institutional, and outpatient hospital pharmacies, and in-state/out-of-state mail order pharmacies. The data is disseminated to medical and law enforcement professionals and used to identify potential cases of drug over-utilization, misuse, and over-prescribing of controlled substances throughout the state.

Fiscal Year 2015	
Total prescription records as of 06/30/2015	63,997,376
Total prescriptions entered in FY 2015	5,987,647
Online reports FY 2015	1,001,028
In-house reports FY 2015	8,921
Number of hospital overdose reports	905
Number of overdose reports mailed to practitioners	2,846
Number of court reports regarding DUI conviction	364
Number of DUI reports mailed to practitioners	679
Number of doctor shopper letters mailed to practitioners	3,216
Number of doctor shopper letters mailed to law enforcement*	252
Registered users: Pharmacists	2,280
Prescribing practitioners	6,615
Others	331

**Effective 05/12/2015, information provided to law enforcement can only be obtained by a search warrant.*



Questions
specific to the
Division of Occupational & Professional Licensing
may be directed to:

Mark Steinagel
Director
(801) 530-6626
msteinagel@utah.gov



Utah Department of Commerce

OFFICE OF THE

PROPERTY RIGHTS OMBUDSMAN

MISSION AND/OR VISION STATEMENT



The mission of the Office of the Property Rights Ombudsman is to:

- Educate citizens and government officials regarding private property rights and the protection of those rights;
- Encourage state and local government agencies to regulate and acquire land in a manner consistent with applicable statutes and constitutional law;
- Advocate for fairness and compliance with state and local laws and ordinances; and
- Assist citizens and government agencies to resolve property disputes fairly, in accordance with existing law, without expensive and time-consuming litigation.



Office of the Property Rights Ombudsman

INTRODUCTION

The Office of the Property Rights Ombudsman (OPRO) protects the rights of citizens from government intrusion onto private property.

The three attorneys on the OPRO staff advise citizens and government entities regarding property rights and land use laws, and assist in resolving property rights disputes. The OPRO helps citizens and government avoid costly litigation through education, consultation, and mediation.

The OPRO recognizes and supports Governor Herbert's Cornerstone priorities. OPRO staff works closely with legislators, lobbyists, and other stakeholders to ensure laws passed protect the property rights and self-determination of citizens. The OPRO staff also provides extensive education opportunities for local government agencies and associations in order to ensure that property rights are understood and protected.

FISCAL YEAR 2015 HIGHLIGHTS

The Attorneys at the OPRO work every day with the citizens of Utah to help them understand and protect their property rights. The Attorneys also seek to ensure that state and local government agencies regulate and acquire land in a manner consistent with applicable statutes and constitutional law. The OPRO assists government agencies to further the public good without placing an unfair burden on individuals, families and businesses. The dispute resolution efforts of the OPRO save both citizens and state and local government agencies significant sums of money by avoiding lawsuits.

DISPUTE RESOLUTION IN EMINENT DOMAIN CASES

During the 2015 Fiscal Year, the attorneys at the OPRO

- Logged 477 telephone calls from citizens and government agencies where questions were answered or concerns resolved with one or two phone calls;
- Opened 177 cases;
- Closed 160 cases;
- Conducted 93 formal mediations and arbitrations.

DISPUTE RESOLUTION IN LAND USE CASES

During the 2014 fiscal year, the OPRO

- Issued 18 Advisory Opinions. Advisory Opinions primarily addressed the following topics: Appealing Land Use Decisions, Compliance with Land Use Decisions, Conditional Uses, Requirements Imposed on Development, Exactions on Development and Impact Fees.

OTHER SIGNIFICANT ACCOMPLISHMENTS

- The Office provided 42 formal and informal training sessions on topics within its purview to various organizations such as the Utah Community Forest Council, Utah Local Government's Trust, Utah Land Use Institute, Utah Counties Insurance Pool, International Right of Way Association and various County and City entities.
- The Office provided hands-on legal experience to two interns – one law student from the Brigham Young University and one law student from Gonzaga University.
- The attorneys in the Office also provided assistance to various committees and local programs, including: New Lawyer Mentoring Program, Utah Land Use Institute, Land Use Task Force, Utah Judicial Council's ADR Committee, Davis Arts Council, and Land Use Academy of Utah.



Questions
specific to the
**Property Rights
Ombudsman**
may be directed to:

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Lead Attorney
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bbateman@utah.gov
propertyrights.utah.gov




Utah Department of Commerce

DIVISION OF

PUBLIC UTILITIES

MISSION STATEMENT

 **The Division of Public Utilities promotes the public interest in public utility regulation and works to assure that all customers of regulated gas, electric, telephone and water utilities have access to safe, reliable service at reasonable rates.**

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DIVISION ACTIVITIES INCLUDE:

- Investigating applications for certificates to provide utility service or to build new utility facilities;
- Auditing, analyzing, and investigating proposed rate increases or changes;
- Investigating and resolving complaints of utility customers;
- Monitoring the safety of intrastate natural gas pipelines;
- Auditing the finances and activities of utilities doing business in Utah;
- Assisting in the monitoring and management of the Universal Service Fund, which provides support for telecommunications customers in high-cost areas;
- Monitoring compliance with Utah law and Public Service Commission (PSC) rules and orders;
- Coordination and consultation with other state agencies in developing and implementing utility and other state policies;
- Advising the Governor and Legislature as requested.

ABOUT THE DIVISION

The Division’s staff of approximately thirty employees works with the PSC, the Office of Consumer Services and other state agencies, regulated telecommunications, electric, natural gas and water utilities, the public, outside experts, attorneys, and other states’ utility regulators. Staff members have expertise in accounting, auditing, business, finance, economics, statistics, customer service, and engineering.

HIGHLIGHTS

Energy

The Division participated with other state entities and industry representatives in work group meetings to evaluate the federal EPA’s proposed greenhouse gas rules for existing power plants. While environmental regulators will be responsible for formulating the state’s plan, the Division is representing ratepayer interests as the process progresses.

The Division has negotiated with PacifiCorp and the other states in PacifiCorp’s territory concerning the allocation among the states of utility expenses and revenues. Each state retains authority to determine its own regulatory policies. When those policies differ, there is a possibility that PacifiCorp will not be able to achieve its allowed rates of return because of those differences. The parties are nearing a settlement of some of the matters on which policies have differed, allowing PacifiCorp a better opportunity to earn its allowed rate of return with a minimal rate impact.

Five-Year History of Utility Complaints

Utilities	Fiscal Year	2011	2012	2013	2014	2015
Electric		193	169	130	114	109
Natural Gas		212	145	105	110	62
Telecomm – ILEC* & Century-Link		165	149	117	131	113
Telecomm – CLEC**		47	51	40	31	32
Telecomm – Long Distance		34	30	16	8	9
Water/Sewer		8	8	7	9	11
Total		659	552	415	403	336
* Incumbent Local Exchange Carriers, e.g. Century Link, All West, Frontier, Beehive						
** Competitive Local Exchange Carrier, e.g. AT&T, McLeod USA, Integra						



Questions

specific to the

**Division of
Public Utilities**

may be directed to:

Chris Parker
Director

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chrisparker@utah.gov



Telecommunications

The Division has worked with rural telephone companies to streamline the process by which the companies apply for support from the state’s Universal Public Telecommunications Service Support Fund. This support ensures affordable telephone service is available to rural customers. The Division hopes to make a formal proposal for new streamlined rules sometime in FY 2016.

Pipeline Safety

The Pipeline Safety Section operates under federal law to investigate safety and other conditions relative to the piping of natural gas within Utah. The section works with local natural gas distribution companies, such as Questar Gas Company, as well as municipal operators, intrastate transmission operators and master meters.

During fiscal year 2015, Pipeline Safety personnel conducted comprehensive inspections of Questar Gas Company operations, municipal gas distribution operators, and intrastate transmission operators. The section also inspected pipeline construction projects and investigated incidents on pipelines. These inspections assure that operator procedures and operations are consistent with federal regulations for safe functioning of natural gas systems.

Pipeline Safety Inspections	Fiscal Year 2015
Questar Gas Company Regions	7
Municipal Gas Distribution Operators	6
Intrastate Transmission Operators	5
Gathering Operators	3
Small Gas System Operators (Master Meters)	34
Construction	15
Incident	42






Utah Department of Commerce

DIVISION OF

REAL ESTATE

MISSION STATEMENT

 **The mission of the Division of Real Estate**

is to protect the public and promote responsible business practices through education, licensure, and regulation of real estate, mortgage, and appraisal professionals.

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2015 SUCCESS GOALS

In fiscal year 2015, the Division of Real Estate continued following the Governor’s challenge to increase efficiency. Division licensing staff improved the processing time of applications for real estate related industries.

	Baseline	FY 2014	FY 2015
Average Applications received per month	194.4	239.75	269.16
Percentage processed within five days.	74.9%	82.05%	89.98%

2015 OUTREACH

In fiscal year 2015, the Division sponsored its annual Instructor Development Workshop and Caravan. In addition, Division staff spoke at several industry sponsored events. The Division continues to meet the needs of industry and the public by speaking about important issues at events around the state. The table below lists the Division’s outreach efforts for the past fiscal year.

Date	Event
October 2014	Division had a booth at the Senior Expo.
October 2014	Division representative spoke at the Salt Lake Board of Realtors for a Broker Town Hall.
October 2014	Division-sponsored Instructor Development Workshop held in Park City. Speakers included the Division Director, Division enforcement and licensing supervisors, and Karel Murray.
November 2014	Division representatives spoke at the Utah Association of Mortgage Professionals Expo.
December 2014	Division representative spoke to a real estate brokerage in Centerville.
January 2015	Division representatives spoke to The Utah Apartment Association.
February 2015	Division representative spoke to a real estate brokerage in Park City.
March 2015	Division representatives spoke at the Spring Symposium of the Utah Chapter of the Appraisal Institute.
March 2015	Division representative spoke to a real estate brokerage in Midvale.
April – May 2015	Three-hour Division-sponsored continuing education seminars held in Park City, Vernal, Logan, Layton, Provo, Moab, Richfield, Cedar City, and St. George.
May 2015	Division representatives spoke to the Utah Chapter of the National Association of Residential Property Managers.
June 2015	Division representatives spoke to a real estate brokerage in Salt Lake City.



