

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
Rodolfo Jimenez,)	AND DEFAULT ORDER
NPN 9431075,)	
)	CASE NO. AG-14-467
Respondent.)	

TO: Rodolfo Jimenez, 11441 Hollow Oak, Miamisburg, OH 45342

On April 22, 2014, 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 Rodolfo Jimenez, NPN 9431075 ("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, 2014. The mailing was returned to the Department marked "Unclaimed" on June 9, 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 June 18, 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 April 22, 2014. The mailing was returned to the Department marked "Unclaimed" on June 9, 2014. 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

On or about January 21, 2014, the Department was notified by MetLife Insurance Company that Respondent's appointment with the company has been terminated effective January 15, 2014. The reason for the termination for cause was Respondent did not disclose information regarding prior misdemeanors on the National Association of Insurance Commissioners license application. Respondent's actions that led to the termination for cause are a violation of N.D.C.C. § 26.1-26-42(6).

V

On or about January 27, 2014, a letter was sent to Respondent at his mailing address on file with the Department requesting information relating to the termination for cause. 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).

VI

On or about February 20, 2014, a letter was sent to Respondent at his mailing address on file with the Department by certified mail, return receipt requested, requesting information relating to the termination for cause. Respondent accepted delivery of the certified mail on February 24, 2014. 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).

VII

Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(6) and (14) 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 and 26.1-26-42(12) and (14) 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 Rodolfo Jimenez, NPN 9431075, 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 19th day of June, 2014.



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

Rodolfo Jimenez
TO: 11441 Hollow Oak
Miamisburg, OH 45342

SENDER: Nancy Brady

REFERENCE: Rodolfo Jimenez

9314 8699 0430 0002 3375 04

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	0.69
	Certified Fee	3.30
	Return Receipt Fee	1.35
	Restricted Delivery	0.00
	Total Postage & Fees	5.34

USPS®
Receipt for
Certified Mail™

No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE

4/22/14

CERTIFIED MAIL™



9314 8699 0430 0002 3375 04
RETURN RECEIPT (ELECTRONIC)



UNITED STATES POSTAGE
EAGLE
FIRST CLASS
FIRST CLASS PERMIT NO. 1000 WASHINGTON, DC
02 1R \$ 06.05⁰⁰
0002001422 APR 22 2014
MAILED FROM ZIP CODE 58505

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518

ADAM HAMM
COMMISSIONER OF INSURANCE
STATE OF NORTH DAKOTA
600 East Boulevard Avenue - Dept 401
Bismarck, North Dakota 58505-0320

RETURN SERVICES REQUESTED

MR ROLDOLFO JIMENEZ
11441 HOLLOW OAK
MIAMISBURG OH 45342

NIXIE 453425074-1N 06/02/14

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
RETURN TO SENDER



CS
FC
D
5/16
3/27

