

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

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|-------------------------|---|---------------------------|
| In the Matter of |) | |
| |) | CONSENT ORDER |
| Joseph Bunnell, |) | |
| NPN 16954063, |) | CASE NO. AG-15-520 |
| |) | |
| Respondent. |) | |

TO: Joseph Bunnell, 11707 Vance Jackson Road, #1201, San Antonio, TX 78230

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 Joseph Bunnell, NPN 16954063 (“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 (14).

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.

...

14. The applicant or licensee has refused to respond within twenty days to a written request by the commissioner for information regarding any potential violation of this section.

4. Respondent has been licensed as a nonresident insurance producer in North Dakota since September 4, 2014.

5. According to information received by the Department, on or about December 26, 2014, Respondent submitted documentation to the National Insurance Producer Registry Attachments Warehouse regarding convictions of Possession of Alcohol in 2010 and 2011 and a conviction of Consumption of Alcohol in 2012. The convictions were not disclosed on Respondent's nonresident insurance application in North Dakota. Respondent's failure to disclose criminal convictions on a license application is in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(1).

6. On or about January 7, 2015, a letter was sent to Respondent requesting information relating to the 2010, 2011, and 2012 criminal convictions which were not disclosed on the nonresident insurance application. Respondent was required to respond within 20 days and failed to do so. On or about February 3, 2015, the Department received an email from Respondent stating that all of the information was reported to the National Insurance Producer Registry Attachments Warehouse on December 26, 2014. On or about February 3, 2015, an email was sent to Respondent requesting information on why the Department's request was not answered within the required 20 days. On or about February 4, 2015, an email was received from Respondent's employer stating the reasons the response was not made within the required 20 days. 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. §§ 26.1-26-15 and 26.1-26-42(14).

7. Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(1) and (14).

8. 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.

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

10. 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 31st day of March, 2015.

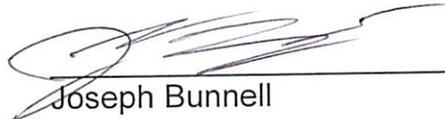


Adam Hamm
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Joseph Bunnell**, 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.

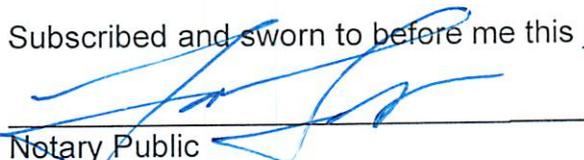
DATED this 26 day of March, 2015.



Joseph Bunnell

County of BBVA
State of TEXAS

Subscribed and sworn to before me this 26 day of MARCH, 2015.



Notary Public

My commission expires: 8-13-16

