

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

| | | |
|-------------------------|---|----------------------------|
| In the Matter of |) | FINDINGS OF FACT, |
| |) | CONCLUSIONS OF LAW, |
| Eric Hume, |) | AND DEFAULT ORDER |
| NPN 8637373, |) | |
| |) | CASE NO. AG-15-535 |
| Respondent. |) | |

TO: Eric Hume, 612A Roselyn Avenue, Fort Pierce, FL 34982

On April 16, 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 Eric Hume, NPN 8637373 ("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 16, 2015. The certified mail was returned to the Department marked "unclaimed" on May 19, 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 16, 2015. The certified mail was returned to the Department marked "unclaimed" on May 19, 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 11, 2013.

V

According to information obtained by the Department, on or about February 4, 2015, New York 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 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.

VI

On or about March 11, 2015, a letter was sent to Respondent's address on file requesting information about the New York 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).

VII

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 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, 26.1-26-33, 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 Eric Hume, NPN 8637373, 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 2nd day of June, 2015.



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

TO: Eric Hume
612A Roselyn Avenue
Fort Pierce, FL 34982

SENDER: Jeff Ubben

REFERENCE: Eric Hume

9314 8699 0430 0012 5299 44

PS Form 3800, January 2005

| | | |
|------------------------------|----------------------|------|
| 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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Available Actions

Return Receipt Electronic

| DATE & TIME | STATUS OF ITEM | LOCATION |
|-------------------------|----------------|--------------------|
| May 26, 2015 , 10:43 am | Delivered | BISMARCK, ND 58505 |

Your item was delivered at 10:43 am on May 26, 2015 in BISMARCK, ND 58505

| | | |
|---------------------------|---|---------------------------|
| May 24, 2015 , 3:20 am | Arrived at USPS Facility | BISMARCK, ND 58504 |
| May 21, 2015 , 10:36 pm | Departed USPS Facility | FORT MYERS, FL 33913 |
| May 21, 2015 , 3:43 pm | Arrived at USPS Facility | FORT MYERS, FL 33913 |
| May 14, 2015 , 3:58 pm | Unclaimed | FORT PIERCE, FL 34981 |
| April 18, 2015 , 12:33 pm | Notice Left (No Authorized Recipient Available) | FORT PIERCE, FL 34982 |
| April 18, 2015 , 8:33 am | Out for Delivery | FORT PIERCE, FL 34981 |
| April 18, 2015 , 8:23 am | Sorting Complete | FORT PIERCE, FL 34981 |
| April 18, 2015 , 7:37 am | Arrived at Unit | FORT PIERCE, FL 34981 |
| April 18, 2015 , 4:28 am | Departed USPS Facility | WEST PALM BEACH, FL 33416 |
| April 18, 2015 , 12:50 am | Arrived at USPS Facility | WEST PALM BEACH, FL 33416 |
| April 17, 2015 , 5:52 am | Departed USPS Facility | BISMARCK, ND 58504 |
| April 16, 2015 , 11:59 pm | Arrived at USPS Facility | BISMARCK, ND 58504 |
| April 16, 2015 | Pre-Shipment Info Sent to USPS | |

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