

STATE OF NORTH DAKOTA  
BEFORE THE INSURANCE COMMISSIONER

In the Matter of	)	
	)	
Iceblock Investments, Inc., dba	)	CONSENT ORDER
Pure Honda,	)	
NPN 8487293,	)	CASE NO. AG-15-523
	)	
Respondent.	)	

**TO: Iceblock Investments, Inc., dba Pure Honda, 1520 Highway 2 East, Minot, ND 58701**

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 Iceblock Investments, Inc., dba Pure Honda, NPN 8487293 (“Respondent”), a resident business entity that has held a resident business entity license at all times relevant to this proceeding, the Commissioner has considered initiating administrative proceedings regarding Respondent’s conduct as alleged below and regarding the imposition of a civil penalty or any other action the Commissioner deems necessary. Respondent’s conduct is alleged to be in violation of N.D.C.C. §§ 26.1-26-15, 26.1-26-03, and 26.1-26-13.3(4).

2. N.D.C.C. § 26.1-26-15 requires that an applicant for a 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. § 26.1-26-03 states:

**License required - Acting as insurance producer or consultant without license prohibited - Penalty.** No person may act as or hold oneself out to be an insurance producer, insurance consultant, or surplus lines insurance producer unless licensed under this chapter. A person may not sell, solicit, or negotiate insurance in this state for any class of insurance unless the person is licensed for that line of authority in accordance with this chapter. Any person willfully violating this section is guilty of a class C felony.

4. N.D.C.C. § 26.1-26-13.3(4) states:

A business entity acting as an insurance producer must obtain an insurance producer license. Application must be made using the uniform business entity application. Before approving the application, the commissioner must find that:

- a. The business entity has paid the fee set forth in section 26.1-01-07;
- b. The business entity has designated a licensed individual principal insurance producer responsible for the business entity's compliance with the insurance laws, rules, and regulations of this state; and
- c. The individual designated as the licensed principal insurance producer of the business entity has taken the examination required by section 26.1-26-13.2. The business entity may only be licensed for those lines of insurance for which one or more of its principal insurance producers is licensed. The business entity shall inform the commissioner within ten working days of any change in the status of its principal insurance producer or producers.
- d. The commissioner may require any documents reasonably necessary to verify the information contained in an application.

5. On or about October 24, 2014, the Department sent a letter to Respondent stating that the Designated Responsible Licensed Producer (DRLP) was no longer showing an active license. Respondent stated that the DRLP of record had not been employed since June 29, 2009, and that to date no other DRLP had been

designated.

6. The Department was provided information that showed Respondent continued to write credit life and accident and health policies without a DRLP. Respondent also allowed an unlicensed individual to write credit life policies. The information provided showed that 32 policies were written without a DRLP and 3 policies were written by an unlicensed individual employed by Respondent. Respondent's conduct of writing insurance without having an active DRLP and allowing an unlicensed person to sell insurance policies is in violation of N.D.C.C. §§ 26.1-26-03 and 26.1-26-13.3(4).

7. Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15, 26.1-26-03, and 26.1-26-13.3(4) and are grounds for revocation of Respondent's insurance producer license.

8. Respondent acknowledges that at the time of signing this Consent to Entry of Order, he is aware of or has been advised of his rights 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 specifically set forth in this Order.

10. There are no covenants, promises, undertakings or understandings other than as specifically set forth in this Order.

11. Respondent consents to the Commissioner's continuing jurisdiction over him regarding any issues which may subsequently arise related to Respondent's

activities.

12. For purposes of resolving this matter without further administrative proceedings, Respondent and the Commissioner have 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 \$1,500 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 agent 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 24 day of March, 2015.

  
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Adam Hamm  
Insurance Commissioner  
State of North Dakota

**CONSENT TO ENTRY OF ORDER**

The undersigned, Keith Braunberger, on behalf of Iceblock Investments, Inc., dba Pure Honda, 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 his right to a hearing in this matter, his right to be represented by legal counsel, his right to present evidence and arguments to the Commissioner, and his right to appeal from an adverse determination after hearing; and that by the signing of this

Consent to Entry of Order he voluntarily 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 18 day of 3, 2015.

Iceblock Investments, Inc., dba  
Pure Honda

By: [Signature]

Its: Partner/owner

Subscribed and sworn to before me this 18 day of March, 2015.

[Signature]

Notary Public

State of North Dakota

County of Ward

My commission expires: May, 24, 2019

