

STATE OF NORTH DAKOTA  
BEFORE THE INSURANCE COMMISSIONER

In the Matter of	)	
	)	CONSENT ORDER
Charles M. Retterath,	)	
NPN 17228921,	)	CASE NO. AG-14-493
	)	
Respondent.	)	

**TO: Charles M. Retterath, 1291 33rd Avenue SW, Center, ND 58530-9412**

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 Charles M. Retterath, NPN #17228921 (“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 26.1-26-45.1(2).

2. N.D.C.C. § 26.1-26-15 requires that an applicant for a 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. N.D.C.C. § 26.1-26-45.1(2) requires an insurance producer to report to the Commissioner any criminal conviction within 30 days after the conviction. The report must include a copy of the initial complaint, the order issued by the court and any other relevant documents.

5. N.D.C.C. § 26.1-26-50 states:

**26.1-26-50. Civil penalty for violation of chapter.** In addition to or in lieu of any applicable denial, suspension, or revocation of a license, any person violating this chapter may, after hearing, be subject to a civil fine not to exceed ten thousand dollars for each violation. The fine may be collected and recovered in an action brought in the name of the state.

6. On or about April 13, 2014, Respondent was arrested and charged with criminal trespass, a Class A misdemeanor. On or about August 4, 2014, Respondent pled guilty to the charge. Respondent failed to report the conviction to the Commissioner within 30 days of the conviction.

7. Respondent's failure to report the criminal conviction within 30 days of the conviction violates N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1(2).

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 \$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 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.

DATED at Bismarck, North Dakota, this 18<sup>th</sup> day of December, 2014.



---

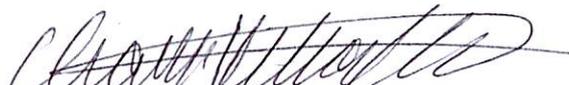
Adam Hamm  
Insurance Commissioner  
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Charles M. Retterath**, 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 17 day of December, 2014.

  
Charles M. Retterath

County of Burleigh  
State of North Dakota

Subscribed and sworn to before me this 17 day of December, 2014.

  
Notary Public

My commission expires: 3/4/20

