

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

| | | |
|------------------|---|---------------------|
| In the Matter of |) | FINDINGS OF FACT, |
| |) | CONCLUSIONS OF LAW, |
| Jason Christmas, |) | AND DEFAULT ORDER |
| NPN 16088789, |) | |
| |) | CASE NO. AG-15-537 |
| Respondent. |) | |

TO: Jason Christmas, 1640 East Woodward Heights Boulevard, Apt. C1, Hazel Park, MI 48030-1649

On April 22, 2015, 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 Jason Christmas, NPN 16088789 (“Respondent”), committed various violations of North Dakota insurance statutes.

The Complaint was mailed to Respondent at the address on file with the Department by the United States Postal Service via certified mail, return receipt requested, on April 22, 2015. Respondent accepted delivery of the certified mail on April 25, 2015. 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 June 2, 2015, 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

The Complaint was mailed to Respondent at the address on file with the Department by the United States Postal Service via certified mail, return receipt requested, on April 22, 2015. Respondent accepted delivery of the certified mail on April 25, 2015. Respondent failed to provide a written response to the Complaint.

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 January 26, 2015, Kansas revoked Respondent's nonresident producer license. The administrative action should have been reported to the Department within 30 days and it was not. Respondent's failure to report the Kansas administrative action within 30 days to the Department is a violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1.

V

On or about March 16, 2015, a letter was sent to Respondent's address on file requesting information about the Kansas administrative action. The letter was returned to the Department marked "Return to Sender – Not Deliverable as Addressed – Unable to Forward." Respondent's failure to update the Commissioner with any change of address and 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. §§ 26.1-26-15, 26.1-26-33, and 26.1-26-42(14).

Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15, 26.1-26-33, 26.1-26-42(14), and 26.1-26-45.1.

CONCLUSIONS OF LAW

1. Respondent was properly served with the Complaint in accordance with the North Dakota Rules of Civil Procedure.
2. Because of his 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, 26.1-26-33, 26.1-26-42(14), 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 Jason Christmas, NPN 16088789, 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 21st day of June, 2015.



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

TO: Jason Christmas
1640 E Woodward Heights Blvd, Apt. C1
Hazel Park, MI 48030-1649

SENDER: Jeff Ubben

REFERENCE: Jason Christmas

9314 8699 0430 0012 6500 51

PS Form 3800, January 2005

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| RETURN RECEIPT SERVICE | Postage | 1.40 |
| | Certified Fee | 3.30 |
| | Return Receipt Fee | 1.35 |
| | Restricted Delivery | 0.00 |
| | Total Postage & Fees | 6.05 |

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4/22/15

Jason Christ

Date: April 27, 2015

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The following is in response to your April 27, 2015 request for delivery information on your Certified Mail™/RRE item number 9314869904300012650051. The delivery record shows that this item was delivered on April 25, 2015 at 3:03 pm in HAZEL PARK, MI 48030. The scanned image of the recipient information is provided below.

Signature of Recipient : Delivery Section

Jason G. Christ

Address of Recipient :
1640 "WH" Apt C1

Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
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