

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the matter of)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW, AND
Christine M. Keppers,)	ORDER OF REVOCATION
NPN 12305245,)	
)	CASE NO. AG-12-360
Respondent.)	

BACKGROUND

On May 30, 2012, the North Dakota Insurance Department ("Department") sent a Complaint requesting the revocation of the North Dakota nonresident insurance producer license ("nonresident license") of Christine M. Keppers, NPN 12305245 ("Respondent"). The Complaint was sent U.S. mail, return receipt requested, to the Respondent's address on file with the Department. On June 7, 2012, the Respondent signed for and accepted service of the Complaint. See attached receipt for certified mail.

On June 18, 2012, the Department received a letter from Respondent answering allegations in the Complaint, and on June 22, 2012, Respondent sent the Department an email contesting the revocation of her License. On June 25, 2012, the Department requested the North Dakota Office of Administrative Hearings ("OAH") assign an Administrative Law Judge ("ALJ") to this matter, and on June 27, 2012, OAH assigned the Honorable Susan L. Bailey to conduct a hearing. At the request of the Department, ALJ Bailey conducted a prehearing conference of the parties on July 13, 2012, at which ALJ Bailey set the hearing to be conducted on November 2, 2012.

On July 19, 2012, at 9:42 a.m., the Respondent, by email, notified the Department and ALJ Bailey that she was withdrawing her request for a hearing and that she was accepting the revocation of her North Dakota nonresident insurance producer license. On that same date at 2:06 p.m., the Respondent sent an email to ALJ Bailey confirming her withdrawal of her request for a hearing.

WHEREFORE, the Respondent has abandoned her request for a hearing and has accepted the decision to revoke her North Dakota nonresident insurance producer license, the North Dakota Insurance Commissioner issues the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent is presently, and has been since January 20, 2009, a licensed North Dakota nonresident insurance producer.
2. On August 14, 1992, Respondent was convicted in the State of Wisconsin of five counts of Class C felony forgery.
3. On November 18, 2008, Respondent was issued a resident insurance producer license by the State of Wisconsin. Respondent has been licensed in numerous other states, as well.
4. On January 20, 2009, the Commissioner issued the Respondent a nonresident insurance producer license.
5. On April 16, 2009, Virginia issued a nonresident insurance producer license to Respondent.
6. On August 10, 2009, California issued a restricted nonresident license with probation to Respondent due to her criminal record. Respondent failed to report this administrative action to the Department until November 20, 2009.

7. On January 5, 2010, the State of Virginia revoked Respondent's license for failure to report the August 10, 2009, California administrative action. Respondent timely reported the Virginia revocation to the Department on January 11, 2010.

8. On June 24, 2010, the State of Georgia issued a probationary license to Respondent due to her criminal record. Respondent failed to report this action to the Department until September 7, 2010.

9. On September 19, 2010, the State of Washington issued a warning to Respondent for her failure to report the June 24, 2010, Georgia administrative action.

10. On November 26, 2010, the State of Missouri denied Respondent's application for a license due to her criminal record, failure to respond, and misstatements on her application. Respondent failed to report this action to the Department until April 8, 2011.

11. Background question No. 2 of the Uniform Renewal Application for Individual Nonresident Insurance Producer License ("Renewal Application") requires applicants to answer, "have you been named or involved as a party in an administrative proceeding regarding any professional or occupational license, or registrations, which has not been previously reported to this state?" On April 1, 2011, Respondent submitted a Renewal Application to the Department. Respondent answered "no" to background question No. 2 on the Renewal Application.

12. On June 7, 2012, the Complaint was duly served on Respondent in accordance with the North Dakota Rules of Civil Procedure and the Administrative Procedures Act, N.D.C.C. ch. 28-32. Respondent requested a hearing in response to the Complaint. On July 19, 2012, Respondent abandoned her request for a hearing and

indicated her acceptance of the revocation of her North Dakota nonresident license. The allegations in the Complaint are deemed admitted.

CONCLUSIONS OF LAW

1. The Insurance Commissioner has jurisdiction over these proceedings pursuant to N.D.C.C. §§ 26.1-01-03 and 26.1-26-42 and N.D.C.C. ch. 28-32.
2. N.D.C.C. ch. 26.1-26 governs the qualifications and procedures for the licensing of insurance producers in the State of North Dakota.
3. Respondent was properly served with the Complaint in accordance with the North Dakota Rules of Civil Procedure and the Administrative Procedures Act, N.D.C.C. ch. 28-32.
4. By abandoning her request for a hearing and consenting to the revocation of her nonresident license, Respondent has admitted the allegations in the Complaint.
5. Respondent's felony criminal conviction for five counts of forgery makes Respondent ineligible to hold an insurance producer license, pursuant to N.D.C.C. § 26.1-02.1-02.1(3). Respondent's felony criminal conviction for five counts of forgery shows that she does not have the trustworthiness, responsibility, personal and business reputation required by N.D.C.C. §§ 26.1-26-15 and 26.1-26-42 for a holder of an insurance producer license.
6. Respondent's failures to timely report disciplinary action by other administrative entities are violations of N.D.C.C. §§ 26.1-26-15, 26.1-26-42, and 26.1-26-45.1 and constitute grounds for revocation of her nonresident license.
7. The multiple administrative actions taken against Respondent's insurance producer license in other states constitute violations of the requirements of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42 and show that she does not have the requisite competence,

trustworthiness, responsibility, and personal and business reputation and are grounds for revocation of Respondent's nonresident license.

8. Respondent's failure to answer "yes" and failure to disclose the State of Missouri, November 26, 2010, denial of application for license, was a material untrue statement provided by the Respondent on her Renewal Application.

9. Respondent's material untrue statement on her Renewal Application and her failure to disclose the administrative action by the State of Missouri at the time of submission of her Renewal Application are violations of N.D.C.C. §§ 26.1-26-15, 26.1-26-42, and 26.1-26-45.1 and constitute grounds for revocation of her nonresident license.

10. Under N.D.C.C. §§ 26.1-02.1-02.1, 26.1-26-42 and 26.1-26-45.1, the Commissioner has authority to revoke Respondent's nonresident license for the violations cited above.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, IT IS ORDERED that the North Dakota nonresident insurance producer license of Christine M. Keppers, NPN 12305245, is **REVOKED** effective immediately.

DATED at Bismarck, North Dakota, this 31st day of July, 2012.



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

Ms. Christine Keppers
6261 Bader Road
Luxemburg, WI 54217-9146

RENDER: Nancy Brady

REFERENCE: Christine Keppers

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