

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	
)	CONSENT ORDER
Brent Candebat,)	
NPN 388812,)	CASE NO. AG-15-577
)	
Respondent.)	

TO: Brent Candebat, 10648 South Auburn Hills Drive, Edinburgh, IN 46124

Insurance Commissioner Adam Hamm (“Commissioner”) has determined as follows:

1. As a result of information obtained by the North Dakota Insurance Department (“Department”) regarding the conduct of Brent Candebat, NPN 388812 (“Respondent”), the Commissioner has considered scheduling a formal hearing to determine whether Respondent’s conduct as alleged constitutes a basis for imposition of a civil penalty or any other action the Commissioner deems necessary. As more fully described below, Respondent’s conduct is alleged to be in violation of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(1), and 26.1-26-45.1(1).

2. N.D.C.C. § 26.1-26-15 requires that an applicant for any license must be deemed by the Commissioner to be competent, trustworthy, financially responsible, and of good personal and business reputation.

3. N.D.C.C. § 26.1-26-42 states, in part:

The commissioner may suspend, revoke, place on probation, or refuse to continue or refuse to issue any

license issued under this chapter if, after notice to the licensee and hearing, the commissioner finds as to the licensee any of the following conditions:

1. A materially untrue statement in the license application.
4. N.D.C.C. § 26.1-26-45.1(1) states:

26.1-26-45.1. Reporting of actions.

1. An insurance producer shall report to the commissioner any administrative action taken against the insurance producer's license in another jurisdiction or by another governmental agency in this state within thirty days of the final disposition of the matter. This report must include a copy of the order, consent to order, or other relevant legal documents.
5. Respondent has been licensed as a nonresident insurance producer in North Dakota since May 15, 2014.
6. According to information received by the Department, on or about September 30, 2015, Florida took administrative action against Respondent for failing to disclose a 1985 criminal conviction on an application. Respondent entered into a Consent Order with Florida and was fined \$1,500. A review of Respondent's North Dakota record revealed that Respondent failed to disclose the 1985 criminal conviction on his initial application in 2014. Also, the Florida administrative action should have been reported to the Department within 30 days and it was not. Respondent's failure to disclose a criminal conviction on an application and failing to report an administrative action within 30 days is a violation of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(1), and 26.1-26-45.1(1).
7. Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(1), and 26.1-26-45.1(1).

8. Respondent acknowledges that at the time of signing the Consent to Entry of Order, he was aware of or had been advised of the right to a hearing in this matter, to consult an attorney, to present argument to the Commissioner, to appeal from any adverse determination after a hearing, and Respondent expressly waives those rights.

9. Respondent has agreed to informal disposition of this matter, without a hearing, as provided under N.D.C.C. § 28-32-22.

10. For purposes of resolving this matter without further administrative proceedings, Respondent has agreed to enter into the following order.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Respondent agrees to pay a fine in the amount of \$200 payable by money order, cashier's check, or credit card to the North Dakota Insurance Department within 20 days of the effective date of this Order.

2. The use of this Consent Order for competitive purposes by an insurance producer or agency holding a license in the State of North Dakota, or by any company holding a Certificate of Authority, or by anyone on their behalf, may be deemed unfair competition and be grounds for suspension or revocation of said license or authority.

DATED at Bismarck, North Dakota, this 3rd day of December 2015.



Adam Hamm
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Brent Candebat**, states that he has read the foregoing Consent Order, that he knows and fully understands its contents and effect; that he has

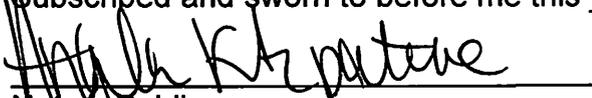
been advised of the right to a hearing in this matter, the right to be represented by legal counsel, the right to present evidence and arguments to the Commissioner, and the right to appeal from an adverse determination after hearing; and that by the signing of this Consent to Entry of Order he waives those rights in their entirety, and consents to entry of this Order by the Commissioner. It is further expressly understood that this Order constitutes the entire settlement agreement between the parties, there being no other promises or agreements, either expressed or implied.

DATED this 1~~7~~ day of December, 2015.


Brent Candebat

County of Johnson
State of Indiana

Subscribed and sworn to before me this 1 day of December, 2015.


Notary Public

My commission expires: June 15 2023