

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	
)	CONSENT ORDER
Jeffrey Jarboe,)	
NPN 3761095,)	CASE NO. AG-15-533
)	
Respondent.)	

TO: Jeffrey Jarboe, 3405 Piedmont Road NE, Suite 470, Atlanta, GA 30305-1799

Insurance Commissioner Adam Hamm ("Commissioner") has determined as follows:

1. As a result of information obtained by the North Dakota Insurance Department ("Department") regarding the conduct of Jeffrey Jarboe, NPN 3761095 ("Respondent"), the Commissioner has considered scheduling a formal hearing to determine whether Respondent's conduct as alleged constitutes a basis for imposition of a civil penalty or any other action the Commissioner deems necessary. As more fully described below, Respondent's conduct is alleged to be in violation of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(1), and 26.1-26-45.1.

2. N.D.C.C. § 26.1-26-15 requires that an applicant for any license must be deemed by the Commissioner to be competent, trustworthy, financially responsible, and of good personal and business reputation.

3. N.D.C.C. § 26.1-26-42 states, in part:

The commissioner may suspend, revoke, place on probation, or refuse to continue or refuse to issue any

license issued under this chapter if, after notice to the licensee and hearing, the commissioner finds as to the licensee any of the following conditions:

1. A materially untrue statement in the license application.
4. N.D.C.C. § 26.1-26-45.1 states:

26.1-26-45.1. Reporting of actions.

1. An insurance producer shall report to the commissioner any administrative action taken against the insurance producer's license in another jurisdiction or by another governmental agency in this state within thirty days of the final disposition of the matter. This report must include a copy of the order, consent to order, or other relevant legal documents.
2. Within thirty days after a criminal conviction, an insurance producer shall report to the commissioner any criminal conviction of the insurance producer taken in any jurisdiction. The report must include a copy of the initial complaint, the order issued by the court, and any other relevant legal documents.
5. On or about March 2, 2015, Respondent submitted an application to renew a nonresident surplus lines producer license. On the renewal application, Respondent answered "yes" to background question two relating to ever being named or involved as a party in an administrative proceeding regarding any professional or occupational license or registration and provided information relating to administrative actions. During a review of the application, it was discovered that on or about March 31, 2011, Kentucky took action against Respondent's producer license and Respondent paid a \$500 fine. The Kentucky administrative action should have been disclosed on Respondent's initial application in 2012 and it was not. Respondent's failure to disclose

an administrative action on an application for a producer license is in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(1).

6. On or about October 18, 2013, South Dakota denied a license application submitted by Respondent. The South Dakota administrative action should have been self-reported within 30 days to the Department and it was not. Respondent's failure to self-report an administrative action within 30 days is in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1.

7. On or about January 31, 2014, Oklahoma took action against Respondent's producer license and Respondent paid a \$300 fine. The Oklahoma administrative action should have been self-reported within 30 days to the Department and it was not. Respondent's failure self-report an administrative action within 30 days is in violation of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(1), and 26.1-26-45.1.

8. Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(1), and 26.1-26-45.1.

9. Respondent acknowledges that at the time of signing the Consent to Entry of Order, he was aware of or had been advised of the right to a hearing in this matter, to consult an attorney, to present argument to the Commissioner, to appeal from any adverse determination after a hearing, and Respondent expressly waives those rights.

10. Respondent has agreed to informal disposition of this matter, without a hearing, as provided under N.D.C.C. § 28-32-22.

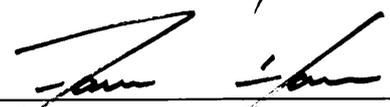
11. For purposes of resolving this matter without further administrative proceedings, Respondent has agreed to enter into the following order.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Respondent agrees to pay a fine in the amount of \$400 payable by money order, cashier's check, or credit card to the North Dakota Insurance Department within 20 days of the effective date of this Order.

2. The use of this Consent Order for competitive purposes by an insurance producer or agency holding a license in the State of North Dakota, or by any company holding a Certificate of Authority, or by anyone on their behalf, may be deemed unfair competition and be grounds for suspension or revocation of said license or authority.

DATED at Bismarck, North Dakota, this 1st day of May, 2015.



Adam Hamm
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Jeffrey Jarboe**, states that he has read the foregoing Consent Order, that he knows and fully understands its contents and effect; that he has been advised of the right to a hearing in this matter, the right to be represented by legal counsel, the right to present evidence and arguments to the Commissioner, and the right to appeal from an adverse determination after hearing; and that by the signing of this Consent to Entry of Order he waives those rights in their entirety, and consents to entry of this Order by the Commissioner. It is further expressly understood that this

Order constitutes the entire settlement agreement between the parties, there being no other promises or agreements, either expressed or implied.

DATED this 29 day of April, 2015.

Jeffrey Jarboe
Jeffrey Jarboe

County of Cobb
State of Georgia

Subscribed and sworn to before me this 29 day of April, 2015.

Stephanie M. Wheeler
Notary Public

My commission expires:

