

**STATE OF NORTH DAKOTA**  
**BEFORE THE INSURANCE COMMISSIONER**

<b>In the Matter of</b>	)	
	)	<b>CONSENT ORDER</b>
<b>Samantha Lynn Spenny,</b>	)	
<b>NPN 7356611,</b>	)	<b>CASE NO. AG-14-454</b>
	)	
<b>Respondent.</b>	)	

**TO: Samantha Lynn Spenny, 116 Hawkins Court, Germantown, OH 45327**

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 Samantha Lynn Spenny, NPN 7356611 (“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 and 26.1-26-42(6) and (14).

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. § 26.1-26-42 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:

...

6. In the conduct of affairs under the license, the licensee has used fraudulent, coercive, or dishonest practices, or has shown oneself to be incompetent, untrustworthy, or financially irresponsible.

...

14. The applicant or licensee has refused to respond within twenty days to a written request by the commissioner for information regarding any potential violation of this section.

4. According to information obtained by the Department, on or about October 28, 2013, Respondent's appointments with Metropolitan Property and Casualty Company and Metropolitan Group Property and Casualty Company were terminated for cause. Respondent was terminated because she added a multi-policy (life insurance) discount to an auto policy for a customer who stated that he did not have a MetLife life insurance policy, and falsified an auto policy application (prior policy number and lapse date) in order to have a policy issued with no down payment. Respondent's actions that led to the termination for cause are in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(6).

5. On or about November 5, 2013, a letter was sent to Respondent requesting information relating to the termination for cause. Respondent failed to respond to the Department within 20 days. Respondent's failure to respond to a written request for information by the Department within 20 days is a violation of N.D.C.C. § 26.1-26-42(14).

6. Respondent acknowledges that at the time of signing the Consent to Entry of Order, she 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.

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

8. 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's nonresident insurance producer license is hereby **REVOKED** effective upon the Commissioner's execution of this Order.
2. No administrative fine or other civil penalty is imposed.
3. 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 10<sup>th</sup> day of March, 2014.

  
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Adam Hamm  
Insurance Commissioner  
State of North Dakota

#### CONSENT TO ENTRY OF ORDER

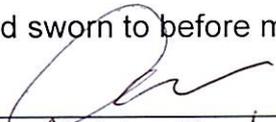
The undersigned, **Samantha Lynn Spenny**, states that she has read the foregoing Consent Order, that she knows and fully understands its contents and effect; that she has been advised of the right to a hearing in this matter, the right to be represented by legal counsel, the right to present evidence 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 she 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 5 day of March, 2014.

  
Samantha Lynn Spenny

Subscribed and sworn to before me this 5<sup>th</sup> day of March, 2014.

  
\_\_\_\_\_  
Notary Public Amy P Lee

County of Greene  
State of Ohio

My commission expires: March 1, 2016



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