

STATE OF NORTH DAKOTA  
BEFORE THE INSURANCE COMMISSIONER

In the Matter of	)	
	)	CONSENT ORDER
Matthew Panzer,	)	
NPN 9669997,	)	CASE NO. AG-16-645
	)	
Respondent.	)	

TO: Matthew Panzer, 7878 NW 111<sup>th</sup> Way, Parkland, FL 33076

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 Matthew Panzer, NPN 9669997 ("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) 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 February 20, 2015.

5. On or about March 29, 2016, the Department received notification that documents were filed in the National Insurance Producer Registry Attachment Warehouse regarding convictions for Aggravated Assault With Deadly Weapon and Possession of Drug Paraphernalia on November 3, 2011. A review of Respondent's file revealed that the convictions were not disclosed on Respondent's nonresident insurance application in North Dakota. Respondent's failure to disclose the 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 May 4, 2016, an email was sent to Respondent requesting information relating to the criminal convictions and why they were not disclosed on Respondent's initial application in 2015. Respondent provided a partial statement regarding why the convictions were not disclosed on the initial application and also provided a statement regarding the Possession of Drug Paraphernalia conviction. On or about May 5, 2016, another email was sent to Respondent requesting information relating to the Aggravated Assault With Deadly Weapon conviction. Respondent failed to respond to the Department's request for information. 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) and are grounds for revocation of Respondent's insurance agent license.

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's nonresident insurance producer license is hereby **REVOKED** effective upon the Commissioner's execution of this Order.

2. No administrative fine or other civil penalty is imposed.

3. 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 13<sup>th</sup> day of July, 2016.

  
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Adam Hamm  
Insurance Commissioner  
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Matthew Panzer**, 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 6<sup>th</sup> day of July, 2016.

Matthew Panzer  
Matthew Panzer

Subscribed and sworn to before me this 6 day of July, 2016.

Beth E. Kapp  
Notary Public

County of Broward  
State of FL

My commission expires: 6/1/19

