

**STATE OF NORTH DAKOTA**  
**BEFORE THE INSURANCE COMMISSIONER**

<b>In the Matter of</b>	)	<b>FINDINGS OF FACT,</b>
	)	<b>CONCLUSIONS OF LAW,</b>
<b>Mark Hermosillo,</b>	)	<b>AND DEFAULT ORDER</b>
<b>NPN 16628173,</b>	)	
	)	<b>CASE NO. AG-14-455</b>
<b>Respondent.</b>	)	

**TO: Mark Hermosillo, 619 17<sup>th</sup> Avenue NW, Altoona, IA 50009-1160**

On February 14, 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 Mark Hermosillo, NPN 16628173 (“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 14, 2014. The mailing was returned to the Department marked “Not Deliverable As Addressed – Unable to Forward” on February 25, 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 March 24, 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 February 14, 2014. The mailing was returned to the Department marked "Not Deliverable As Addressed – Unable to Forward" on February 25, 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

According to information obtained by the Department, on or about January 25, 2013, California denied a nonresident license to Respondent due to his criminal history and failure to respond. Respondent failed to report the California administrative action within 30 days to the Department in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1.

V

On or about November 6, 2013, an email was sent to Respondent requesting information regarding the California administrative action and why the administrative action was not reported to the Department. Respondent acknowledged that the email was correct. 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

Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15, 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, 26.1-26-42(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 Mark Hermosillo, NPN 16628173, 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 25<sup>th</sup> day of March, 2014.



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

**TO:** MR MARK HERMOSILLO  
619 17TH AVE NW  
ALTOONA, IA 50009-1160

**SENDER:** Nancy Brady

**REFERENCE:** Mark Hermosillo

9314 8699 0430 0000 5494 35

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	0.90
	Certified Fee	3.30
	Return Receipt Fee	1.35
	Restricted Delivery	0.00
	Total Postage & Fees	5.55

US Postal Service

**Receipt for  
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No Insurance Coverage Provided  
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POSTMARK OR DATE

2/14/14

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Shop

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Have questions? We're here to help.

Tracking Number: 931486990430 0000549435

### Product & Tracking Information

Postal Product:  
First-Class Mail®

Features:  
Certified Mail™

### Available Actions

Return Receipt Electronic

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
February 25, 2014 , 9:46 am	Delivered	BISMARCK, ND 58505
February 25, 2014 , 6:42 am	Arrival at Unit	BISMARCK, ND 58504
February 18, 2014 , 11:34 am	Moved, Left no Address	DES MOINES, IA 50317
February 17, 2014 , 2:28 am	Processed through USPS Sort Facility	DES MOINES, IA 50318
February 17, 2014	Depart USPS Sort Facility	DES MOINES, IA 50318
February 16, 2014 , 5:55 pm	Processed through USPS Sort Facility	DES MOINES, IA 50318
February 15, 2014	Depart USPS Sort Facility	BISMARCK, ND 58504
February 14, 2014 , 8:21 pm	Processed through USPS Sort Facility	BISMARCK, ND 58504
February 13, 2014	Electronic Shipping Info Received	

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