

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
Courtney Douglas,)	AND DEFAULT ORDER
NPN 7410633,)	
)	CASE NO. AG-15-516
Respondent.)	

TO: Courtney Douglas, 8454 Trowbridge Way, Huber Heights, OH 45424-1372

On February 23, 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 Courtney Douglas, NPN 7410633 (“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 February 23, 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 25, 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 February 23, 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

Respondent has been licensed as a nonresident insurance producer in North Dakota since September 12, 2006.

V

According to information received by the Department, on or about December 17, 2014, Ohio entered an Order against Respondent due to a felony criminal conviction that was not timely reported and not disclosed on a renewal application. On or about August 28, 2013, Respondent was indicted on a felony Endangering Children charge. On or about February 18, 2014, after the Endangering Children charge was dismissed, Respondent pled guilty and was convicted of felony Aggravated Assault. On or about November 26, 2013, when Respondent applied for her license renewal in Ohio, she failed to disclose the criminal action relating to the Endangering Children charge. Respondent was assessed a penalty of \$1,500 and administrative costs of \$500. Respondent failed to report the Ohio

administrative action and the felony Aggravated Assault conviction within 30 days to the Department in violation of N.D.C.C. § 26.1-26-45.1.

VI

On or about November 26, 2013, Respondent submitted a renewal application to the Department and answered “no” to the question relating to whether she had been convicted of a crime or is currently charged with committing a crime. Respondent failed to disclose the August 28, 2013, felony Endangering Children charge on the application. Respondent’s actions that lead to the felony charge and the failure to disclose the felony charge on the renewal application are violations of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(1) and (5).

VII

On or about December 31, 2014, an email was sent to Respondent requesting information relating to the Ohio administrative action and the felony indictment and ultimately the felony conviction and to provide documentation relating to the actions. On or about January 2, 2015, Respondent provided a response and stated that she wished to cancel her North Dakota nonresident producer license and did not provide the requested documentation. On or about January 7, 2015, an email was sent to Respondent again requesting documents relating to the Ohio administrative action and the felony indictment and ultimately the felony conviction. Respondent failed to respond to the email 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).

VIII

Respondent’s actions constitute violations of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(1), (5), 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 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), (5), and (14), and 26.1-26-45.1 are grounds for revocation of her 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 Courtney Douglas, NPN 7410633, 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 25th day of June, 2015.



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

English

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Tracking Number: 9314869904300010807174

Product & Tracking Information

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Features:
Certified Mail™

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Return Receipt Electronic

DATE & TIME	STATUS OF ITEM	LOCATION
February 27, 2015 , 12:33 pm	Notice Left (No Authorized Recipient Available)	DAYTON, OH 45424

We attempted to deliver your item at 12:33 pm on February 27, 2015 in DAYTON, OH 45424 and a notice was left because an authorized recipient was not available.

February 27, 2015 , 4:46 am	Departed USPS Facility	DAYTON, OH 45401
February 26, 2015 , 10:12 pm	Arrived at USPS Facility	DAYTON, OH 45401
February 26, 2015 , 9:05 pm	Departed USPS Facility	CINCINNATI, OH 45234
February 26, 2015 , 11:59 am	Arrived at USPS Facility	CINCINNATI, OH 45234
February 24, 2015 , 5:51 am	Departed USPS Facility	BISMARCK, ND 58504
February 23, 2015 , 10:56 pm	Arrived at USPS Facility	BISMARCK, ND 58504
February 20, 2015	Pre-Shipment Info Sent to USPS	

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