STATE OF NORTH DAKOTA

BEFORE THE INSURANCE COMMISSIONER

In the Matter of	)	**FINDINGS OF FACT,**
	)	**CONCLUSIONS OF LAW,**
Eric Zepeda,	)	**AND DEFAULT ORDER**
NPN 1749502,	)	
	)	**CASE NO. AG-15-573**
Respondent.	)	

TO: Eric Zepeda, 6047 Valparaiso Way, San Antonio, TX 78230

On March 16, 2016, 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 Eric Zepeda, NPN 1749502 ("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 March 16, 2016. Delivery of the certified mail was accepted on March 19, 2016. 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 April 21, 2016, 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 March 16, 2016. Delivery of the certified mail was accepted on March 19, 2016. 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 February 10, 2015.

V

According to information received by the Department, on or about March 20, 2015, Respondent submitted documentation to the National Insurance Producer Registry Attachment Warehouse regarding a conviction for Possession of Marijuana in 2005. A review of Respondent's file revealed that the conviction was not disclosed on

Respondent's nonresident insurance application in North Dakota. Respondent's failure to disclose the criminal conviction 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 17, 2016, 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. Delivery of the certified mail was accepted on February 20, 2016. Respondent failed to sign and return the Consent Order within 20 days.

VII

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

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 Eric Zepeda, NPN 1749502, 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 21st day of April, 2016.

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

TO: Eric Zepeda
6047 Valparaiso Way
San Antonio, TX 78230

SENDER: Jeff Ubben

REFERENCE: Eric Zepeda

9314 8699 0430 0021 4516 87

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	0.485
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	Return Receipt Fee	1.40
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Date: March 21, 2016

Nancy Brady:

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Delivery Section

Signature X	[signature]
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Address of Recipient :

Delivery Address	6047 Valparaiso Way

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Sincerely,
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