LICENSING

The Division renews real estate and appraisal licenses on a biennial basis (two years following initial application) and mortgage licenses annually from November 1 through December 31. Licensees are sent an email license renewal reminder notification 45 days, 30 days, and 14 days prior to license expiration and 2 days following expiration.

STATUTORY CHANGES

Representative Gage Froerer sponsored the Division’s 2015 bill. Changes were made to the Utah Residential Mortgage Practices and Licensing Act, Real Estate Licensing and Practices Act, and the Appraisal Management Company Registration and Regulation Act. Highlights include the following:

For Mortgage:

- Clarified that the Division approves examination providers and approves continuing education.
- Clarified that acting as a loan underwriter without being employed by a licensed entity requires a license.
- Clarified a referral fee to be consistent with the Real Estate Settlement Procedures Act (RESPA).
- Added an exemption for a Community Development Financial Institution.
- Added a provision that allows a principal lending manager to simultaneously oversee both a non-originating entity location and an originating branch office.
- Removed the licensing requirement to order or hold a title insurance policy.
- Clarified when an appraisal has to be provided to an applicant.

For Real Estate:

- Clarified that a salaried employee for a property management company or real estate brokerage is exempt from licensing if they perform support services as outlined by rule.
- Clarified licensing exemption for an owner of real estate.
- Clarified the independent contractor relationship of a sales agent or associate broker and their principal broker.
- Clarified that a principal broker may not pay a sales agent a commission unless they were affiliated with the broker at the time they earned the commission.
- Clarified that a sales agent or associate broker may not place a lien on real property for an unpaid commission and a principal broker may only place a lien if done according to Utah law.

For Appraisal Management:

- Clarified that if an appraisal management company’s surety bond lapses and they fail to renew it within 30 days, their registration will be immediately suspended until the surety bond is reinstated.
- Required appraisal management companies to retain for a period of five years, information related to appraisals they review.

PUBLIC OUTREACH

The Division created a Public Service Ad Campaign which included three television commercials which ran on local and cable stations as well as 42 billboards across the state. The messaging focus was aimed at helping the public avoid real estate fraud, understanding a residential appraisal, and using a licensed professional in all real estate transactions. The television ads and billboard campaign helped reinforce the Divisions’ role as “your real estate resource” to drive users to the website.



Division of Real Estate Education included:

Annual Spring Caravan to metropolitan and remote locations including: Logan, Layton, Provo, Park City, Vernal, Moab, Richfield, Cedar City, and St. George, occasional speaking engagements to licensees, and Newsletter addressing industry questions and concerns.

Annual Instructor Development Workshop which included a panel of Commissioners and Board Members and two days of intensive instructor training by an acclaimed national instructor.



EDUCATION

The Division conducts an annual Instructor Development Workshop to assist professional instructors of real estate, mortgage, and appraisal education. The annual workshop helps educators refine and improve their instructional skills. State licensees benefit from having knowledgeable, well trained educators that not only know their subject matter, but also have enhanced delivery skills to heighten the learning experience of prospective and established licensees.

The following tables give historical data as to the number of certifications issued by the Division, as well as the number of prelicensing examinations that have been administered:

Certification Issued

Fiscal Year	2012	2013	2014	2015
Educational Programs	36	36	32	31
Real Estate Pre-Licensing Instructors	40	38	35	32
Real Estate CE Courses	1,015	1,102	1,215	1,007
Real Estate CE Instructors	360	390	426	452
Mortgage Pre-Licensing Instructors	14	8	7	7
Mortgage CE Courses	0*	0*	6*	7
Mortgage CE Instructors	7	0	6	7
Appraisal CE Courses	491	455	479	425
Appraisal Instructors	49	41	34	63
Appraisal Pre-Licensing Instructors	28	18	53	23

*Under the licensing program that has been adopted across the country in order to comply with the federal S.A.F.E. Act, continuing education (CE) courses for mortgage professionals are now reviewed and approved at the national level by the Nationwide Mortgage Licensing System (NMLS). In fiscal year 2014, the Division implemented a state-specific CE course that is handled outside of the NMLS.

Pre-licensing Examinations Administered

Fiscal Year	2011	2012	2013	2014	2015
Real Estate Agent Exams	1,114	795	1,388	2,673	3,029
Real Estate Broker Exams	233	124	144	272	304
Mortgage PLM Exams	278	242	79	179	144
Appraiser Exams	186	44	27	46	57
Mortgage Loan Originator exams are now scheduled and administered through Nationwide Mortgage Licensing System.					

LICENSURE

The Division has well-trained and helpful licensing specialists that professionally assist the public and licensees in resolving questions about the licensing or renewal process, rules and regulations, or general industry practices for the real estate, mortgage, and appraisal professions. Communication by phone call, easily accessible website information, and live chat conversations are conducted by accommodating, service oriented experts.

Total Number of Licenses/Registrations

Fiscal Year	2010	2011	2012	2013	2014	2015
Real Estate	23,655	21,559	20,754	18,198	21,739	22,858
Mortgage	8,385	4,308	4,241	4,840	4,358	5,276
Appraiser	2,021	1,457	1,393	1,384	1,396	1,314
Appraisal Management Companies (AMCs)	88	133	143	147	140	148
Subdivision/Timeshare	352	400	393	566	657	643
Total	34,501	27,857	26,924	25,135	28,290	30,239

New Licenses/Registrations Issued

Fiscal Year	2010	2011	2012	2013	2014	2015
Real Estate	2,050	1,362	1,401	1,042	2,197	2,479
Mortgage	1,113	853	665	1,113	1,174	949
Appraiser	347*	196*	236*	145*	255*	252*
Appraisal Management Companies (AMCs)	88	50	26	21	16	12
Timeshare	115	71	115	276	211	220
Total	3,713	2,532	2,443	2,597	3,853	3,912
*Includes temporary permit and reciprocal licenses.						

Licenses/Registrations Renewed

Fiscal Year	2010	2011	2012	2013	2014	2015
Real Estate	9,049	8,388	8,475	8,229	8,998	8,060
Mortgage	1,283	3,704	4,137	4,045	5,752	4,603
Appraiser	511	626	597	651	694	691
Timeshare	88	36	63	194	72	125
Total	10,931	12,754	13,272	13,119	15,516	13,479

ENFORCEMENT

The Division’s enforcement staff receives complaints regarding licensees in the real estate, mortgage, and appraisal industries. Complaints range from advertising complaints, to allegations of fraud in the sale and purchase of homes, or unlicensed activity. Starting in fiscal year 2015, the Division enforcement staff started to work on the SUCCESS initiative. Division staff began finding ways to track progress and started to review processes in order to improve efficiency of state resources. This process will continue in fiscal year 2016.

The Division continues to pursue cases which result in administrative actions as well. The following tables provide data about the type and number of disciplinary sanctions obtained by the Division, either through stipulation or by disciplinary action in an administrative hearing. Through these actions, the Division ordered a total of \$153,666 in fines during fiscal year 2015.

Enforcement Statistics

Fiscal Year	2010	2011	2012	2013	2014	2015
Complaints Received						
Real Estate	539	645	436	389	423	288
Appraiser	146	129	129	78	59	56
Mortgage	319	493	154	139	108	59
Cases Opened						
Real Estate	127	254	491	199	221	186
Appraiser	93	101	123	60	55	44
Mortgage	93	170	212	83	84	46
Cases Closed						
Real Estate	170	172	412	194	141	142
Appraiser	93	124	122	62	76	43
Mortgage	98	128	275	61	59	30
Total Open Cases as of June 30, 2015						
Real Estate	69	142	208	225	272	296
Appraiser	91	68	55	67	32	45
Mortgage	44	85	18	43	79	89

Fiscal Year 2015 Sanctions

Sanctions	Appraisal	Mortgage	Real Estate	Total
Remedial Education	2	0	6	8
Fines	3	6	32	41
Probation	1	28	134	163
Suspension	0	10	9	19
Revocation/Surrender	0	1	1	2
Cease and Desist Orders	1	0	0	1
Criminal Referrals	0	0	2	2



Questions
specific to the
**Division of
Real Estate**
may be directed to:


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Director

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Utah Department of Commerce
DIVISION OF
SECURITIES

MISSION STATEMENT

 **The Division of Securities enhances Utah's business climate by protecting Utah's investors through education, enforcement and fair regulation of Utah's investment industry while fostering opportunities for capital formation.**

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LICENSING

The Division of Securities licenses and regulates those in the securities industry that sell securities, offer advice about securities, or manage the investments of others. These include: broker-dealers, securities agents, investment advisers, investment adviser representatives, issuer agents, and certified dealers and their agents.

The Division works closely with the U.S. Securities and Exchange Commission (SEC) and securities regulators from other states to streamline the licensing process and to ensure consistency.

Securities Licensing

Utilities	Fiscal Year	2009	2010	2011	2012	2013	2014	2015
Broker-Dealers		1,775	1,641	1,621	1,590	1,563	1,561	1,558
Broker-Dealer Agents		100,677	88,947	96,660	99,499	101,709	107,354	112,988
Investment Advisers (I.A.)		183	156	142	145	180	202	206
Federal Covered Advisers		985	926	906	925	905	946	986
I.A. Representatives		4,189	3,577	3,881	4,156	4,471	4,823	5,072
Certified Broker-Dealers		15	10	12	16	14	18	16
Certified Broker-Dealer Agents		63	73	74	82	91	99	91
Certified Investment Advisers		—	—	—	4	6	6	7
Certified Investment Adviser Representatives		—	—	—	25	33	31	40
Issuer Agents		102	85	87	84	87	85	91
Total		107,993	95,418	103,397	106,526	109,059	115,125	121,055

**CORPORATE FINANCE/
SECURITIES REGISTRATION**

Another key component of the Division's efforts to promote legitimate capital markets is to register securities offerings that are qualified to be sold in this state and review the adequacy of disclosures to potential investors by companies offering certain types of securities. In addition, Division employees meet with companies seeking to raise capital to explain the many options for raising capital and to discuss how to improve the quality of disclosure to potential investors. The chart below lists the number of registrations, exemption offerings, and other filings reviewed by the Corporate Finance Section of the Division.



Securities Filings

Utilities	Fiscal Year	2009	2010	2011	2012	2013	2014	2015
Coordination		102	92	106	120	104	108	97
Qualification		—	1	—	1	—	—	1
Exemptions		27	31	53	48	41	40	42
Opinion/No Action Letter		4	1	2	2	—	2	2
Mutual Funds		5,541	5,330	5,589	5,749	5,865	5,960	6,221
Rule 506		712	588	690	651	651	794	981
Total		6,386	6,043	6,440	6,571	6,661	6,904	7,344

COMPLIANCE AND ENFORCEMENT

The Compliance Section of the Division of Securities conducts routine and “for cause” examinations pertaining to the operations of licensed broker-dealers, investment advisers, and their agents. If misconduct is found, the Division will work with the licensed individual or firm to bring them into compliance with the applicable laws or initiate disciplinary proceedings against the licensee depending upon the nature of the violation or misconduct.

The Division of Securities actively seeks to identify those investment offerings that are fraudulent or otherwise fail to comply with the law’s requirements. Enforcement is a key component in promoting legitimate capital markets by preventing the loss of investor monies to fraudulent schemes and promoting investor confidence in the integrity of the markets.

Fiscal Year	2009	2010	2011	2012	2013	2014	2015
Activity							
New Investigations/Audits	—	—	—	—	—	—	—
Complaints Received	283	191	202	226	164	110	109
Audit Files Opened	41	34	45	62	82	85	86
Investigation Files Opened	66	40	83	58	44	39	51
Administrative Cases							
New Cases Filed	78	65	94	87	81	47	76
Stipulations & Consent Orders	—	34	34	35	31	37	41
Adjudicated Orders	—	4	8	—	19	10	12
Default Orders	—	—	—	—	—	23	33
Criminal Cases							
Criminal Charges Filed	31	16	34	18	10	12	19
Convictions	19	18	13	5	2	7	2
Pleas in Abeyance	2	6	7	3	3	1	—
Fines & Restitution							
Fines Assessed	\$1,736,378	\$5,363,698	\$1,822,484	\$5,239,452	\$5,239,452	\$2,582,376	\$5,645,788
Fines Paid	\$56,460	\$2,676,796	\$1,176,116	\$550,223	\$217,983	\$164,660	\$228,759
Restitution Ordered	\$31,906,009	\$21,68,786	\$5,256,191	\$2,435,430	\$15,915,435	\$368,786	\$567,583

**Disclaimer: In 2010, the Utah Division of Securities adopted a new database “progress” to track enforcement, licensing and statistics.*

PUBLIC OUTREACH

Investor Education

Fiscal Year	2011	2012	2013	2014	2015
Investor Education Presentations	44	55	74	98	80
Total Number of People Attending Investor Education Presentations	8,290	11,920	9,889	14,453	13,293

The Stock Market Game


During FY 2015 the Division of Securities took over the administration and management of the Stock Market Game in Utah, reaching new records for teacher and student involvement in the game. Several thousand Utah students are now participating in the Stock Market Game each year. Students invest a mock portfolio of \$100,000 over ten week and learn valuable lessons on how the economy and capital markets function in our country.



The Stock Market Game (SMG) is a ten-week simulation of Wall Street trading that provides a framework for teaching Utah students about the American economic system. The SMG is designed for classroom use to help students understand the stock market, the costs and benefits involved in economic decision making, the sources and uses of capital, and other related economic concepts. The SMG is currently being used as a teaching exercise of economics within many subject areas. It is intended to be a catalyst for further study of and interest in the American free enterprise system in various subject areas through the accompanying curriculum materials.

For ten weeks, during the fall and spring school semesters, students invest a hypothetical \$100,000 in common stocks on the New York and American Stock Exchanges and on the NASDAQ market. In a typical classroom setting, students form teams of 3 to 5 players and work interactively to research stock selections. During the ten weeks, teams submit their transactions and receive daily portfolios highlighting their current holdings, brokerage fees, margin interest, and team ranking. At the end of the ten week simulation, the top 3 winning teams in each region are recognized with plaques, prizes and award ceremonies. The winning teams are those that have increased the market value of their portfolio by the greatest amount.

The Stock Market Game™ has been played in Utah for 25 years. During spring semester of 2015 we had 1,000 teams play the game, a goal that the administrators have been trying to reach for the past few years. There were 78 teachers, 42 schools, and 3,243 students that participated in the game. This year’s awards luncheon was held at the Joseph Smith Memorial Building, Wasatch Room on May 15, 2015. Utah Governor Gary R. Herbert and First Lady Jeannette Herbert were guest of honor and commended the students for their hard work in reaching the top three awards for each age group category.



Questions
specific to the
Division of Securities
may be directed to:

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Director

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MONTHLY WEB TRENDS

Fiscal Year 2014 to Fiscal Year 2015

Fiscal Year 2014	Jul '13	Aug '13	Sep '13	Oct '13	Nov '13	Dec '13	Jan '14	Feb '14	Mar '14	Apr '14	May '14	Jun '14
Commerce Main Site	37,143	36,366	25,326	17,685	17,647	16,921	19,726	18,178	21,126	22,645	17,951	17,909
Consumer Services	2,169	1,908	1,981	2,010	1,983	2,198	1,928	2,132	2,195	1,868	2,010	1,820
Consumer Protection	13,843	13,650	13,555	13,573	10,214	10,091	13,302	10,928	14,848	12,666	14,979	13,917
Corporations	65,642	65,129	67,005	73,539	66,403	66,541	90,393	83,456	89,596	87,757	82,367	81,479
Occupational & Professional Licensing	112,451	109,442	116,100	101,574	86,562	89,193	115,560	75,321	79,848	77,606	96,909	97,187
Property Rights	2,177	2,066	2,628	2,346	2,367	2,169	2,238	2,630	2,939	3,567	2,956	1,408
Public Utilities	7,146	6,299	4,672	6,361	5,821	5,979	6,586	6,091	6,973	7,141	6,960	7,534
Real Estate	29,403	24,874	28,432	28,727	23,949	26,801	31,764	25,474	33,587	33,709	29,754	29,198
Securities	9,429	9,498	8,359	7,482	7,444	7,606	7,585	7,263	8,241	8,297	8,288	8,724
Total	279,403	269,232	268,058	253,297	222,390	227,499	289,082	231,473	259,353	255,256	262,174	259,176
Fiscal Year 2015	Jul '13	Aug '13	Sep '13	Oct '13	Nov '13	Dec '13	Jan '14	Feb '14	Mar '14	Apr '14	May '14	Jun '14
Commerce Main Site	18,027	17,245	19,180	18,417	14,772	15,865	16,514	15,888	18,443	18,679	16,109	15,080
Consumer Services	1,064	1,117	1,302	1,433	1,140	1,107	1,085	901	1,205	1,045	1,112	992
Consumer Protection	8,791	8,293	9,187	9,460	8,153	9,323	9,595	8,540	10,002	10,707	9,972	10,204
Corporations	74,473	73,589	76,940	67,440	48,266	53,720	60,112	55,855	62,711	57,760	51,074	51,693
Occupational & Professional Licensing	69,540	72,867	81,200	81,786	73,600	82,457	89,343	73,700	81,631	71,938	76,767	75,381
Property Rights	1,239	996	1,308	1,416	1,326	1,154	1,213	1,484	1,706	1,936	1,737	1,732
Public Utilities	6,939	6,607	6,781	7,042	6,836	6,894	6,915	6,259	7,417	6,666	6,701	7,246
Real Estate	35,286	28,812	33,513	29,379	18,849	18,616	26,791	22,236	26,050	26,352	20,085	20,478
Securities	8,577	8,811	8,952	9,466	9,045	9,648	9,889	8,613	9,759	9,647	9,489	9,820
Total	223,936	218,337	238,363	225,839	181,987	198,784	221,457	193,476	218,924	204,730	193,046	192,626

QUARTERLY WEB TRENDS ACROSS DIVISIONS

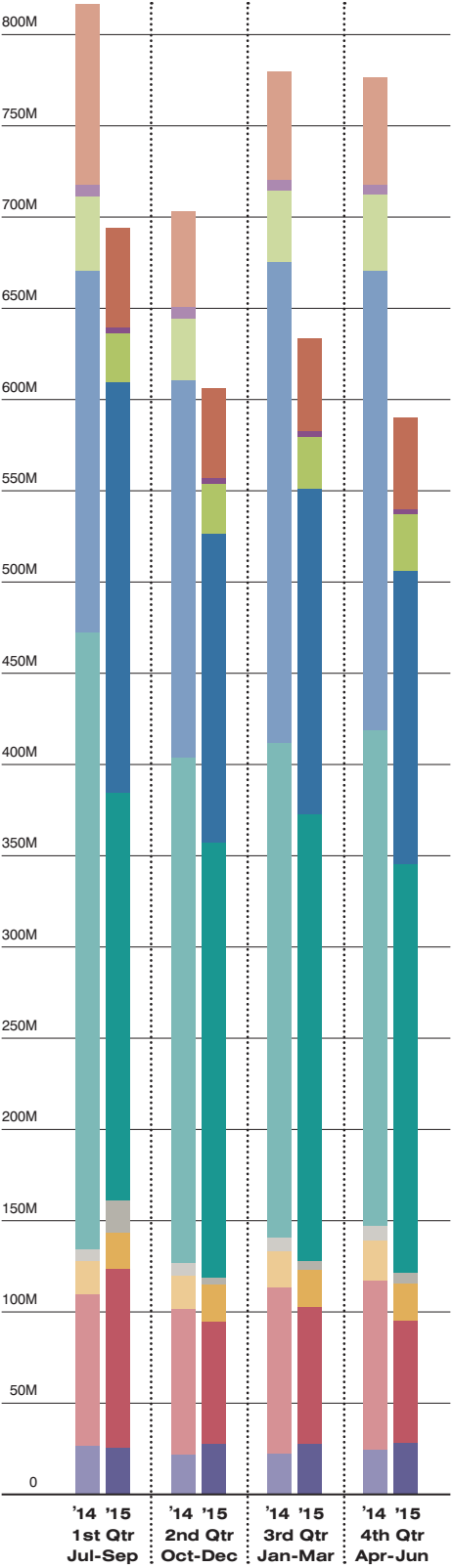
Fiscal Year 2014 to Fiscal Year 2015

	1st Quarter		2nd Quarter		3rd Quarter		4th Quarter	
	Jul-Sep 2013	Jul-Sep 2014	Oct-Dec 2013	Oct-Dec 2014	Jan-Mar 2014	Jan-Mar 2015	Apr-Jun 2014	Apr-Jun 2015
Commerce Main Site	98,835	54,452	52,253	49,054	59,030	50,845	58,505	49,868
Consumer Services (CCS)	6,058	3,483	6,191	3,680	6,255	3,191	5,698	3,149
Consumer Protection (DCP)	41,048	26,271	33,878	26,936	39,078	28,137	41,562	30,883
Corporations (CORP)	197,776	225,002	206,483	169,426	263,445	178,678	251,603	160,527
Occupational & Professional Licensing (DOPL)	337,993	223,607	277,329	237,843	270,729	244,674	271,702	224,086
Property Rights	6,871	17,247	6,882	3,896	7,807	4,403	7,931	5,405
Public Utilities (DPU)	18,117	20,327	18,161	20,772	19,650	20,591	21,635	20,613
Real Estate (DRE)	82,709	97,611	79,477	66,844	90,825	75,077	92,661	66,915
Securities (DS)	27,286	26,340	22,532	28,159	23,089	28,261	25,309	28,956
Total	816,693	694,340	703,186	606,610	779,908	633,857	776,606	590,402

QUARTERLY WEB TRENDS – ACROSS DIVISIONS

Fiscal Year 2014 to Fiscal Year 2015

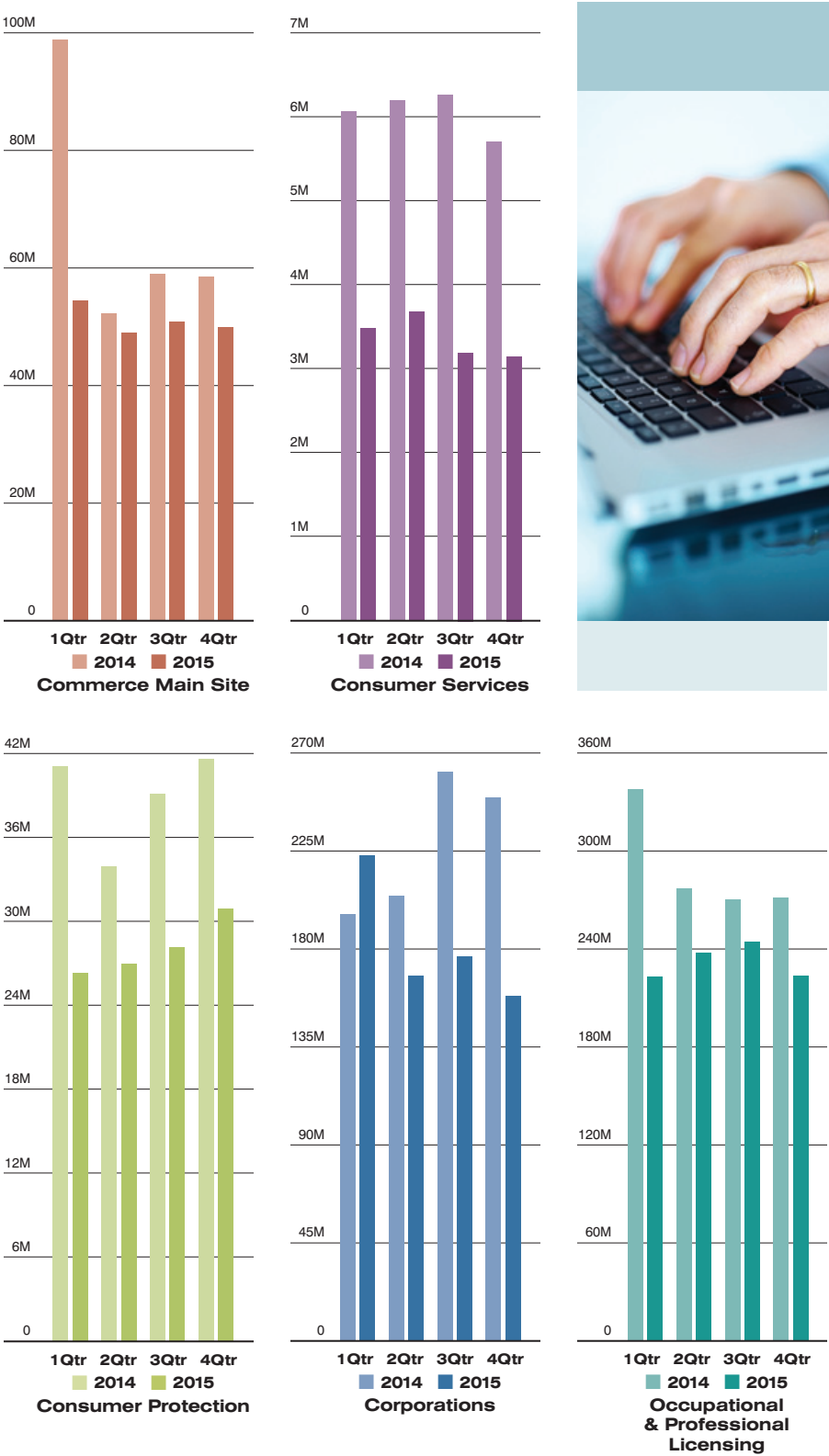
(visits in thousands)



QUARTERLY WEB TRENDS – INDIVIDUAL DIVISIONS

Fiscal Year 2014 to Fiscal Year 2015

(visits in thousands)

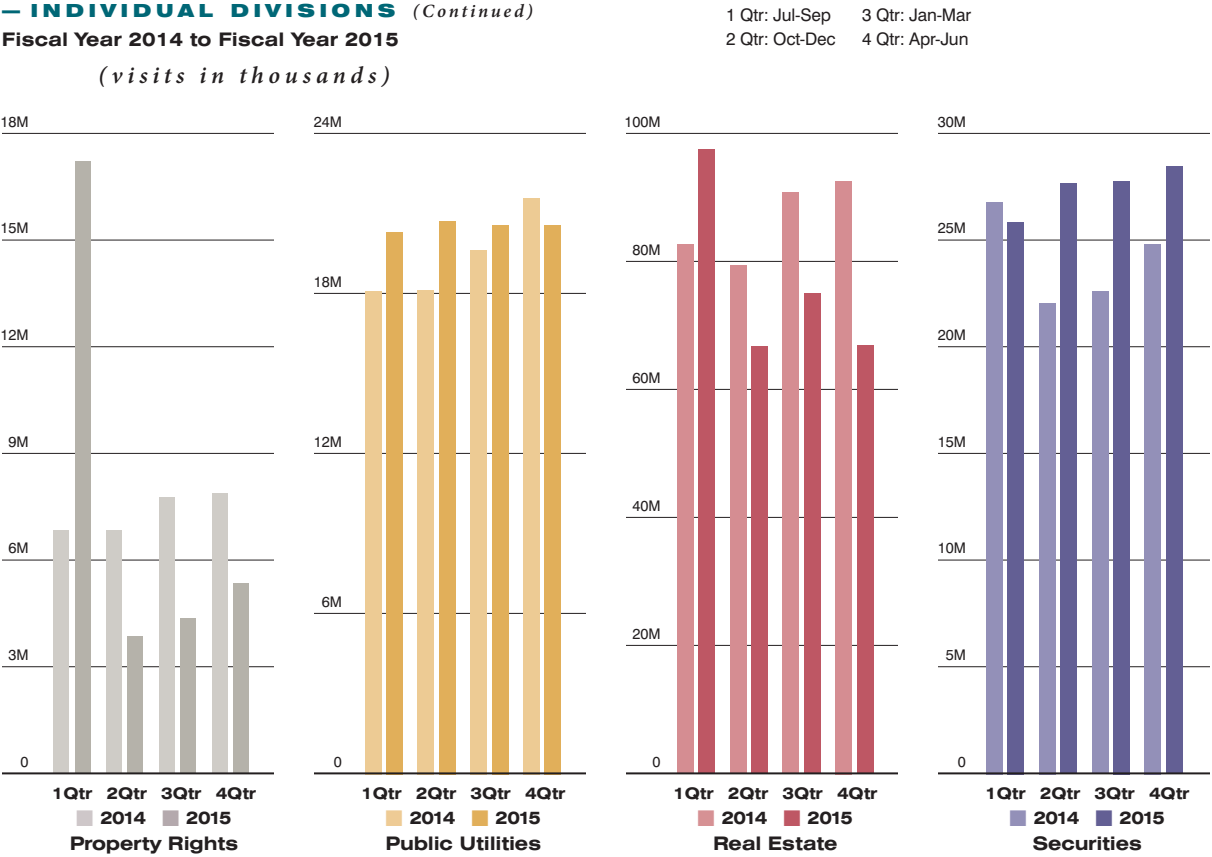


1 Qtr: Jul-Sep 3 Qtr: Jan-Mar
2 Qtr: Oct-Dec 4 Qtr: Apr-Jun



Continued on page 48.

QUARTERLY WEB TRENDS
— INDIVIDUAL DIVISIONS (Continued)
Fiscal Year 2014 to Fiscal Year 2015
(visits in thousands)



COMMERCE FISCAL YEAR 2015
EXPENDITURES BY DIVISION

Division Name	Expenditures
Commerce Administration.....	\$3,943,000
Property Rights Ombudsman.....	\$ 498,000
Occupational & Professional Licensing.....	\$7,618,000
Securities.....	\$1,957,000
Consumer Protection.....	\$1,606,000
Corporations & Commercial Code.....	\$2,173,000
Real Estate	\$1,746,000
Public Utilities.....	\$3,651,000
Consumer Services.....	\$ 846,000
Building Operations & Maintenance.....	\$ 288,000





UTAH DEPARTMENT OF COMMERCE

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