

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	
)	CONSENT ORDER
John Holodinski,)	
NPN 1992214,)	CASE NO. AG-15-519
)	
Respondent.)	

TO: John Holodinski, PNC Insurance Services, LLC, 620 Liberty Avenue, P2-PTPP-04-3, Pittsburgh, PA 15222

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 John Holodinski, NPN 1992214 (“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 and 26.1-26-42(1).

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:

26.1-26-42. License suspension, revocation or refusal – Grounds. 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.

4. Respondent has been licensed as a nonresident insurance producer in North Dakota since December 4, 2012.

5. According to information received by the Department, on or about January 27, 2015, Respondent submitted a renewal application and disclosed a FINRA action in response to background question 2 which asks whether Respondent has ever been named or involved as a party in an administrative proceeding including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration. Respondent disclosed a FINRA action from June 18, 2009. During a review of Respondent's licensing information, it was discovered that Respondent did not disclose the FINRA action on his initial application on December 4, 2012. Respondent's failure to disclose the FINRA action on his initial application is in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(1).

6. Respondent's actions constitute a violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1.

7. 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.

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

9. 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 \$200 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, **John Holodinski**, 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 9th day of MARCH, 2015.

John Holodinski
John Holodinski

County of OHIO
State of CUYAHOGA

Subscribed and sworn to before me this 9th day of MARCH, 2015.

Suzanne Zec
Notary Public

My commission expires:

