

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
Fernando Crissien,)	AND DEFAULT ORDER
NPN 9004317,)	
)	CASE NO. AG-13-447
Respondent.)	

TO: Fernando Crissien, 2408 West Myrtle Avenue, Apt. 15, Phoenix, AZ 85021

On December 23, 2013, 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 Fernando Crissien, NPN 9004317 (“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 December 23, 2013. The mailing was returned to the Department marked “Unclaimed” on January 21, 2014. 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 23, 2014, 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 December 23, 2013. The mailing was returned to the Department marked "Unclaimed" on January 21, 2014.

III

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

IV

Respondent has held a North Dakota nonresident individual insurance producer license since November 16, 2011. On his initial application, Respondent answered "no" to background question two which states, "Have you ever been named or involved as a party in an administrative proceeding regarding any professional or occupational license or registration?" According to information obtained by the Department, on or about June 30, 2011, Respondent was denied a nonresident license in California due to a criminal conviction of Disorderly Conduct. Respondent failed to disclose the California

administrative action on his initial application in North Dakota. Respondent's failure to disclose the California administrative action on his initial license application is in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(1).

V

According to information obtained by the Department, on or about March 5, 2013, Missouri revoked Respondent's nonresident producer license for failing to report the California administrative action and for failing to respond. Respondent failed to disclose the Missouri action to the Department within 30 days. Respondent's action of not reporting the Missouri 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.

VI

According to information obtained by the Department, on or about March 8, 2013, New York revoked Respondent's nonresident producer license for failing to report the California administrative action and for failing to respond. Respondent failed to disclose the New York administrative action to the Department within 30 days. Respondent's action of not reporting the New York 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.

VII

According to information obtained by the Department, on or about August 26, 2013, Virginia revoked Respondent's nonresident producer license for failing to report the Missouri and New York administrative actions and for failing to respond. Respondent failed to disclose the Virginia administrative action to the Department within

30 days. Respondent's action of not reporting the Virginia 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.

VIII

On or about October 4, 2013, an email was sent to the address on file for Respondent requesting detailed information relating to the administrative actions of California, Missouri, New York, and Virginia and why they were not reported to the Department. Respondent failed to respond to the email. On or about October 14, 2013, a letter was sent to the address on file for Respondent requesting detailed information relating to the administrative actions of California, Missouri, New York, and Virginia and why they were not reported to the Department. Respondent failed to respond to the Department's request for information. 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).

IX

Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(1) and (14), and 26.1-26-45.1 and are grounds for revocation of Respondent's insurance producer license.

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, 26.1-26-42(1) and (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 Fernando Crissien, NPN 9004317, 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 ^{23rd} day of January, 2014.



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

Mr. Fernando Crissien
TO: 2408 West Myrtle Avenue, Apt. 15
Phoenix, AZ 85021

SENDER: Nancy Brady

REFERENCE: Fernando Crissien

7196 9008 9040 2216 2169

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	0.86
	Certified Fee	3.10
	Return Receipt Fee	1.25
	Restricted Delivery	0.00
	Total Postage & Fees	5.21

US Postal Service
**Receipt for
Certified Mail**
No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE

12/23/13

English

Customer Service

USPS Mobile

Register / Sign In



Search USPS.com or Track Packages

Quick Tools

- Track
- Enter up to 10 Tracking #Find
- Find USPS Locations
- Buy Stamps
- Schedule a Pickup
- Calculate Postage
- Find a Retailer
- Hold Mail
- Change of Address

Ship a Package

Send Mail

Manage Your Mail

Shop

Business Solutions

USPS Tracking™



Customer Service ›
Have questions? We're here to help.

Tracking Number: 71969008904022162169

Product & Tracking Information

Postal Product:
First-Class Mail®

Features:
Certified Mail™

Return Receipt Electronic

DATE & TIME	STATUS OF ITEM	LOCATION
January 21, 2014 . 11:01 am	Delivered	BISMARCK, ND 58505
January 19, 2014 . 3:26 pm	Processed through USPS Sort Facility	FARGO, ND 58102
January 15, 2014 . 7:15 am	Unclaimed	PHOENIX, AZ 85021
December 30, 2013 . 12:39 pm	Notice Left	PHOENIX, AZ 85021
December 30, 2013 . 3:33 am	Processed through USPS Sort Facility	PHOENIX, AZ 85043
December 29, 2013	Depart USPS Sort Facility	PHOENIX, AZ 85043
December 29, 2013 . 1:48 am	Processed through USPS Sort Facility	PHOENIX, AZ 85043
December 19, 2013	Electronic Shipping Info Received	

Available Options

Track Another Package

What's your tracking (or receipt) number?

Track It

LEGAL

- Privacy Policy ›
- Terms of Use ›
- FOIA ›
- No FEAR Act EEO Data ›

ON USPS.COM

- Government Services ›
- Buy Stamps & Shop ›
- Print a Label with Postage ›
- Customer Service ›
- Delivering Solutions to the Last Mile ›
- Site Index ›

ON ABOUT.USPS.COM

- About USPS Home ›
- Newsroom ›
- USPS Service Alerts ›
- Forms & Publications ›
- Careers ›

OTHER USPS SITES

- Business Customer Gateway ›
- Postal Inspectors ›
- Inspector General ›
- Postal Explorer ›