

**STATE OF NORTH DAKOTA**  
**BEFORE THE INSURANCE COMMISSIONER**

<b>In the Matter of</b>	)	
	)	<b>CONSENT ORDER</b>
<b>Ryan Botner,</b>	)	
<b>NPN 8498642,</b>	)	<b>CASE NO. AG-20-817</b>
	)	
<b>Respondent.</b>	)	

**TO: Ryan Botner, 927 Main Ave Washburn ND 58577**

Insurance Commissioner Jon Godfread ("Commissioner") has determined as follows:

1. As a result of information obtained by the North Dakota Insurance Department ("Department") regarding the conduct of Ryan Botner, NPN 8498642 ("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. § 26.1-26-42 (14) and/or §26.1-26-33.

N.D.C.C. § 26.1-26 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:

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.

and

**26.1-26-33. Notification of address change – Duty of licensee.**

Every licensee shall notify the commissioner of any change in the licensee's residential or business address or legal name.

2. On or about March 19, 2020, the Department received a complaint from Shawn Weyer. In this complaint, Mr. Weyer stated that the Respondent set up insurance policies for Weyer for both his personal and professional needs. The specifics of the Weyer complaint are not pertinent to the proceeding at hand. Upon receiving the complaint from Weyer, the Department reached out to the Respondent for his response to the complaint. Respondent was contacted via email on March 24, 2020. He responded to this email saying "What is this about?" When Department staff replied to that email giving him additional specifics. He never responded. Another email was sent on April 14, 2020 and the Respondent never responded to that email. On June 24, 2020, a letter was sent to the Respondent via certified mail to the address he provided in association with his licensure with the North Dakota Insurance Department. That letter was returned to the Department with another address suggested. The Department conducted an investigation and found that the other address suggested, located in Nevada, was an address associated with the Respondent. A certified letter was sent to that address in an attempt to contact the Respondent, even though it was not an address that he had linked to his professional license. That letter was returned to the Department "unclaimed – unable to forward." The Department decided to revoke the Respondent's license for failure to maintain an up to date address with the Department in violation of §26.1-26-33 and/or failure to respond to the Department in violation of §26.1-26-42(14). Additionally, it was only in December of 2020 that a Department investigator was able to locate and communicate with the Respondent. The Respondent then gave that investigator a new address, nearly six months after being unable to be reached at his address on file and only after being specifically asked by Department staff for his new address.

3. 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.

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

5. 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 resident 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.

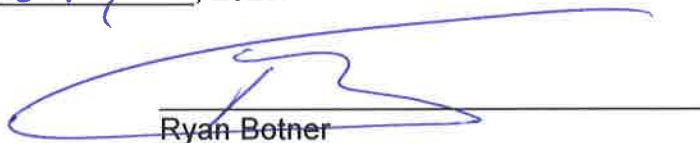
DATED at Bismarck, North Dakota, this 11<sup>th</sup> day of February, 2020.

  
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Jon Godfread  
Insurance Commissioner  
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Ryan Botner**, 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 27 day of January, 2020.

  
Ryan Botner

County of McLean  
State of North Dakota

Subscribed and sworn to before me this 27 day of January, 2020.

  
Notary Public

My commission expires:

