

FY 2023  
**FY 2023**

# ANNUAL REPORT

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Strengthening **trust** in Utah's  
**commercial activities**  
through regulation,  
**enforcement and education.**

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[WWW.COMMERCE.UTAH.GOV](http://WWW.COMMERCE.UTAH.GOV)



UTAH DEPARTMENT  
OF COMMERCE

STATE OF UTAH



## OUR MISSION

*Strengthening TRUST in Utah's commercial activities through regulation, enforcement, and education.*

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## OUR VISION

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Utah's commercial activities operate efficiently and fairly.

## OUR CORE VALUES

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- Trust
- Unity

## — ABOUT THIS REPORT —

The state fiscal year runs from July 1 to June 30. The information and data in this report reflects data and accomplishments completed during the state's 2023 fiscal year, which spanned from July 1, 2022 to June 30, 2023.



Margaret Busse, **Executive Director**

## EXECUTIVE Director Message

Dear Valued Stakeholders,

It is with great pleasure that I share with you the highlights of our achievements in Fiscal Year 2023. This year, the Utah Department of Commerce has witnessed some significant firsts, including the launch of our new Office of Professional Licensure Review (OPLR) and the issuance of

our first license to an internationally trained professional by the Division of Professional Licensing (DOPL).

We also introduced Utah to the Knights of Scamalog, a team committed to helping consumers defend themselves against fraudulent activities. We are proud to report that our award-winning advertising campaign reached 96% of the state, with 3.8 million complete views.

Our divisions and offices have also achieved significant milestones this year. The Division of Consumer Protection received \$6.1 million in fines from Google for consumer education following a multistate investigation into the tech giant's alleged misrepresentation of location data collection practices. The Division of Corporations and Commercial Code has laid the groundwork for a new business registration system to offer faster and more convenient services to its constituents.

We also expanded pathways for internationally trained professionals who meet the qualifications to obtain a professional license in the state and completed our first periodic review of licensing regulations. Furthermore, the Office of Property Rights Ombudsman appointed the state's first Land Use Training Director, expanding the office's capacity to train local agencies in land use law.

Our Real Estate and Securities divisions conducted thorough market research to gauge public awareness of their services. Furthermore, the Securities Division carried out a sweep examination of its registered investment advisers to educate them about their obligations and responsibilities.

Lastly, the Division of Public Utilities successfully advocated for the use of \$12 million of untapped agency funds to help low-income citizens pay for electricity and natural gas.

We are incredibly proud of our accomplishments this year, and we remain committed to serving our communities and constituents with the utmost dedication and professionalism.

Sincerely,

Margaret Busse,  
Executive Director

A handwritten signature in black ink that reads "Margaret Busse". The signature is fluid and cursive, written in a professional style.

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# Utah Department of Commerce Administration



Margaret Busse, Executive Director



## About Administration

The Administration Division (Administration) of the Department of Commerce (Commerce) provides executive leadership, accounting, and mass communication support to the department's six divisions and three offices. It also manages the department's information systems and collaborates with its administrative law judges.

## NOTABLE ACHIEVEMENTS

### New Licensing Pathways for Internationally Trained Professionals

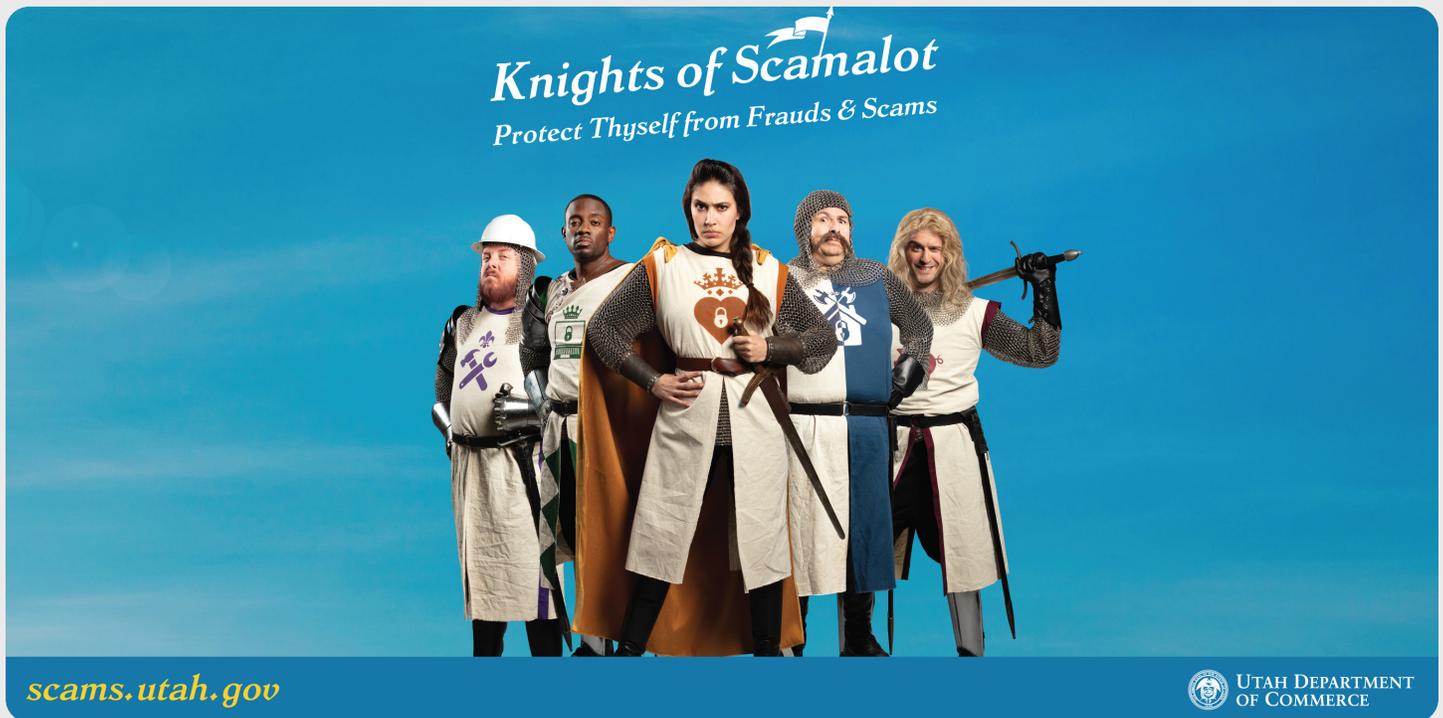
In Fiscal Year 2023, Commerce became a pioneer in issuing professional licenses to individuals trained in other countries. To achieve this groundbreaking feat, Commerce, in conjunction with the Division of Professional Licensing (DOPL), assembled a team tasked with researching and implementing new pathways for qualified applicants with international credentials. Over the past year, this team identified the top professions of interest for internationally trained professionals, conducted extensive community outreach, and proposed innovative solutions to remove the most significant barriers for internationally trained professionals, both globally within DOPL's umbrella act and throughout specific practice acts.

### Google Settlement

Utah, along with 40 other states, attained a significant settlement against the technology giant Google. The settlement was made due to the company misrepresenting how it tracked and used consumers' location information. Our Division of Consumer Protection played a vital role in this lawsuit, and as a result, Utah received more than \$6 million from the settlement. These funds were utilized for consumer education efforts, such as our Knights of Scamalog campaign.



# Knights of Scamalot



One of Commerce's big ongoing initiatives is to create a culture of informed consumers and trustworthy businesses. However, Administration recognized that regulation alone cannot achieve this; we need a population of educated, savvy Utahns who can protect themselves from fraud. Through various outreach channels, including social media, in-person events, news articles, TV spots, and educational materials, Commerce has greatly increased public awareness of fraud prevention. Our recent campaign, Knights of Scamalot, has been very successful in raising awareness and receiving positive feedback. This initiative used witty messaging and pop culture references and has been recognized by the Public Relations Society of America Utah Chapter for Best Public Service/Advocacy Campaign.

Knights of Scamalot Campaign Performance	Impressions	Clicks	Complete Views
May 22, 2023 – July 31, 2023	105,741,949	69,046	3,801,561

*\*Flight 1 of Knights of Scamalot extended beyond the 2023 fiscal year.*

## Utah Social Media Act Rule

The Utah Social Media Act, a culmination of two bills passed during the 2023 legislative session, holds social media companies accountable for harm done to Utah's youth and put in place certain protections for minors. Commerce's Division of Consumer Protection (DCP) is legislatively charged to administer and enforce specific laws within this act. DCP spent significant time and effort in creating the rule for the act and is currently accepting feedback on the proposed regulations. Commerce also launched the Harms of Social Media in collaboration with the Governor's Office of Families and the Department of Health and Human Services, a campaign designed to educate Utah residents on the importance of safeguarding young people online (socialharms.utah.gov).

## Commerce Knowledge Base



The Department of Commerce's vision is to "Strengthen Trust" in its various functions. This includes strengthening trust internally by creating an informed and knowledgeable workforce. In Fiscal Year 2023, Administration launched the Department Knowledge Base, a central repository of information generated by and for Commerce employees across divisions. This webpage contains up-to-date information on departmental policies, training guides for new and current employees, branding guidelines, current reports and more.

### STATISTICS

#### 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 may be upheld, reversed, modified, or remanded to the Division for further consideration.



DIVISION	Total	DCP	CORP	DOPL	DRE	SEC
Filed	19	5	0	13	1	0
Closed	13	3	0	9	1	0
Affirmed	2	1	0	1	0	0
Remanded	6	0	0	5	1	0
Dismissed	5	2	0	3	0	0
Reversed	0	0	0	0	0	0
Modified	0	0	0	0	0	0

# Division of Consumer Protection



Katie Hass, Division Director



## About the Division

The Division of Consumer Protection (DCP) is committed to protecting the interests of consumers by providing education, registration, and enforcement services.

Its aim is to empower consumers to make informed decisions and businesses to comply with regulations. DCP's comprehensive approach involves registering charities and

businesses, investigating alleged violations, and taking prompt administrative action when necessary. The organization takes pride in its mission to promote fair and ethical practices and is dedicated to serving the community with integrity.

## 🌟 NOTABLE ACHIEVEMENTS

### Benefits Recovered for Consumers

Not including multistate cases, the Division recovered over \$13 million in consumer benefits during FY2023.

### Multistate Cases

#### 1. Zurixx

In a joint effort with the Federal Trade Commission, the Division of Consumer Protection has secured a permanent injunction and \$12 million monetary judgment against Zurixx, LLC and its operators in relation to misrepresentations made during real estate investing seminars. This landmark case has paved the way for another successful joint effort with the DCP and FTC against Nudge (aka Response Marketing Group) in yet another real estate seminar case. The final settlement in May 2023 was a historic obtained a permanent injunction and \$12 million monetary judgment against Zurixx, \$16.7 million monetary judgment and a bar on future violations of consumer protection laws by the defendants.

#### 2. Google

DCP carried out a thorough investigation into Google's alleged misrepresentation of the types and amount of location data it collected, how it was used, shared, and whether and how consumers could opt-out. As a result of DCP's efforts, Google agreed to pay \$6.1 million in penalties and make it easier for consumers to understand the details of the location data being gathered, its purpose, and provide an easier way for them to opt-out.

### 3. JUUL

Utah joined a multistate investigation and settlement related to Juul's marketing efforts, especially as it related to minors. The state will receive at least \$8.6 million from the settlement for tobacco and nicotine education, deterrence, and cessation efforts.

### 4. Teva and Allergan

The State of Utah reached an agreement with Teva and Allergan that resolves allegations that the companies marketed their opioid products to prescribers and the public in a manner that misrepresented the risks and benefits of their products. The settlement will recover \$65 million for the state to be used exclusively for efforts to address the opioid epidemic.

### 5. CarMax

The nationwide used vehicle retailer represented to consumers that vehicles were safe and reliable when, in fact, the vehicles were subject to recalls related to safety and performance. CarMax failed to track and implement often highly publicized recalls and made representations to consumers that they had. DCP received \$20,000 from the settlement, and the company agreed to conspicuously make known to consumers if vehicles were subject to recalls but had not been repaired, both in writing during sales transactions and in all online and other marketing.

## Education



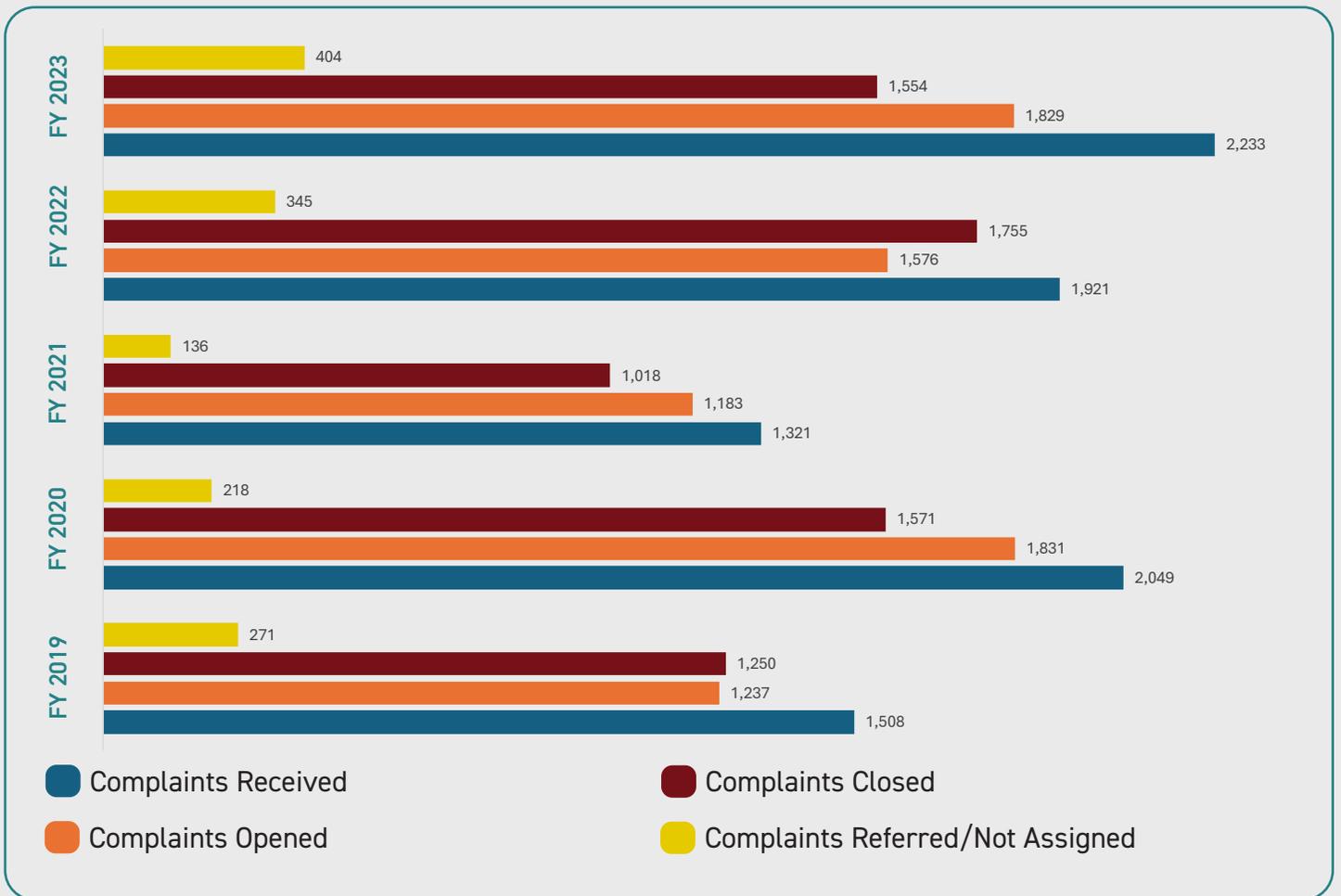
- DCP worked with the Utah Department of Commerce to build brand awareness in the state, contributing to the “Knights of Scamalog” campaign, which educates consumers about scams and frauds.
- DCP participated in 16 outreach events throughout Utah, including the Senior Expo, \$tart \$mart Teacher Summit, and Declutter Day at the University of Utah.
- DCP effectively promoted Declutter Day through Salt Lake City media outlets, shredding over 21,000 lbs. of paper and disposing of over 39,000 lbs. of e-waste for 1,000+ Utahns.

# Top Ten Consumer Complaints for Fiscal Year 2023

- 01 Home Repair/Remodel
- 02 Home: Furnishings
- 03 Solar
- 04 Telephone: Unauthorized Charges/Debits
- 05 Scam: Government Imposter
- 06 Investments/Securities
- 07 Travel/Vacations
- 08 Repairs/Services other than Auto/Home
- 09 Home: Appliances/Supplies/Other Services
- 10 Auto Purchases



## STATISTICS

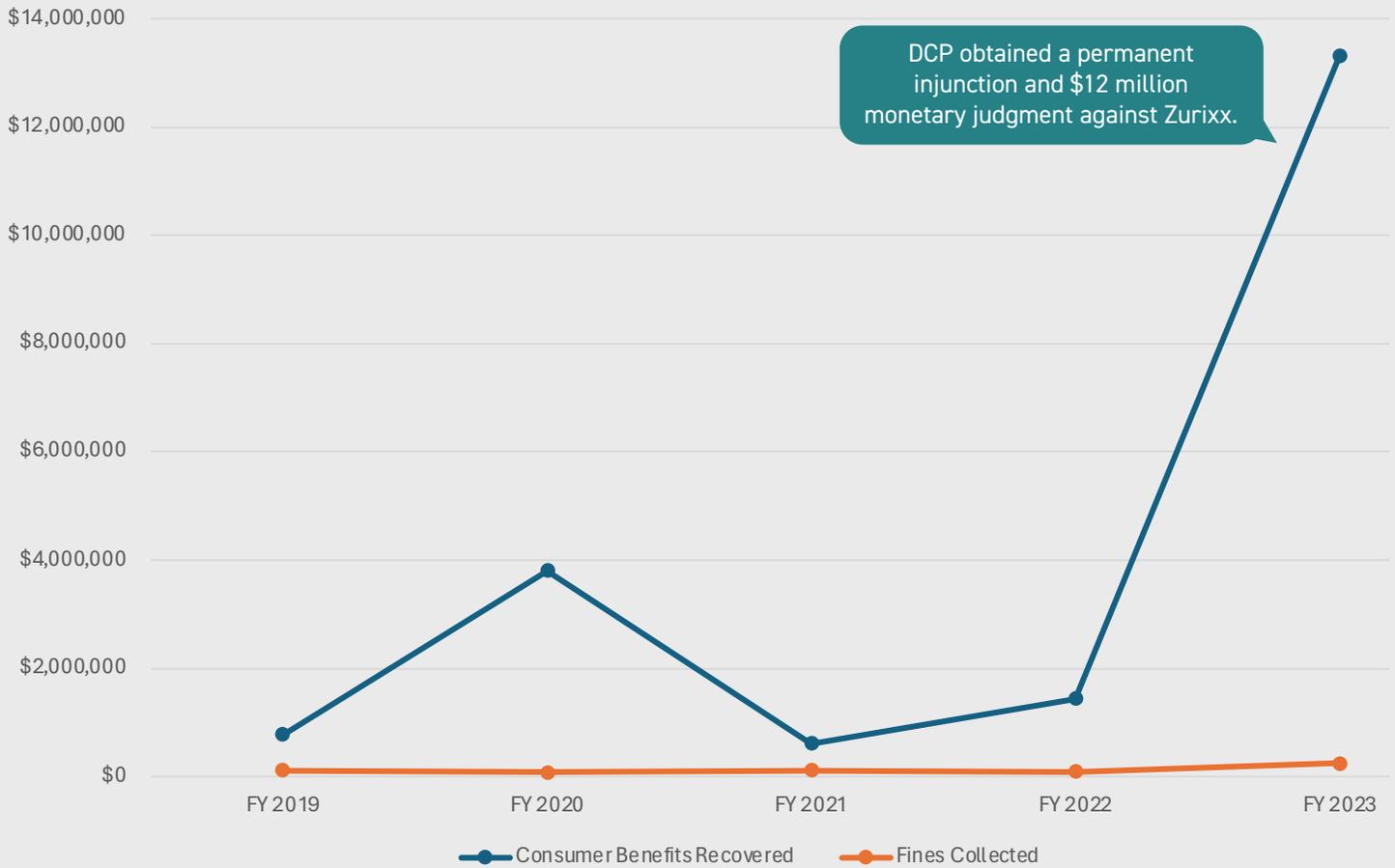


## Registrations and other filings processed by fiscal year

	FY 2021	FY 2022	FY 2023
Business Opportunities	6	9	7
Business Opportunity Franchise Exemptions	1,527	1,763	1,861
Charitable Organizations	6,723	6,999	7,386
Charitable Organizations Exemptions	50	54	34
Credit Service Organizations	29	34	20
Debt Management Service Providers	34	39	33
Health Spas	202	289	205
Immigration Consultants	58	61	72
Residential Vocational and Life Skills Program	2	2	3
Maintenance Funding Providers	20	18	18
Pawn Shop Registration	117	137	105
Catalytic Converter Purchasers	-	1	17
Secondhand Merchandise Dealers	189	236	190
Postsecondary Proprietary Schools	80	78*	81
Postsecondary Proprietary Schools Exemptions	41	42	40
Professional Fund Raisers	99	124	88
Professional Fund Raising Counsel or Consultant	148	215	288
State Authorization - Postsecondary Accredited Schools	37	31	32
State Authorization - Postsecondary Private Nonprofit Schools	2	3	2
State Authorization - Postsecondary Public Nonprofit Schools	0	2	3
Telemarketers	69	72	69
Transportation Network Companies	3	3	3

\*The Division modified its methodology for this report, so numbers may vary from prior reports.

## Consumer Benefits Recovered & Fines Collected (Excluding Multistate Cases)



Strengthening trust in Utah's **commercial activities** by protecting consumers through **education and impartial enforcement.**



Devils Garden Trail Arches National Park

# Division of Corporations and Commercial Code



Leigh Veillette, Division Director



## About the Division

The Division of Corporations and Commercial Code (DCCC) is responsible for business filings in Utah and all Uniform Commercial Code and Central Filing System filings. In addition, DCCC registers all state trademarks and maintains the Governmental Immunity Act Database.

## NOTABLE ACHIEVEMENTS

### Legislative Session



The Division collaborated with the Utah Legislature to reduce fees and ease financial barriers for businesses complying with registration requirements.

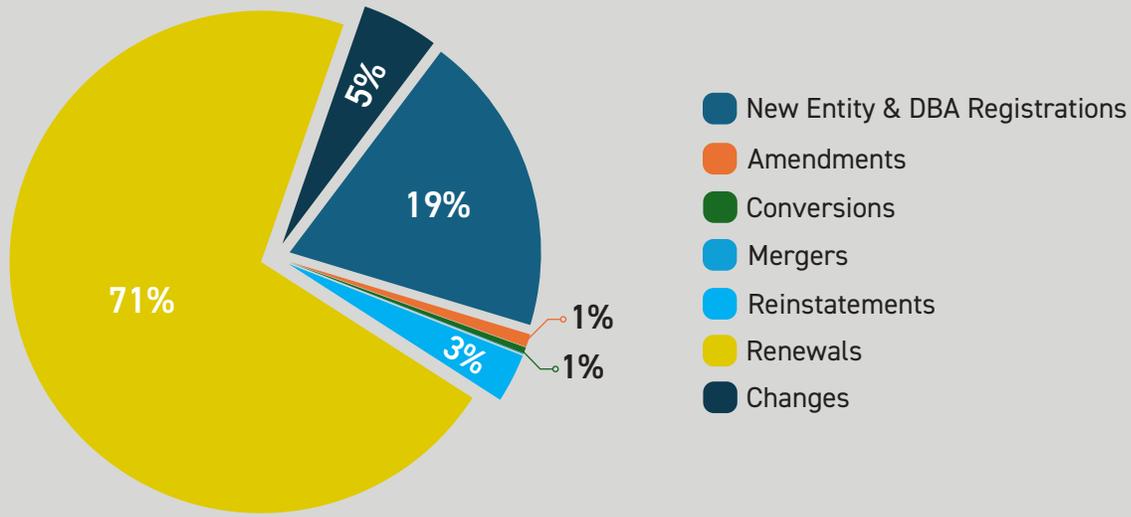
### New Business Registration System

The DCCC has partnered with Civix to develop a new business registration system. This project has been ongoing for the past fiscal year and is expected to be completed by mid-2024. The new system will be a significant upgrade from the current one, offering constituents a convenient platform to swiftly register, renew, and update their registration information whenever necessary, even on weekends and holidays.

# STATISTICS

Total Transactions

Fiscal Year 2024 (July 1, 2022-June 30, 2023)



## Certificates of Existence

493

Physical Documents

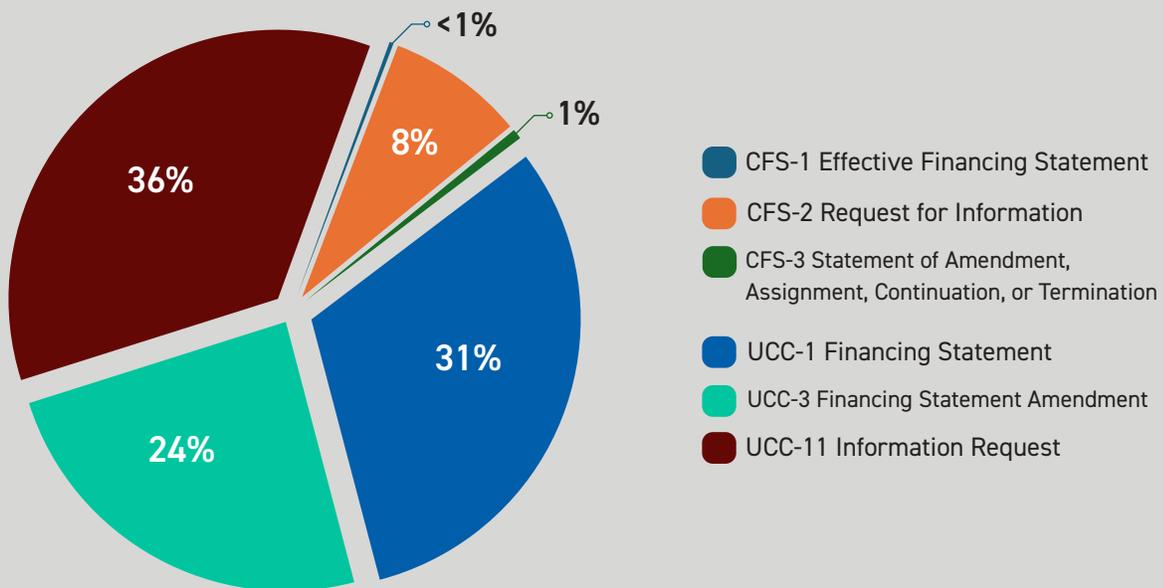
29,409

Online

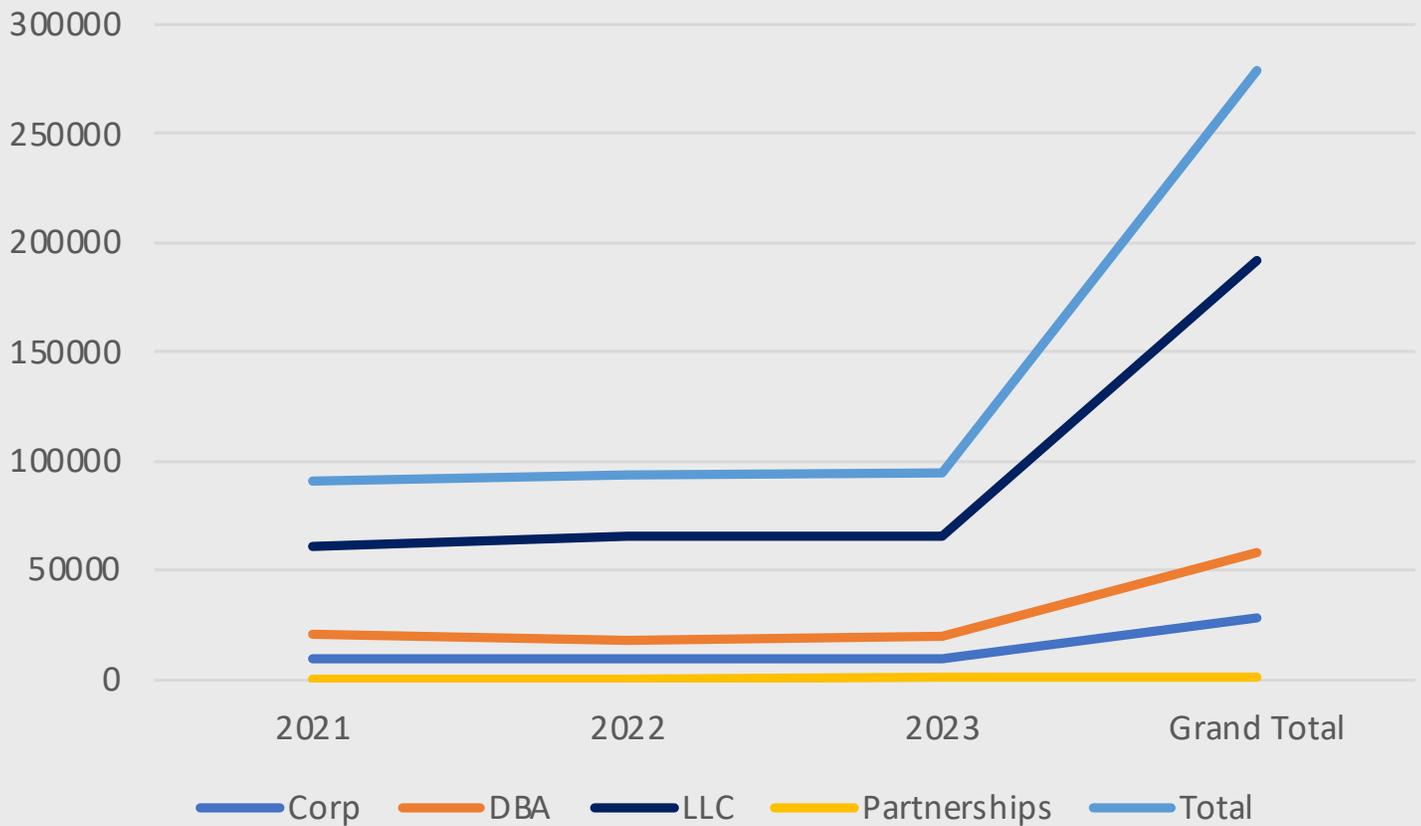
29,902

Total

## UCC & CFS Filings



## New Filings



Dead Horse Point  
State Park

Strengthening **trust** in Utah's marketplace by **facilitating corporate and commercial code** filings and providing **reliable information** to the public.

# Office of Consumer Services



Michele Beck, Division Director



## About the Division

The Office of Consumer Services (OCS) represents Utah's residential, small commercial, and agricultural utility consumers of natural gas, electric, and telephone services before the Utah Public Service Commission.

## 🏆 NOTABLE ACHIEVEMENTS

### Grid Modernization Collaborative



The Grid Modernization Collaborative is a result of OCS's efforts during Rocky Mountain Power's last general rate case. The collaborative brought together various stakeholders to discuss the utility's plan for modernizing the grid and shared technical information on capabilities enabled by these investments. OCS is hopeful that such collaborations will lead to better maximization of benefits for Utah's residential and small commercial customers associated with grid updates and investments in the near future.

## Leadership among Western Consumer Advocates



OCS plays a crucial role in bringing together consumer advocates from the Western states and identifying shared interests. Through these efforts, better information exchange is facilitated, and the limited resources of individual states are leveraged to provide a stronger consumer voice in regional forums such as energy market development, electric transmission planning, and electric resource adequacy. Additionally, OCS staff members hold key positions in organizations like the Western Resource Adequacy Program, WECC (Western Electric Coordinating Council), and the Western Energy Imbalance Market, ensuring that the interests of residential and small commercial customers in Utah and the West are well represented.

## Utility Resource Planning

OCS plays an active role in the Integrated Resource Planning processes conducted by PacifiCorp (parent company of Rocky Mountain Power) and Dominion Energy Utah. OCS's participation is crucial in representing the interests of Utah customers, especially in today's regulatory and market landscape. As the electric industry undergoes a transition in generation resources, customer preferences, and regulatory requirements, OCS ensures that the processes are scrutinized to maintain safe and reliable utility service for Utah customers while keeping costs at a minimum.

Strengthening **trust** in Utah's **public utility services** by advocating for residential and **small business customers** to promote fairness and **advance the public interest.**

# Division of Professional Licensing



Mark Steinagel, Division Director



## About the Division

The Division of Professional Licensing (DOPL) is responsible for enforcing laws related to the regulation and licensing of certain professions. DOPL's primary goal is to protect the public and promote commerce. DOPL issues licenses in around 60 different categories and investigates any unlawful or unprofessional practices within its regulated professions.

## 🌟 NOTABLE ACHIEVEMENTS

### Licensing Pathways for Internationally Trained Professionals

DOPL has made impressive strides in reducing barriers for internationally trained professionals who seek employment in Utah. Through extensive research and the launch of multiple licensing pathways for eligible candidates with international credentials, Utah has become a pioneer in this area. This has resulted in an overwhelming response of over 3,300 inquiries from professionals worldwide eager to learn more about these new opportunities. Notably, over 650 of these inquiries are from internationally trained professionals currently residing in Utah. The state eagerly looks forward to welcoming these talented individuals into the workforce and seeing them excel in their respective careers.



## Construction Business Registry

In Fiscal Year 2023, the Controlled Substance Database (CSD) established a record number of Electronic Health Record (EHR) connections, surpassing all previous years. These connections allow doctors, pharmacists, and other approved users across the country to search for records without visiting the [csd.utah.gov](https://csd.utah.gov) website directly. CSD records arm prescribers with vital information regarding a patient's prescription history in order to prevent drug over-utilization, misuse, and over-prescribing of controlled substances.

## Social Media Outreach

The Division of Professional Licensing established a social media presence, offering valuable information to licensees and consumers. The DOPL Facebook and Instagram profiles provide an additional means to connect with various audiences. Through these platforms, DOPL can share crucial information with its followers, including license renewal reminders, helpful resources, and consumer alerts.



## Board Diversity



DOPL has recently implemented measures to improve diversity within its boards, commissions, and committees, in line with Governor Cox's strategic plan. These efforts involved revising the letter that is sent to associations requesting board nominations, with a focus on encouraging the associations to consider nominating candidates who would represent underrepresented populations that are currently not reflected in the board/committee's makeup.

## Electronic Health Record Integration



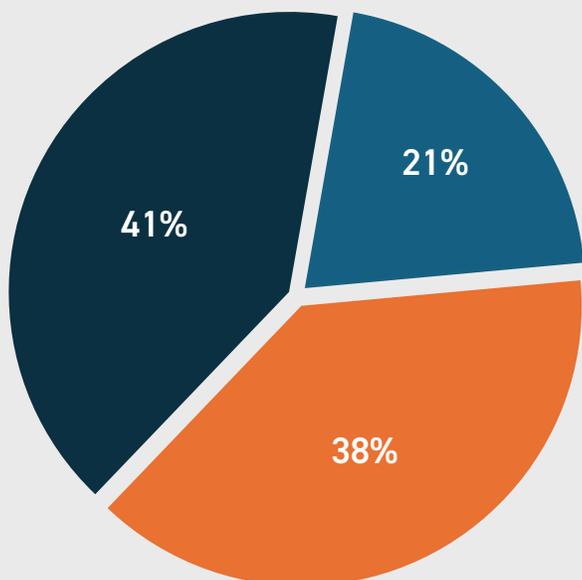
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## Licensing

DOPL is responsible for administering licensing laws for the professions chosen by the Legislature for regulation. The primary function of DOPL is to assess the qualifications of individuals seeking professional licensure. DOPL issues licenses across approximately 60 categories of licensure, with many further subcategories. For example, the nursing category has several license types, including APRN, RN, and more.



## License Application & Renewal Statistics



**295,673**  
2023 Total Licenses

**98.9%**   
2023 Percentage of Online Renewals

- 2023 New Applications Submitted
- 2023 Renewals
- 2023 Active Licensees due to Renew next fiscal year

## Investigations

DOPL is responsible for investigating allegations of unlawful or unprofessional conduct, including gross negligence, incompetence, and patterns of negligence or incompetence; practices inconsistent with generally recognized standards of conduct; and unlicensed practice in DOPL’s regulated professions.

Complaints		295,673
Complaints Received:		6,294
Complaints Assigned:		6,074
Cases Closed:		6,212
Actions		
Administrative Filings:		510
Citations Issued:		1,814
Criminal Filings:		57
Administrative Filings:		341
Citations Issued:		13
Criminal Filings:		452
Criminal Filings:		148

## Compliance (Public Probation)

If DOPL finds that a licensee has engaged in unlawful or unprofessional conduct, the licensee may be subject to a range of disciplinary actions. One possible disciplinary action is public probation. The licensee enters into a probation contract (“Stipulation and Order”) with DOPL and agrees to comply with certain terms and conditions of practice for a specified period of time. DOPL’s Compliance team carefully monitors the licensee’s compliance with their Stipulation and Order and follows up on non-compliance issues.



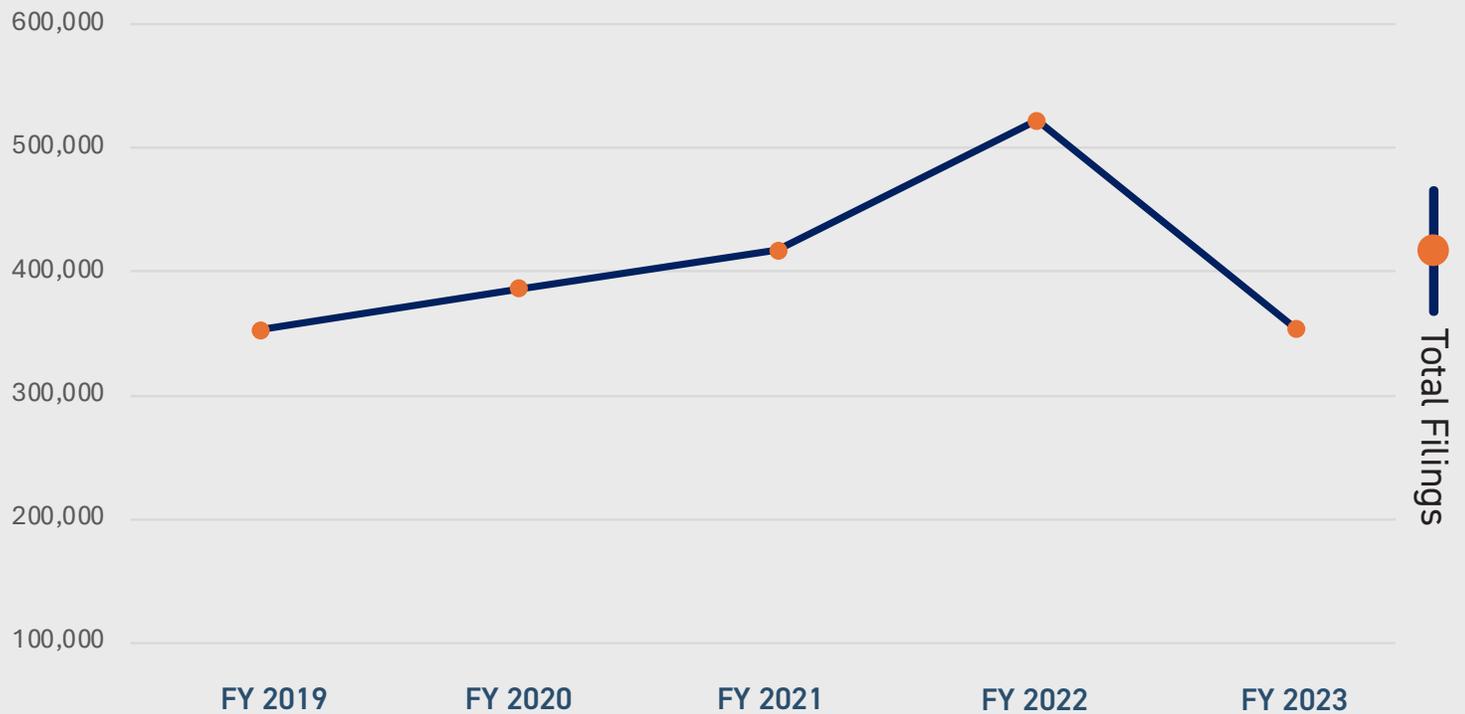
**380**  
Fiscal Year 2021

**326**  
Fiscal Year 2022

**320**  
Fiscal Year 2023

## State Construction Registry (SCR)

The SCR acts as an online bulletin board for all required construction lien notices. The SCR is available to property owners, contractors, suppliers, and other interested parties involved in a construction project. The SCR works as a notice center that pinpoints a construction project's timeline and identifies all interested parties participating in a project, including those who provide labor and materials. The SCR is designed to prevent surprise liens and ensure all parties receive payment for the project.

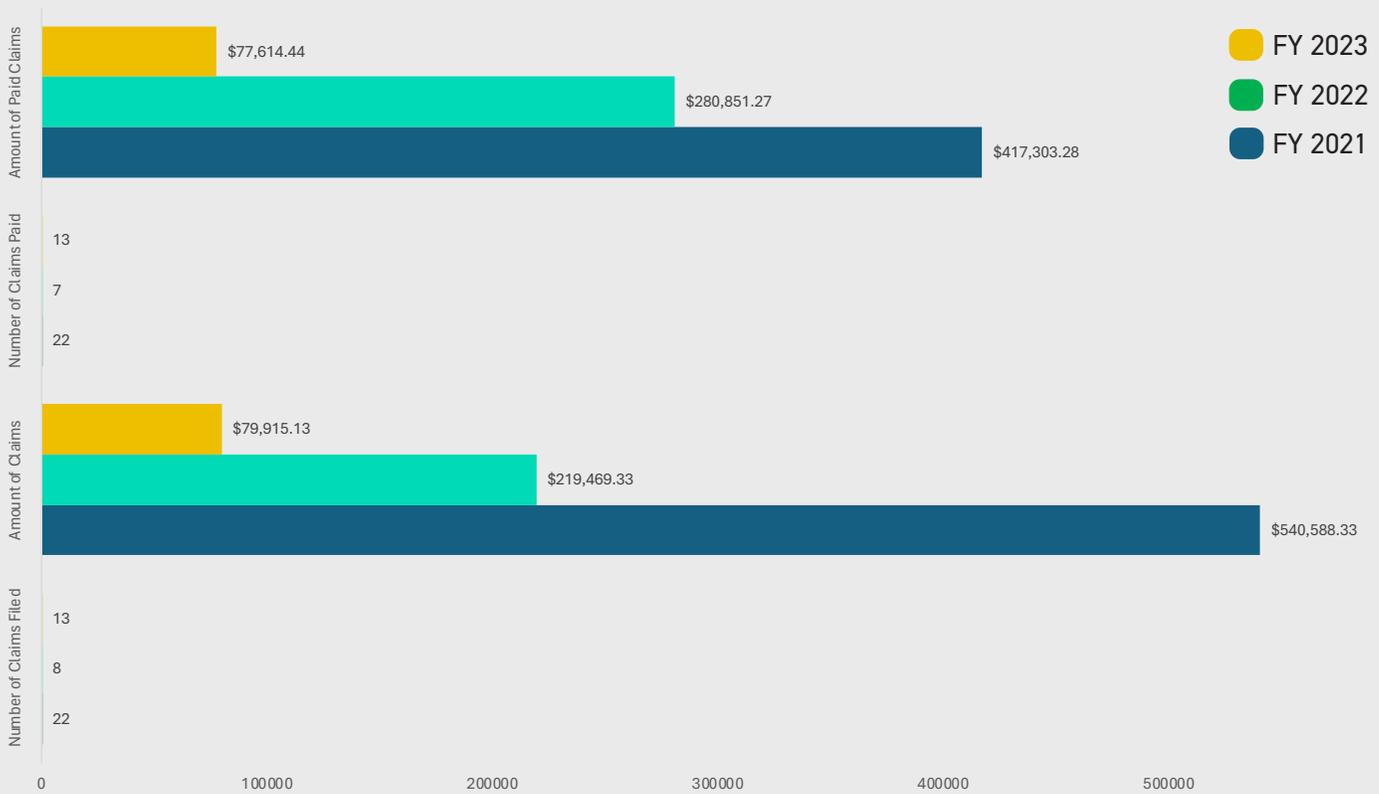


\*Total filings include preconstruction service, construction loan, building permits, commencement, preliminary notice, intent to complete, remaining to complete, completions, loan default, and intent to finance.

## Residence Lien Recovery Fund (LRF)

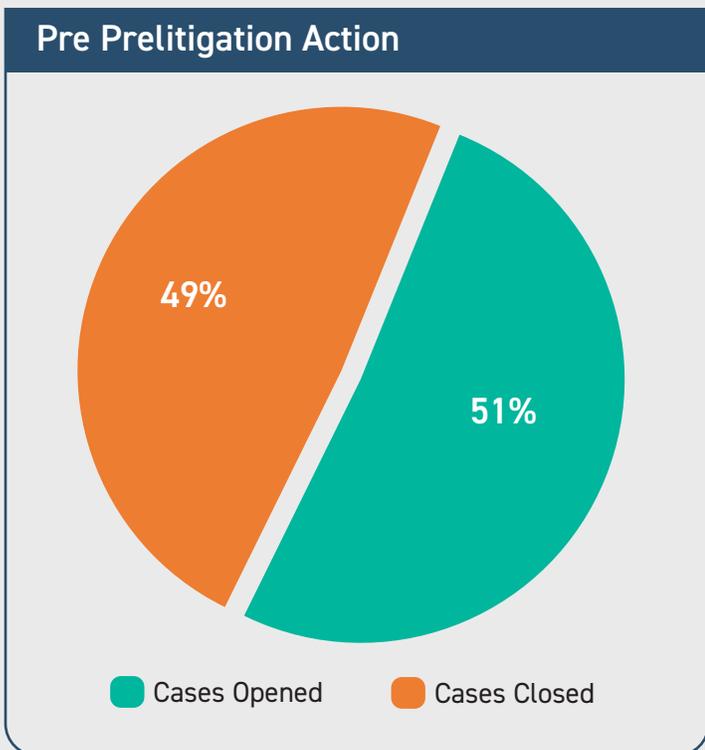


The Utah Residence Lien Restriction and Lien Recovery Fund Act prevents mechanics' liens or civil judgments against homeowners who have paid contractors in full and properly occupy the home as a residence. The Act also creates the Residence Lien Recovery Fund (LRF) to pay qualifying claims against the LRF from contractors, laborers, and suppliers whose mechanic's liens are voided due to homeowner protection under the Act. DOPL administers the Act and LRF by reviewing homeowner applications and issuing Certificates of Compliance to qualifying homeowners.

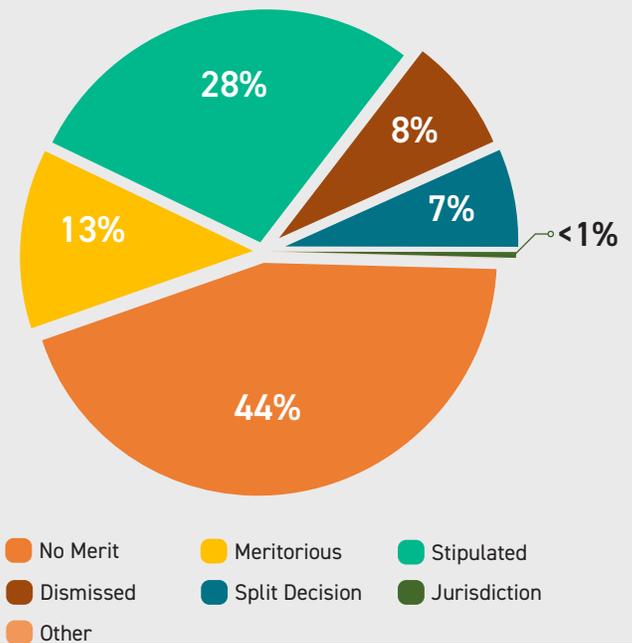


## Prelitigation

Utah requires prelitigation review of medical malpractice claims before filing in court. DOPL manages the panels consisting of an attorney, a lay member, and a medical professional. Panel hearings are confidential, non-binding, and provide parties with an opportunity to evaluate their claims. The findings are not admissible in court.

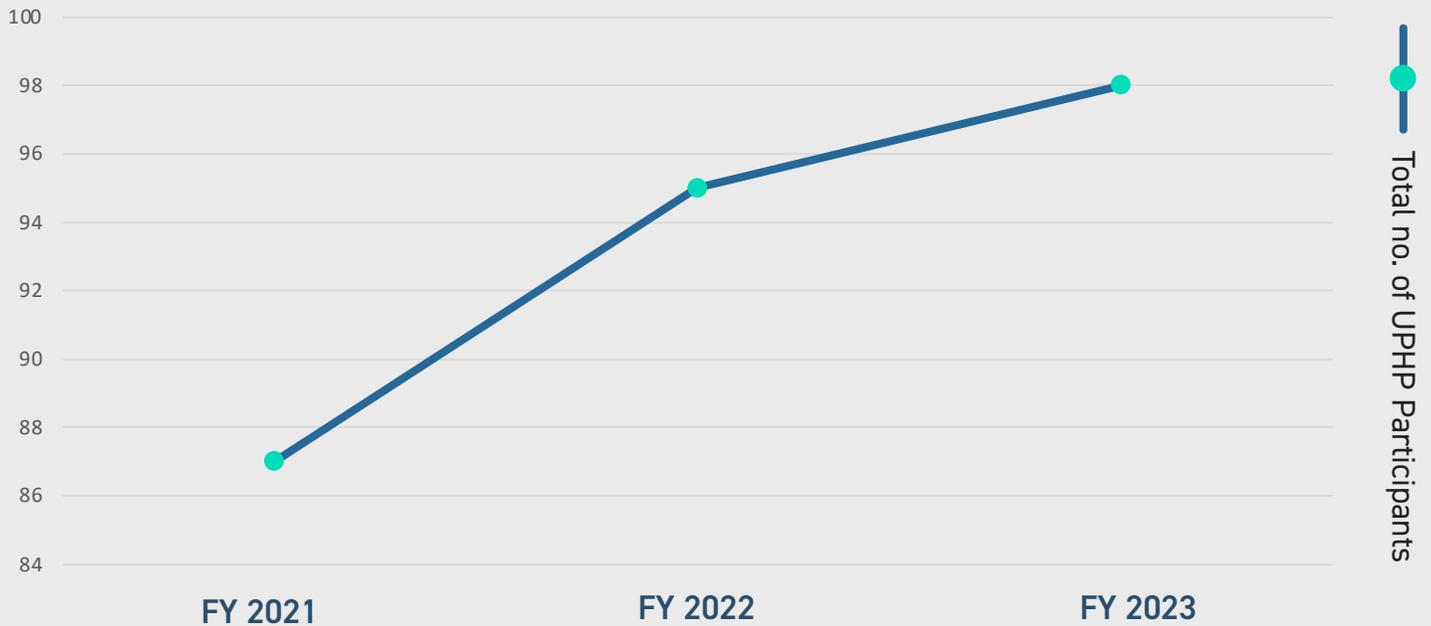


### Outcome of Prelitigation Cases



## Utah Professionals Health Program (UPHP)

The Utah Professionals Health Program (UPHP) offers a confidential approach and alternative to public discipline for healthcare professionals with substance use disorders. UPHP protects the public from licensees who engage or may engage in misconduct while allowing the licensee to maintain their license and continue practicing their profession.

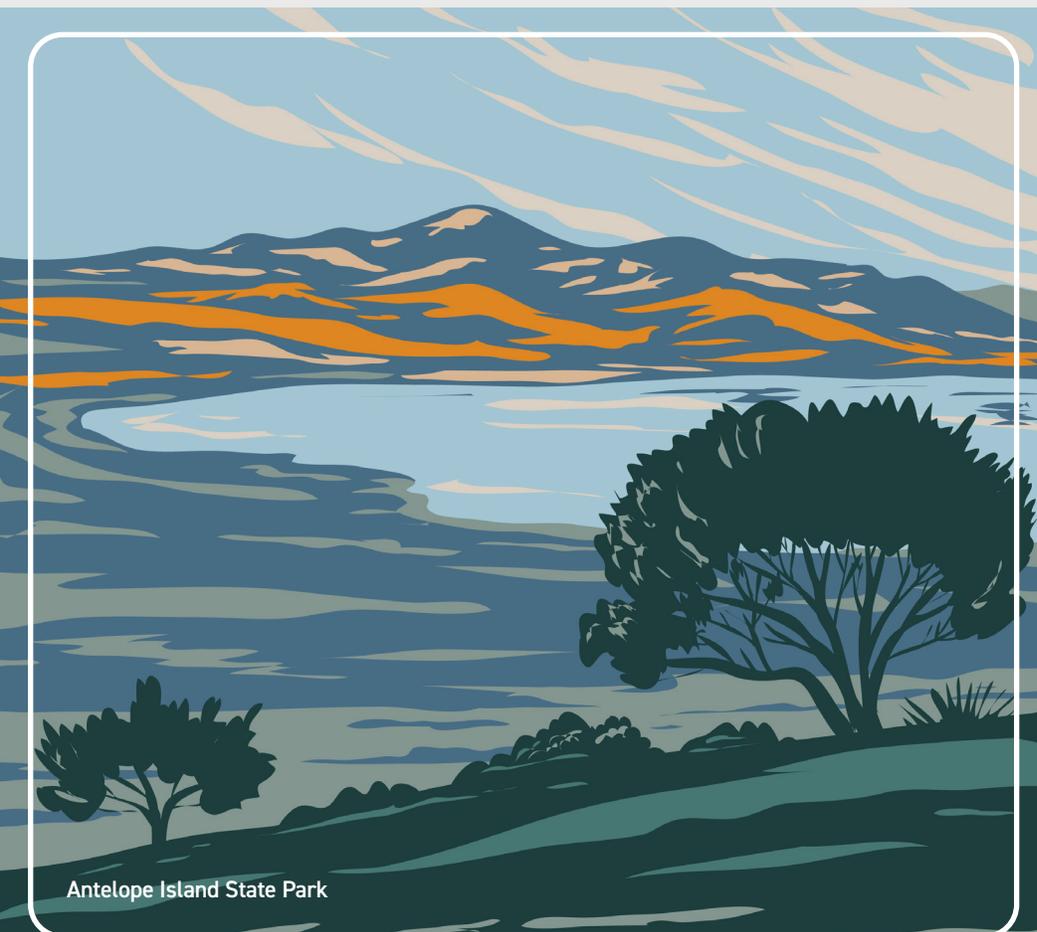


## Controlled Substance Database



The Utah Controlled Substance Database (CSD) tracks and collects data on the dispensing of Schedule II-V drugs by most hospitals and pharmacies, both retail and mail order. The CSD Program is a state-level intervention to improve opioid prescribing, inform clinical practice, and protect patients from harm.

Fiscal Year 2023	
Total Controlled Substance Prescription Records in CSD	30,599,782
Total Controlled Substance Prescription Entered in FY 2023	5,162,168
Online Queries/Reports	10,342,059
Number of Hospital Overdose Reports	741
Number of Overdose Reports Mailed to Practitioners	2,126
Number of Court Reports Regarding DUI Convictions	720
Number of DUI Reports Mailed to Practitioners	1,039
Number of Doctor Shopper Letters Mailed to Practitioners	568
Law Enforcement Search Warrants	134
Law Enforcement Subpoenas	247
Registered Users:	
Pharmacists	2,964
Prescribing Practitioners	14,735
Other	3,430



Antelope Island State Park

Strengthening Trust  
in **Utah's** Professional  
**Workforce** through  
effective **licensing**,  
**balanced regulation**,  
and **consumer**  
engagement to  
facilitate **informed**  
**decisions.**

# Office of Professional Licensure Review



**Jeff Shumway, Division Director**



## About the Division

The Office of Professional Licensure Review (OPLR) was created during the 2022 Legislative Session to provide a regular, systematic, objective review of the requirements for each regulated occupation in the state of Utah. This provides legislators, industry, and licensed individuals input and certainty about when and how their licensing requirements might change.

As with all regulation, OPLR seeks to balance protecting the health, safety, and financial welfare of the public with minimizing the burden for qualified individuals to practice in their chosen occupations.

## NOTABLE ACHIEVEMENTS



In July of 2022, the Department of Commerce officially opened the Office of Professional Licensure Review (OPLR) with Director Jeff Shumway at the helm. Since then, OPLR has expanded its staff, handled multiple legislative inquiries, and is beginning to tackle multiple projects at once.

During Fiscal Year 2023, OPLR completed its first major 'periodic review' and presented findings to the Business and Labor Interim Committee. The review covered behavioral health occupations (e.g., therapists) and included hundreds of leaders, practitioners, consumer advocates, employers, and others, as well as extensive quantitative research. OPLR's recommendations are designed to lower barriers to licensure to increase the workforce while also improving safeguards for consumers. The Committee accepted the recommendations and opened a committee bill file for the legislative session.

# Office of the Property Rights Ombudsman



Jordan Cullimore, Lead Lawyer



## About the Division

The Office of the Property Rights Ombudsman is an impartial and autonomous office located within the Utah Department of Commerce. Its primary objective is to protect the property rights of the citizens of Utah. The Office aids both individuals and government agencies in understanding and adhering to property rights laws, settling disputes, and promoting fairness and balance when private rights come into conflict with public needs.

## NOTABLE ACHIEVEMENTS

### Notable Staff Attorney Activities

OPRO Attorneys play a significant role in educating, updating, and training local agencies in land use law. OPRO accepts every invitation to provide training, whether in person or remotely. During Fiscal Year 2023, OPRO conducted training activities throughout the state, including the Uintah Basin, Cache Valley, Central Utah, Southern Utah, the Wasatch Front, and the Wasatch Back.

Effective and timely communication is crucial for resolving issues and making progress. OPRO's ongoing goal is to connect with contacts within 24 hours of their outreach no less than 75% of the time. To date, OPRO has been able to maintain this standard consistently and is determined to continue doing so in the future.

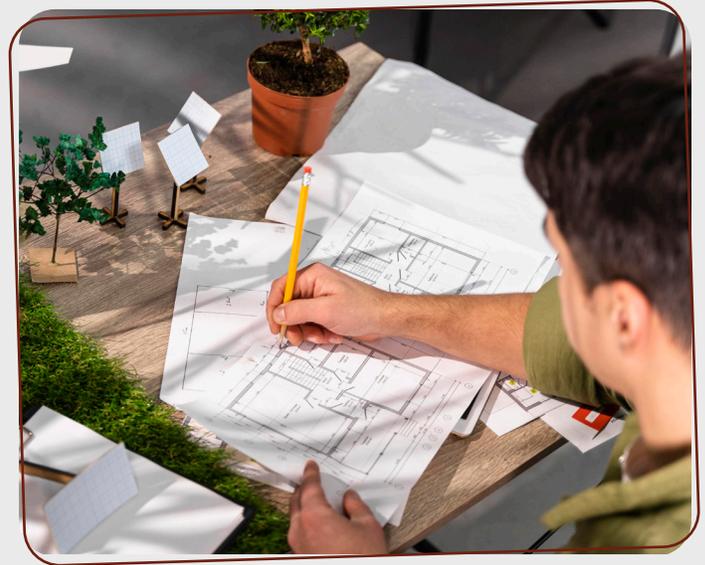


## Notable Land Use Training Director Activities

*\*Note: this position was not officially in place until January 2, 2023.*

A significant addition to OPRO's training portfolio is the appointment of the state's first Land Use Training Director in January 2023. This new position has expanded the OPRO's capacity and breadth of training, which now covers the legal aspects of land use planning.

The new position oversees the Land Use Training Fund, which provides and improves land use training options. Efforts are focused on enhancing awareness of the funding source, digitizing the application process, increasing funding flexibility, and improving the contractual process. Significant improvements have been made to the agreement



process and fund advertising. Ongoing efforts aim to fully digitize the application process and ensure maximum funding flexibility.

Access to training and information is crucial for government agencies. The Land Use Academy of Utah website was created to serve as a repository of such tools, but due to limited staffing resources, the site's expansion and maintenance had stalled. To address this issue, the website's administration will transition from the Utah League of Cities and Towns to OPRO in Spring 2023, with completion expected in early 2024.

Safeguarding **Utah** property rights through education and **dispute resolution.**



Codachrome Basin State Park

## Division of Public Utilities



Chris Parker, Division Director



### About the Division

The Division of Public Utilities (DPU) is dedicated to ensuring that Utahns receive safe and reliable service from their utility providers. DPU makes recommendations to the Utah Public Service Commission for rate-making purposes, applications, hearings, and other issues affecting quality of service. DPU also handles and investigates

consumer complaints and closely monitors utility operations to ensure compliance with regulations.

## NOTABLE ACHIEVEMENTS

### Utility Bill Assistance

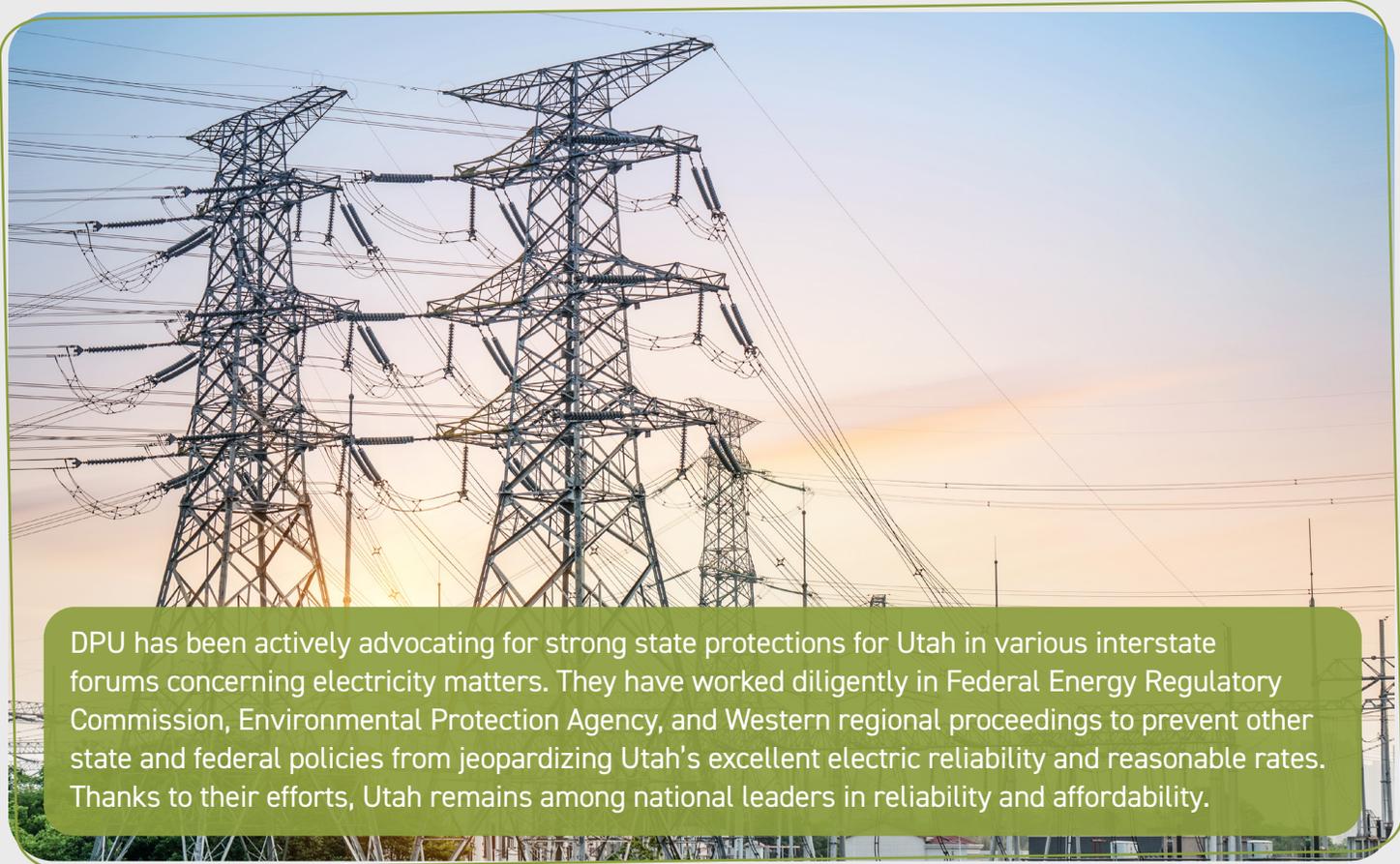
DPU successfully proposed and advocated for SB 288. This innovative bill made use of \$12 million in previously untapped agency funds from the Public Service Commission, Division of Public Utilities, and Office of Consumer Services to provide additional payment assistance to qualified low-income electricity and natural gas customers.

### Pipeline Safety

The pipeline safety section of DPU has received a perfect score in its federal program review, which ensures maximum federal funding for the state program. The team of engineers and staff is responsible for ensuring that natural gas pipeline operators comply with Utah's pipeline safety laws to protect the public. The team also conducts several educational events to help contractors become aware of and utilize programs to avoid damaging natural gas facilities.

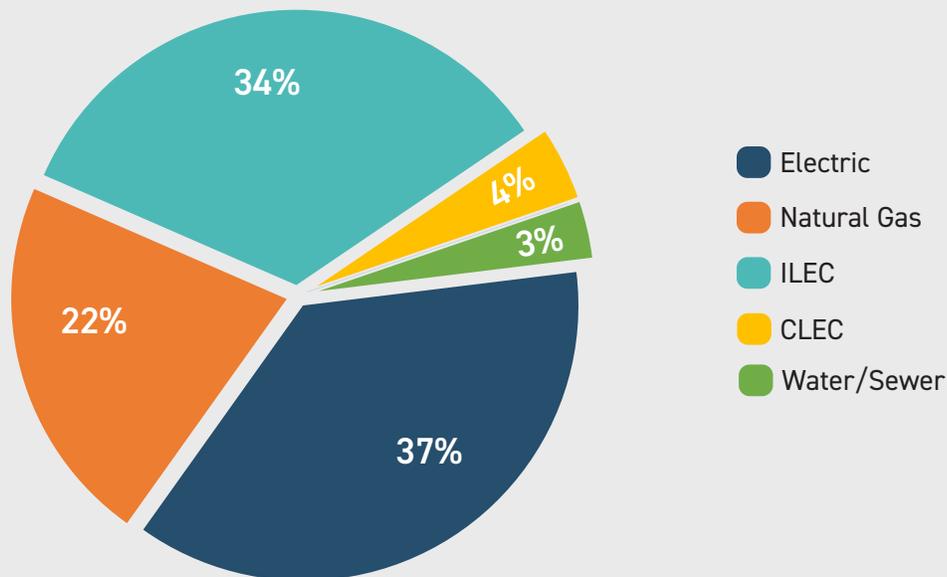


# Electric Utilities

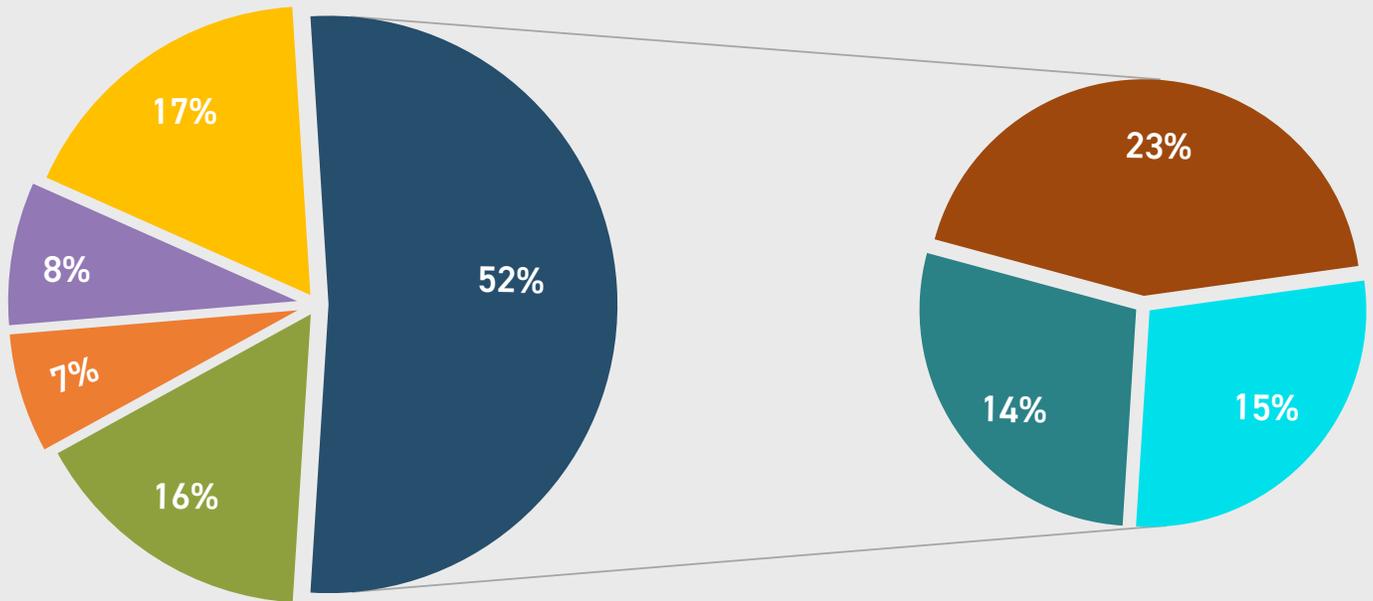


## STATISTICS

Utility Complaints in FY 2023



## Pipeline Safety Inspections in FY 2023



- LDC-Dominion Energy Utah
- Municipal Gas Distribution Operators
- Intrastate Transmission Operators
- Gathering Operators
- Small Gas System Operators (Master Meters)
- Construction Projects
- Incidents



East Canyon State Park

Strengthening **trust** in **Utah's public utility** services by advocating **safe, adequate,** and reliable service at **reasonable rates.**

## Division of Real Estate



Jonathan Stewart, Division Director



### About the Division

The Division of Real Estate (DRE) safeguards the public and enforces ethical business practices by educating, licensing and regulating real estate, mortgage and appraisal professionals. Additionally, the Division processes complaints about realtors, appraisers, and mortgage companies.

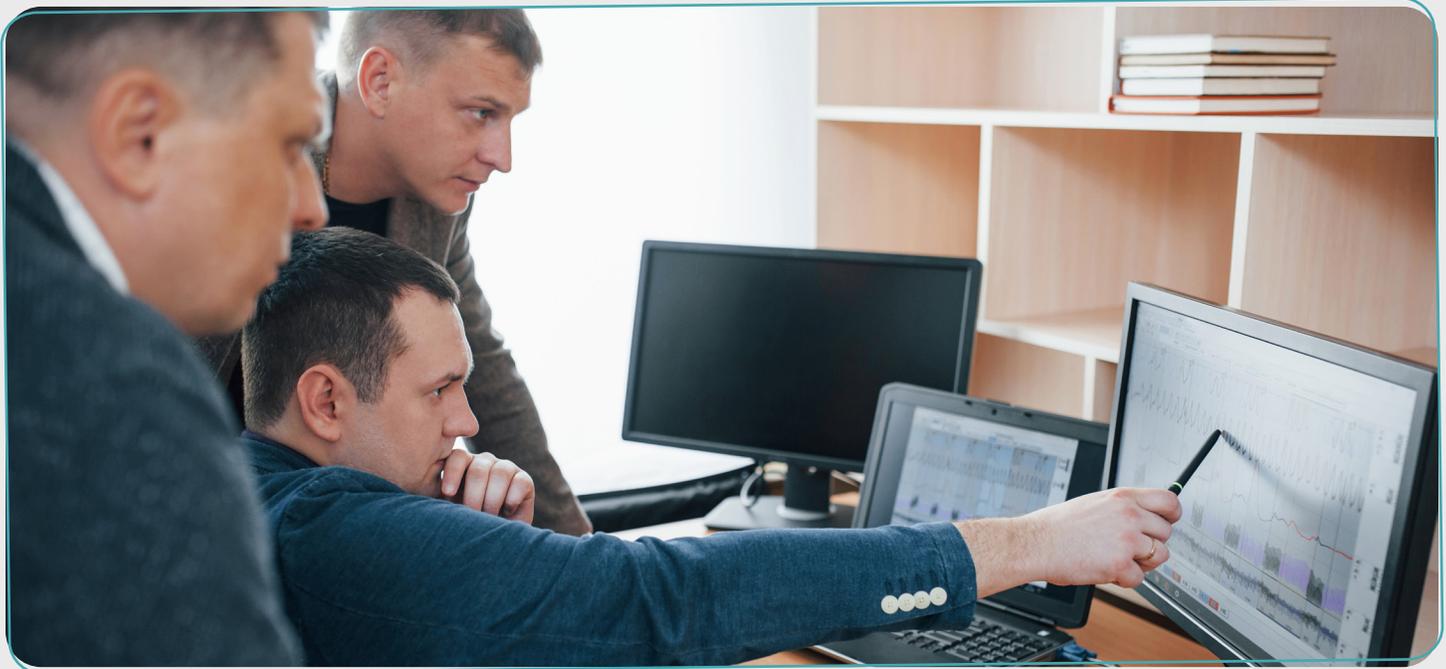
## NOTABLE ACHIEVEMENTS

### Market Research

In the fall of 2022, DRE conducted a comprehensive market research project to gain insights into the sentiment, knowledge, and general awareness of the real estate market among buyers and sellers, as well as their experience with borrowers and lenders. The project utilized both quantitative and qualitative research methods, including a marketplace survey and focus groups. According to the findings, Utah residents who have undergone the home-buying process in the past 12 months strongly believe that they received adequate representation. The quantitative data shows that 83% of respondents rated their representation as 4 or 5 on a 5-point scale, while the average rating in the focus groups was 5.96 on a 7-point scale.

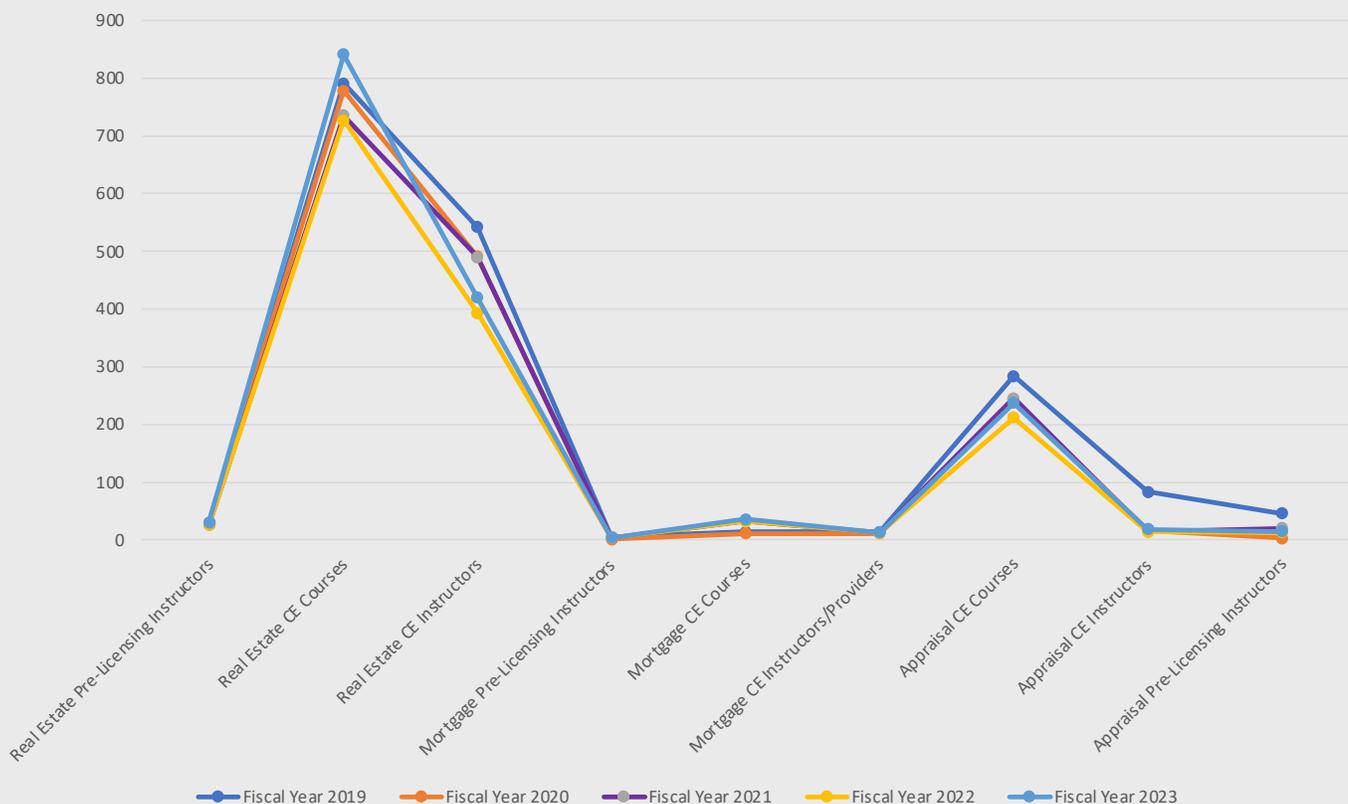


# Innovative Enforcement Technology

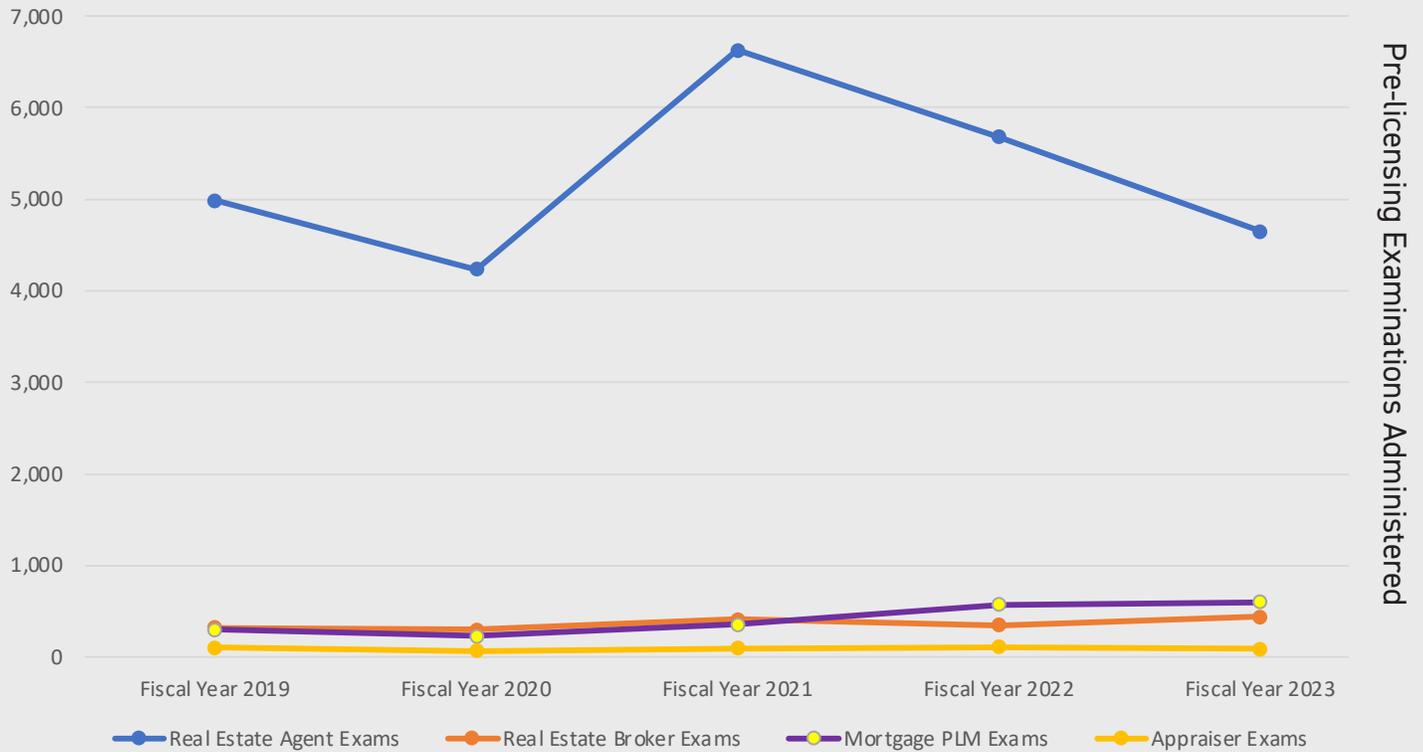


DRE, along with the Division of Professional Licensing and Division of Securities, developed new, custom-built enforcement platforms (Securities also included a licensing component). These new platforms greatly enhance our ability to efficiently and thoroughly complete investigations and process applications.

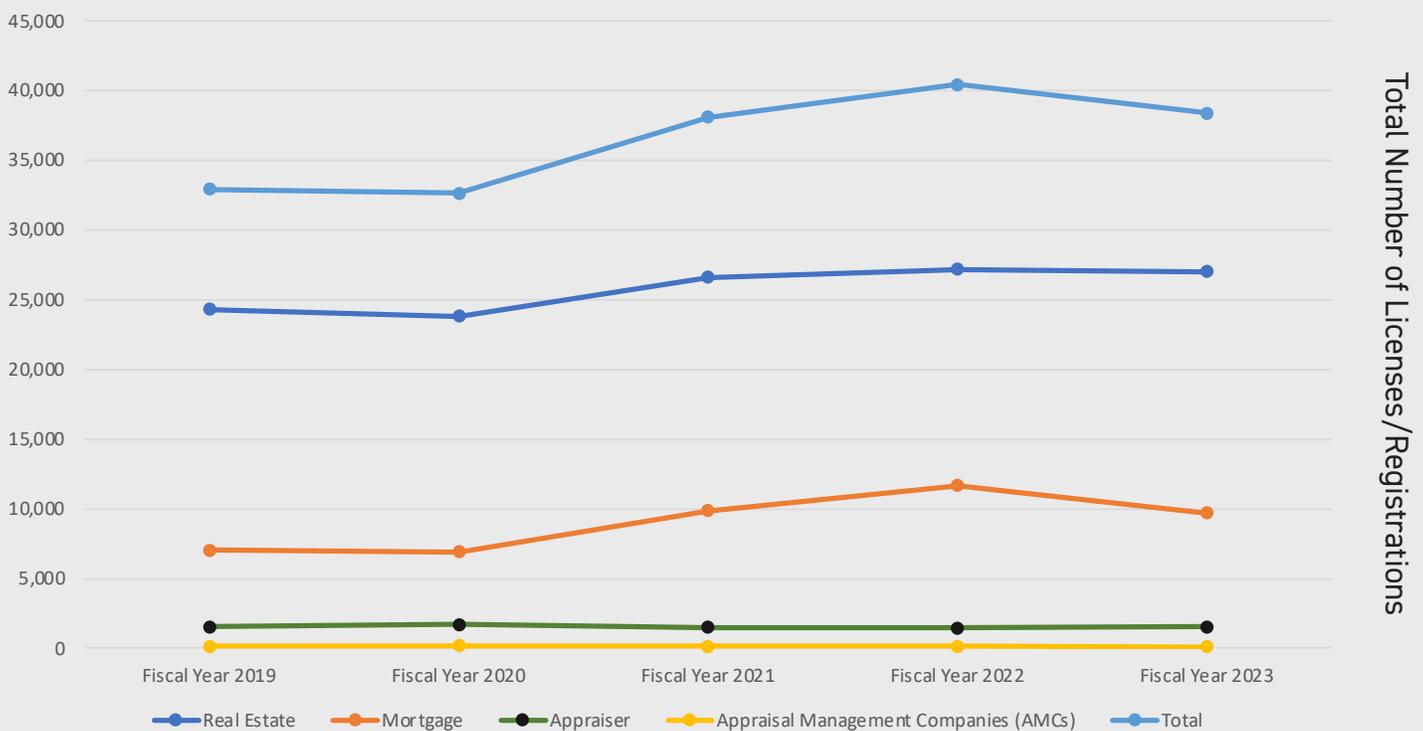
## STATISTICS



\*Under the licensing program adopted across the country 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). This year, DRE received approval from the NMLS to have two DRE-approved CE courses tracked inside the NMLS database, establishing a more seamless license renewal process.



\* Mortgage Loan Originator exams are now scheduled and administered through Nationwide Mortgage Licensing System (NMLS).





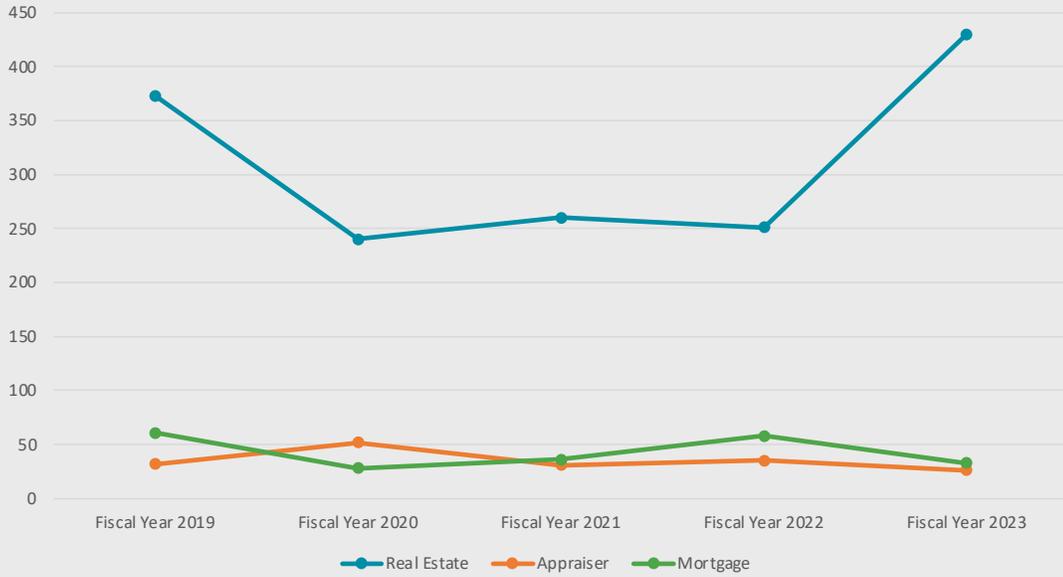
New Licenses/Registrations Issued	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
Real Estate	13,303	11,125	14,680	15,345	16,280
Mortgage	6,870	6,582	8,203	13,221	10,420
Appraiser	1,072*	859	1,010	940	1,070
Appraisal Management	129	177	122	122	112
Companies (AMCs)	10	10	5	7	6
Total	21,384	18,753	24,020	28,695	27,888

\*Includes temporary permits and reciprocal licenses.

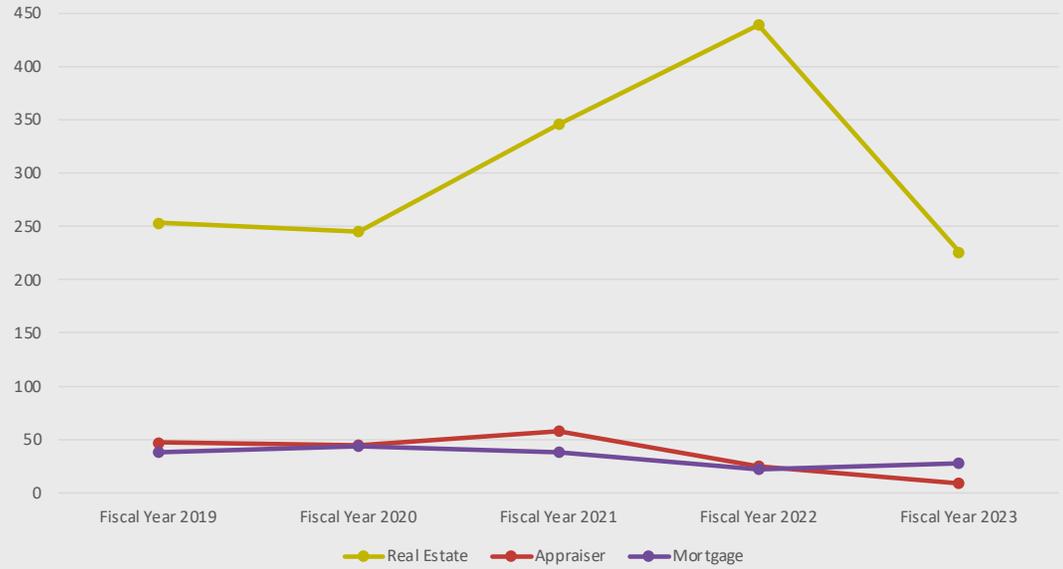
Enforcement Statistics

Fiscal Year (2019 - 2023)

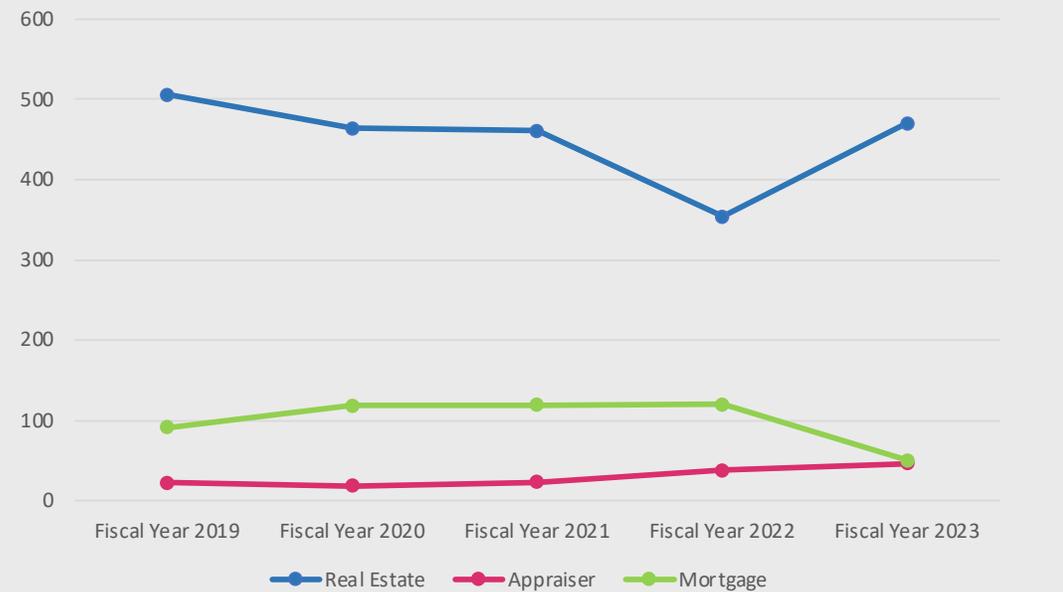
Complaints Received



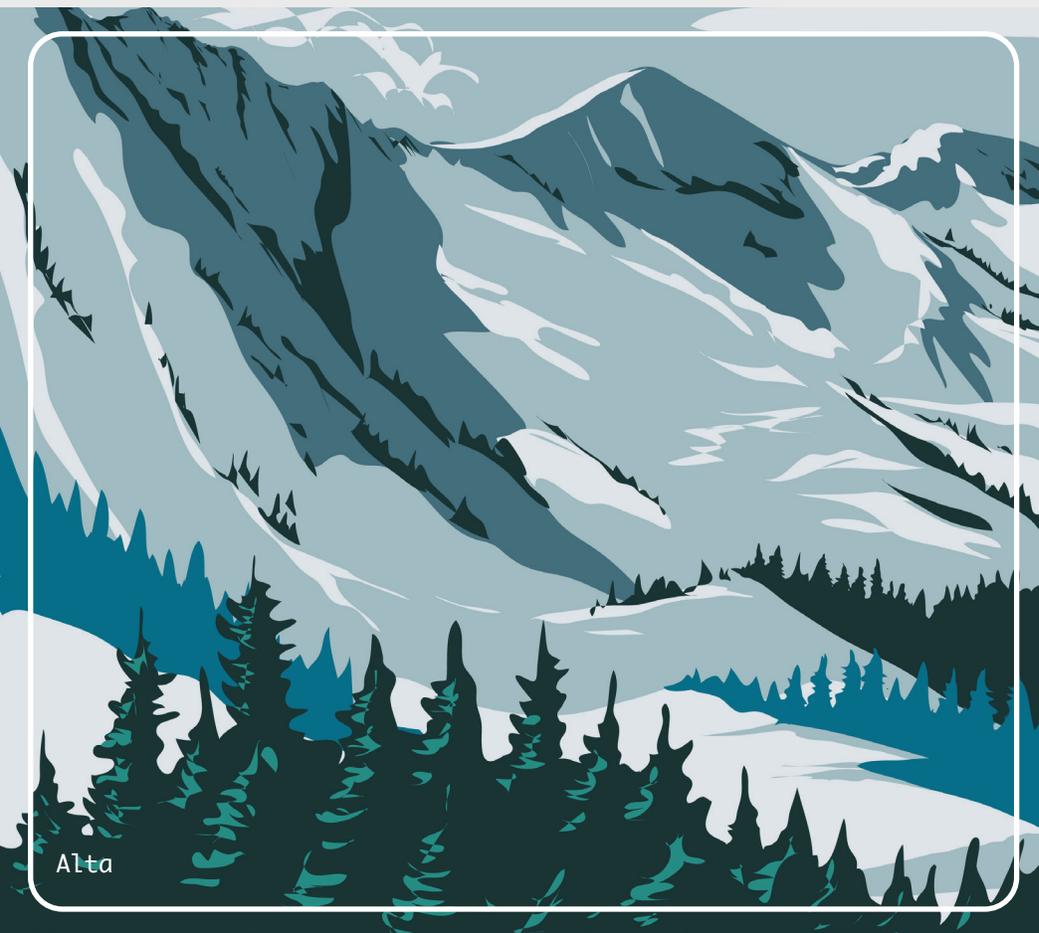
Cases Closed



Total Open Cases as of June 30



FY 2023 Sanctions	Appraisal	Mortgage	Real Estate	Total
Remedial Education	1	0	17	18
Appraiser	645	721	599	695
Total	16,273	16,491	14,659	19,257
Fines	1 \$1,000	3 \$8,000	19 \$133,789	23 \$142,789
Probation	0	0	4	4
Suspension	0	0	1	1
Revocation/Surrender	0	0	1	1
Denial	0	0	0	0
Cease and Desist	0	0	1	1
Citation	0	0	17	17
Criminal referrals	0	0	0	0



Alta

Strengthening  
Trust in **Utah's  
Professional**  
Workforce through  
**effective licensing,**  
balanced regulation,  
**and consumer**  
engagement to  
facilitate **informed**  
**decisions.**

## Division of Securities



Jason Sterzer, Division Director



### About the Division

The Utah Division of Securities (Securities) is a state agency responsible for regulating and enforcing Utah's securities laws. The agency aims to create a fair and level playing field in the investment industry by issuing licenses to broker-dealers, investment advisers, and their agents and representatives who conduct business in the

state. Securities also has a mission to educate and protect Utah's investors while ensuring minimum standards of competence, training, and fair dealing among all parties involved in the securities industry.

### 🏆 Division of Securities Notable Achievements

The Securities Compliance Section conducts sweep examinations to proactively educate investment advisers and gather important demographic information on current issues. In Fiscal Year 2023, the Compliance Section conducted a sweep examination of all 264 investment advisers registered with the State of Utah, focusing on due diligence requirements for new and complex products, licensees' fiduciary duties regarding outside business activities, and preventing financial exploitation of vulnerable adults. The sweep examinations also included an instruction document that defined terms and concepts in the questions and provided further training resources on recognizing the red flags of financial abuse and exploitation. The primary purpose of Securities' sweep examination is to educate licensees on securities laws in Utah.



## STATISTICS

Securities Licensing	
Broker-Dealers	1,579
Broker-Dealer Agents	175,045
Investment Advisers (I.A.)	256
Federal Covered Advisers	1,534
I.A. Representatives	6,947
Certified Broker-Dealers	13
Certified Broker-Dealer Agents	46
Certified Investment Advisers	10
Certified Investor Adviser Representatives	48
Issuer Agents	68
<b>Total</b>	<b>185,546</b>



Securities Filings	
Coordination	42
Qualification	2
Exemption	24
Opinion/No Action Letter	3
Mutual Funds	4,814
Rule 506	2,429
<b>Total</b>	<b>7,314</b>

## Compliance and Enforcement

Activity			
New Investigation/Audits	433		
Complaints Received	142		
Audit Files Opened	363		
Investigation Files Opened	70		
<b>Administrative Cases</b>			
New Cases Filed	19		
Stipulation & Consent Orders	12		
Adjudicated Orders	1		
Default Orders	1		
<b>Criminal Cases</b>			
Criminal Charges Filed	5		
Convictions	11		
Pleas in Abeyance	2		
<b>Fines and Restitution</b>	<b>Administrative</b>		<b>Inclusive of Criminal Cases</b>
Fines Assessed	\$600,528.30		\$1,549,424.52
Fines Paid	\$477,889.91		
Restitution Ordered	\$0		\$1,978,902.94
Disgorgement Ordered	\$142,078.57		

## Appendix

# Financial Summary



## Commerce FY 2023 General Expenditures by Division

DIVISION NAME	EXPENDITURES
Commerce Administration / IT	\$6,470,000
Property Rights Ombudsman	\$640,000
Office of Professional Licensing Review	\$470,000
Occupational & Professional Licensing	\$12,930,000
Securities	\$4,100,000
Consumer Protection	\$3,190,000
Corporations & Commercial Code	\$4,130,000
Real Estate	\$2,500,000
Public Utilities	\$4,810,000
Consumer Services	\$900,000
Building Operations & Maintenance	\$390,000
<b>TOTAL</b>	<b>\$40,530,000</b>



# UTAH DEPARTMENT OF COMMERCE

## OUR MISSION

Strengthening  
**TRUST** in Utah's  
**commercial**  
**activities** through  
**regulation,**  
enforcement, and  
**education.**

## Contact

 (801) 530-6701

 [www.commerce.utah.gov](http://www.commerce.utah.gov)

 160 E Broadway, Salt Lake City, UT 84111