

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	
)	
Bruce Everett Stevens,)	CONSENT ORDER
NPN 15644153,)	
DOB 2/5/86,)	CASE NO. AG-12-350
)	
Respondent.)	

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 Bruce Everett Stevens, NPN 15644153, DOB 2/5/86 ("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. Respondent's conduct is alleged to be in violation of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(5), and 26.1-26-45.1.

2. N.D.C.C. § 26.1-26-15 states:

26.1-26-15. License requirement - Character.

An applicant for any license under this chapter 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:

26.1-26-42. License suspension, revocation, or refusal - Grounds. 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:

...

5. The applicant or licensee has been convicted of a felony or convicted of an offense, as defined by section 12.1-01-04, determined by the commissioner to have a direct bearing upon a person's ability to serve the public as an insurance producer, insurance consultant, or surplus lines insurance producer, or the commissioner finds, after conviction of an offense, that the person is not sufficiently rehabilitated under section 12.1-33-02.1.

4. N.D.C.C. § 26.1-26-45.1 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.
2. Within thirty days after a criminal conviction, an insurance producer shall report to the commissioner any criminal conviction of the insurance producer taken in any jurisdiction. The report must include a copy of the initial complaint, the order issued by the court, and any other relevant legal documents.

5. On January 19, 2010, Respondent submitted an application for a resident insurance producer license. He answered "no" to background question No. 1 which states, "Have you ever been convicted of a crime, had a judgment withheld or deferred,

or are you currently charged with committing a crime?" A search of court records in North Dakota and Minnesota found no convictions. A resident insurance producer license was issued on January 22, 2010.

6. On August 17, 2011, Respondent notified the Commissioner in an email reporting a plea of guilty to a Minnesota petty misdemeanor charge for possession of marijuana and drug paraphernalia which occurred on December 23, 2010. Criminal convictions are to be reported to the Commissioner within 30 days. Respondent's failure to report the conviction to the Commissioner within 30 days is a violation of N.D.C.C. § 26.1-26-45.1.

7. On February 27, 2012, Respondent submitted an application to add a line of authority to his existing insurance producer license. He again answered "no" to background question No. 1. A North Dakota court search found two convictions for Sell/Cons/Poss Alcoh/Public and MIP/MCA/MUI/Minor Purch Alcohol in 2006. These convictions did not show up on a court search in 2010 when it was completed as part of the review of Respondent's initial application, but Respondent was required to disclose charges to the Commissioner when Respondent first applied for the license in 2010 and also when he applied to add a line of authority to the license in 2012. N.D.C.C. §§ 26.1-26-15 and 26.1-26-42 require full disclosure in applications for an insurance producer license.

8. Respondent acknowledges that at the time of signing the Consent to Entry of Order, he was aware of or had 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 provided under N.D.C.C. § 28-32-22.

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

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Respondent shall pay a civil fine in the amount of \$200 due and payable by money order or cashier's check to the North Dakota Insurance Department within 30 days of execution of this Order.

2. The Commissioner reserves the right to take further action in this matter if Respondent does not timely pay the fine imposed in this order.

3. The use of this order for competitive purposes by any insurance producer 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 1st day of May, 2012.



Adam Hamm
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Bruce Everett Stevens**, states that he has read the foregoing 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 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 hereto, there being no other promises or agreements, either expressed or implied.

DATED this 26 day of April, 2012.


Bruce Everett Stevens

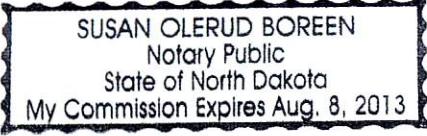
Subscribed and sworn to before me

this 26th day of April, 2012.


Notary Public

State of North Dakota
County of Cass

My commission expires:



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APR 27 2012

Commissioner of Insurance
State of North Dakota