

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	
)	
Robert Goff,)	FINDINGS OF FACT,
NPN 9053737,)	CONCLUSIONS OF LAW,
DOB 7/26/71,)	AND DEFAULT ORDER
)	
Respondent.)	CASE NO. AG-10-288

On November 16, 2010, a Complaint to Revoke Insurance Producer License was filed with the Insurance Commissioner by Rebecca L. Ternes, Deputy Commissioner for the North Dakota Insurance Department, alleging Robert Goff, NPN 9053737, DOB 7/26/71 ("Respondent"), committed various violations of North Dakota insurance statutes. The Complaint was mailed to Respondent at the address on file with the Department via certified U.S. mail, return receipt requested, on November 16, 2010. Respondent refused delivery of the certified mail on November 22, 2010. Proof of attempted service of the Complaint is annexed to these Findings. As such, on April 5, 2011, the Complainant made an Application for Default Order 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

On November 16, 2010, the Complaint of Rebecca L. Ternes was mailed to Respondent at his last known address.

III

Respondent has not answered the Complaint within 20 days as required under N.D.C.C. § 28-32-21(1)(e).

IV

Respondent was issued a nonresident insurance producer license in North Dakota effective May 14, 2009.

V

Respondent paid an insurance producer licensing fee by credit card in an electronic transaction in May 2009. Sometime after the funds were forwarded from the electronic system vendor to the Department, Respondent stopped the credit card payment. Respondent has failed to pay the licensing fee.

VI

Respondent's nonresident insurance producer license in Michigan was revoked on August 8, 2010, due to his failure to remit premiums to the insurer, fiduciary violation, and misappropriation of premium. Respondent's nonresident insurance producer license in Kansas was revoked on July 22, 2010, for demonstrated lack of fitness or

trustworthiness. Respondent failed to report to the Department the revocation of his licenses in Kansas and Michigan.

V

On November 16, 2010, the Department mailed to Respondent, by certified mail, a letter and Complaint to Revoke Insurance Producer License. Respondent refused delivery of the Complaint on November 22, 2010. The Complaint was mailed to the address Respondent has on file with the Department, which is the same address at which he was mailed the Kansas and Michigan actions against him. Respondent failed to provide a written response to the Complaint.

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 action in failing to pay a licensing fee, the revocation of his licenses by two other state insurance regulators, and his failure to report the revocations constitute a violation of N.D.C.C. §§ 26.1-26-15, 26.1-26-42, and 26.1-26-45.1 and is grounds for administrative action against Respondent's insurance agent 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 agent license of Robert Goff, NPN 9053737, DOB 7/26/71, 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 5th day of April, 2011.



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

Mr. Robert Goff
TO: 1052 NW Third Street
Hallandale Beach, FL 33009-3102

SENDER: Nancy Brady

REFERENCE: Robert Goff

7160 3820 3530 1017 4627

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	0.61
	Certified Fee	2.80
	Return Receipt Fee	1.10
	Restricted Delivery	0.00
	Total Postage & Fees	4.51

US Postal Service
**Receipt for
Certified Mail**
No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE

11/17/10

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Label/Receipt Number: **7160 3820 3530 1017 4627**

Class: **First-Class Mail®**

Service(s): **Return Receipt Electronic**

Status: **Delivered**

Your item was delivered at 10:07 am on December 09, 2010 in
BISMARCK, ND 58505.

Information on this item has been restored from offline files and will be
available online for 30 days from 01/26/2011.

Detailed Results:

- **Delivered, December 09, 2010, 10:07 am, BISMARCK, ND 58505**
- **Arrival at Unit, December 09, 2010, 7:50 am, BISMARCK, ND 58504**
- **Return to Sender, November 24, 2010, 11:29 am, HALLANDALE, FL**
- **Refused, November 22, 2010, 12:07 pm, HALLANDALE, FL 33009**
- **Electronic Shipping Info Received, November 16, 2010**

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