

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	
)	
Ryan Kill,)	CONSENT ORDER
NPN 17287281,)	
)	CASE NO. AG-18-768
)	
Respondent.)	

TO: Ryan Kill, 3187 Blue Stem Drive, Suite 3, West Fargo, ND 58078-8008

Insurance Commissioner Jon Godfread ("Commissioner") has determined as follows:

1. As a result of information obtained by the North Dakota Insurance Department ("Department") regarding the conduct of Ryan Kill, NPN 17287281 ("Respondent"), the Commissioner has initiated administrative proceedings regarding Respondent's conduct as alleged below and regarding the imposition of a civil penalty or any other action the Commissioner deems necessary. Respondent's conduct is alleged to be in violation of N.D.C.C. §§ 26.1-26-42(6).

2. N.D.C.C. § 26.1-26-42 states, in relevant 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:

...

6. In the conduct of affairs under the

license, the licensee has used fraudulent, coercive or dishonest practices, or has shown oneself to be incompetent, untrustworthy, or financially irresponsible.

3. Respondent has been licensed as a resident insurance producer in North Dakota since July 10, 2014.

4. On or about August of 2015, Respondent failed to provide a cancellation request to Center Mutual Insurance Company ("CMIC") on behalf of the insured, B.C. This caused B.C. to be ineligible for a refund from CMIC.

5. Between the dates of June 13, 2017 through June 15, 2017, Respondent sent multiple email messages to CMIC in which Respondent requested CMIC to process the cancellation dated August 2015.

6. During the communications with CMIC, Respondent indicated that an original, non-backdated cancellation request was sent to CMIC in August 2015. This statement was false.

8. Respondent's communications had the effect of misleading CMIC.

9. Respondent's statements to CMIC and Respondent's failure to timely submit an authentic cancellation request to CMIC on behalf of the insured, B.C., are in violation of N.D.C.C. § 26.1-26-42(6).

9. Respondent's conduct under his license is dishonest, untrustworthy or incompetent.

10. Respondent acknowledges that at the time of signing the Consent to Entry of Order, he was aware of or had been advised of his rights 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.

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

12. There are no covenants, promises, undertakings, or understandings other than as specifically set forth in this Order.

13. Respondent consents to the Commissioner's continuing jurisdiction over him regarding this matter and any issues which may subsequently arise related to Respondent's activities.

14. For purposes of resolving this matter, without further administrative proceedings, Respondent and the Commissioner have agreed to enter into the following order.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Respondent agrees to issuance by the Commissioner of a conditional license for a period of 36 months and after expiration of 36 months the license will remain conditional for 61 days, to allow the Department to determine whether Respondent completed probation successfully or to enforce any violation of this agreement that occurred during the 60-month probationary period. After the aforementioned time period has expired, the license will become unrestricted if no enforcement action has been initiated.

2. Respondent agrees to pay a fine in the amount of \$3,000.00 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.

3. Respondent agrees that in each 12-month period of the 36-month probationary period, respondent will complete 5 hours of in-classroom insurance ethics

continuing education classes, for a total of 15 hours of in-classroom insurance ethics continuing education classes. These 15 hours do not include, but are completely in addition to, the required 24 hours of continuing education (3 of which must be ethics) required every 2 years per statute.

4. Within 20 days of the effective date of this Order, Respondent agrees to compensate the insured, B.C., \$314.10 for the period the insured had double coverage.

5. Within 30 days of the effective date of this Order, Respondent agrees to report this Order to all state insurance regulatory authorities where Respondent holds a license to sell insurance.

6. Respondent agrees, during the 36-month conditional license period, to report to the Commissioner any administrative action taken against his insurance license in this state or any action taken against his insurance license in any other state or jurisdiction within 30 days of the final disposition of the matter.

7. Respondent agrees, during the 36-month conditional license period, to report to the Commissioner any criminal conviction in this state or in any other state or jurisdiction within 30 days of the final disposition of the matter.

8. Respondent agrees, during the 36-month conditional license period and 61-day review period allowed under paragraph 1, the Department may, revoke, suspend, or take such further action as may be deemed necessary against Respondent's insurance license without Notice of Hearing or the issuance of a Complaint if the Department receives credible information and the Commissioner determines the Respondent has violated any of the terms of this Order. No such determination shall be made by the Commissioner without first providing Respondent a

reasonable opportunity to review the information received by the Department and a reasonable opportunity to respond to the same.

9. Respondent agrees that the Department may, during the 36-month conditional license period and the 61-day review period allowed under paragraph 1, revoke, suspend, or take such further action as may be deemed necessary against Respondent's insurance license without Notice of Hearing or the issuance of a Complaint if the Department receives a complaint from any source against the Respondent and after investigation of the merits of said complaint, after first providing Respondent a reasonable opportunity to review the complaint, and after providing Respondent a reasonable opportunity to respond to the complaint, notifies the Respondent that he has, in the Commissioner's opinion, committed a violation of North Dakota law, except for minor traffic offenses.

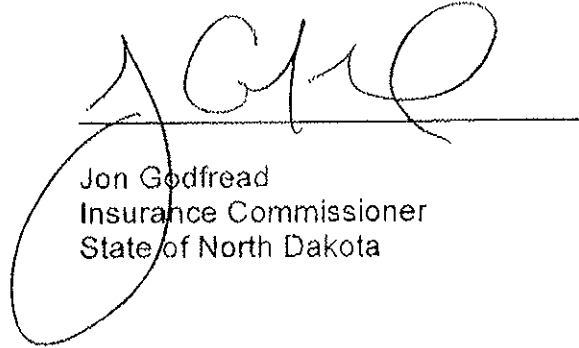
10. Respondent further agrees that any action taken by the Department under the terms of this Order is not appealable and by signing this agreement, hereby waives any right Respondent may have to appeal any action taken by the Department under the terms of this Order.

11. The use of this Consent Order for competitive purposes by an insurance agent 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.

12. The Department will not take further action against Respondent's insurance license on the sole basis of other regulatory or civil action alone that may arise out of the same specific facts as outlined in the current Consent

Order. Respondent understands and agrees that nothing in this Consent Order prevents the Department from taking action on new information that comes to the attention of the Department in the future.

DATED at Bismarck, North Dakota, this 13th day of September, 2018.



Jon Godfread
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, Ryan Kill, 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 7th day of September, 2018.

Ryan Kill
Ryan Kill

County of Cass
State of North Dakota

Subscribed and sworn to before me this 7th day of September, 2018.

[Signature]
Notary Public

My commission expires: Feb. 25, 2022

ELIANA DILL
Notary Public
State of North Dakota
My Commission Expires Feb. 25, 2022