

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
John Oliver,)	AND DEFAULT ORDER
NPN 16844136,)	
)	CASE NO. AG-15-515
Respondent.)	

TO: John Oliver, 7 Greenbrier Drive, Apt. 302, Fredericksburg, VA 22412

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 John Oliver, NPN 16844136 ("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 29, 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 29, 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 August 12, 2013.

V

According to information received by the Department, on or about December 1, 2014, the Ohio Department of Insurance entered into a Consent Order with Respondent for failing to timely report a regulatory action on a professional license. Respondent had failed to report to Ohio a February 8, 2013, license denial action by the Wisconsin Office of the Commissioner of Insurance. Respondent timely self-reported the Ohio administrative action to the Department. The Wisconsin administrative action should have been disclosed on Respondent's nonresident insurance application in North

Dakota and it was not. Respondent's failure to disclose an administrative action on a license application is in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(1).

VI

On or about February 23, 2015, a Consent Order was offered to Respondent for being in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(1). The Consent Order was mailed to Respondent by certified mail, return receipt requested, and Respondent accepted delivery of the certified mail on February 28, 2015. Respondent failed to sign and return the Consent Order and pay the \$200 fine within 20 days.

VII

Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(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 and 26.1-26-42(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 John Oliver, NPN 16844136, 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: John Oliver
7 Greenbrier Drive, Apt. 302
Fredericksburg, VA 22412

SENDER: Jeff Ubben

REFERENCE: John Oliver

9314 8699 0430 0012 6501 43

PS Form 3800, January 2005

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John Oliver

Date: April 30, 2015

Nancy Brady:

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