

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

<b>In the Matter of</b>	)	<b>FINDINGS OF FACT,</b>
	)	<b>CONCLUSIONS OF LAW,</b>
<b>TaSheanna Barnes,</b>	)	<b>AND DEFAULT ORDER</b>
<b>NPN 16627315,</b>	)	
	)	<b>CASE NO. AG-12-382</b>
<b>Respondent.</b>	)	

On November 26, 2012, a Complaint for Revocation of License was filed with the Insurance Commissioner by Kelvin W. Zimmer, Director of Producer Licensing for the North Dakota Insurance Department, alleging TaSheanna Barnes, NPN 16627315 ("Respondent"), committed various violations of North Dakota insurance statutes. The Complaint was mailed to Respondent at the address on file with the Department via certified U.S. mail, return receipt requested, on November 26, 2012. Respondent accepted delivery of the certified mail on December 3, 2012. Proof of service of the Complaint is annexed to these Findings. Respondent failed to answer the Complaint within 20 days as required under N.D.C.C. § 28-32-21(1)(e). As such, on January 14, 2013, an Application for Default Order was made deeming the allegations made in the Complaint to be admitted pursuant to N.D.C.C. § 28-32-30.

Based on the allegations made in the Complaint and on the evidence presented in the Affidavits filed in support of the Complainant's Application for Default Order, the following Findings of Fact, Conclusions of Law, and Default Order are entered:

## FINDINGS OF FACT

### I

Respondent is presently, and has at all times pertinent to this action, been an insurance producer licensed in North Dakota.

### II

On November 26, 2012, the Complaint of Kelvin W. Zimmer was mailed to Respondent at her last known address by certified mail, return receipt requested. Respondent accepted delivery of the Complaint on December 3, 2012.

### III

Respondent has not answered the Complaint within 20 days as required under N.D.C.C. § 28-32-21(1)(e).

### IV

According to information obtained by the Department, on or about October 9, 2012, the State of Kansas issued a Cease and Desist Order and revoked Respondent's nonresident insurance producer license due to a conviction of Obstructing ID. The Cease and Desist Order stated that the crime of "obstructing ID" is particularly relevant and material to the fitness of a person to be a licensed insurance agent because the nature of the crime is a dishonest practice and grounds for revocation. Respondent's actions that led to the revocation of her insurance producer license and not reporting the Kansas administrative action within 30 days to the Department are violations of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1.

V

According to information obtained by the Department, on or about July 23, 2012, Respondent pled guilty to Obstructing ID and was fined \$1,000 and placed on court supervised probation for a period of one year. Respondent's failure to report this conviction within 30 days to the Department is a violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1.

VI

According to information obtained by the Department, on or about October 2007 Respondent was charged with Embezzlement & Theft. On January 24, 2008, Respondent was arrested for failure to appear on the charge. Respondent was ordered to pay restitution in the amount of \$326.42 and complete 30 hours of community service. Respondent failed to disclose this information on her application for a nonresident insurance producer license and it would have been taken into consideration in the decision to grant Respondent a license. Respondent's failure to disclose the conviction is in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(1) and (4).

VII

Respondent's violations of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(1) and (4), and 26.1-26-45.1 are grounds for revocation of her insurance producer license.

VIII

On November 26, 2012, the Department mailed to Respondent, by certified mail, a letter and Complaint for Revocation of License. Respondent accepted delivery of the Complaint on December 3, 2012. Respondent failed to provide a written response to the Complaint.

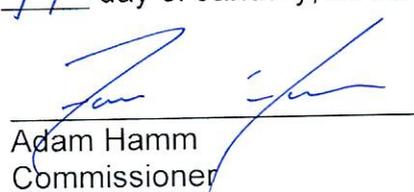
## CONCLUSIONS OF LAW

1. Respondent was properly served with the Complaint in accordance with the North Dakota Rules of Civil Procedure.
2. Because of her failure to answer the Complaint within 20 days of its proper service, Respondent is in default under N.D.C.C. § 28-32-30.
3. Because Respondent is in default, the allegations in the Complaint are deemed admitted pursuant to N.D.C.C. § 28-32-30.
4. Respondent's violations of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(1) and (4), and 26.1-26-45.1 are grounds for revocation of his insurance producer license.
5. Under N.D.C.C. § 26.1-26-42, the Commissioner of Insurance has authority to revoke Respondent's producer license for the violations cited above.

## DEFAULT ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, IT IS ORDERED that the North Dakota insurance producer license of TaSheanna Barnes, NPN 16627315, be **REVOKED** effective after the time for filing a motion to vacate a Default Order pursuant to N.D.C.C. § 28-32-30 expires.

DATED at Bismarck, North Dakota, this 14<sup>th</sup> day of January, 2013.

  
\_\_\_\_\_  
Adam Hamm  
Commissioner  
N.D. Insurance Department  
600 East Boulevard Avenue  
Bismarck, ND 58505  
(701) 328-2440

Ms. TaSheanna Barnes  
410 West 17th Street  
Chicago Heights, IL 60411

**SENDER:** Nancy Brady

**REFERENCE:** TaSheanna Barnes

7196 9008 9040 1336 1816

Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	0.85
	Certified Fee	2.95
	Return Receipt Fee	1.15
	Restricted Delivery	0.00
	Total Postage & Fees	4.95

US Postal Service

**Receipt for  
Certified Mail**

Insurance Coverage Provided  
Not Use for International Mail

POSTMARK OR DATE

11/26/12

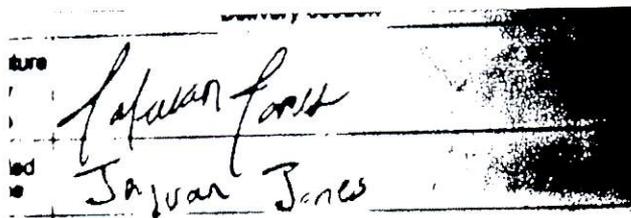


Date: 12/04/2012

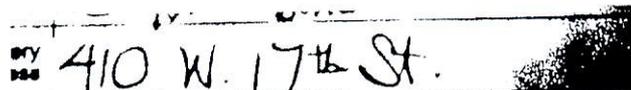
NANCY BRADY:

The following is in response to your 12/04/2012 request for delivery information on your Certified Mail(TM) item number 7196 9008 9040 1336 1816. The delivery record shows that this item was delivered on 12/03/2012 at 05:05 PM in CHICAGO HEIGHTS, IL 60411. The scanned image of the recipient information is provided below.

Signature of Recipient:



Address of Recipient:



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Sincerely,

United States Postal Service