

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of

**David Hollis,
NPN 10189113,**

Respondent.

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CONSENT ORDER

CASE NO. AG-16-630

TO: David Hollis, 1345 Perimeter Parkway, Virginia Beach, VA 23454-5882

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 David Hollis, NPN 10189113 (“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, 26.1-26-42(1), and 26.1-26-45.1(2).

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.

4. N.D.C.C. § 26.1-26-45.1 states, in part:

26.1-26-45.1. Reporting of actions.

...

2. Within thirty days after criminal conviction an insurance producer shall report to the commissioner any criminal conviction of the insurance producer taken in any jurisdiction. The report must include a copy of the initial complaint, the order issued by the court, and any other relevant legal documents.

5. Respondent has been licensed as a nonresident insurance producer in North Dakota since March 31, 2008.

6. On or about December 14, 2015, Respondent submitted documents to the Department relating to a conviction of Public Intoxication on September 7, 2015. A review of Respondent's licensing record revealed that Respondent failed to disclose the criminal conviction within 30 days. On or about December 15, 2015, an email was sent to Respondent advising him to be mindful of timely reporting any criminal convictions or administrative actions within 30 days as is required by N.D.C.C. § 26.1-26-45.1.

7. On or about March 28, 2016, Respondent submitted documents to the Department relating to a conviction of Urinating in Public on August 25, 2008. A review of Respondent's licensing record revealed that Respondent failed to report the criminal conviction to the Department within 30 days. Respondent's failure to report a criminal conviction within 30 days is in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1(2).

8. A review of Respondent's licensing record also revealed that Respondent failed to disclose the August 25, 2008, criminal conviction of Urinating in Public on his renewal applications in 2011, 2013, and 2015. Respondent's failure to disclose a criminal conviction on a license application is in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(1).

9. Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(1), and 26.1-26-45.1(2).

10. 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.

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

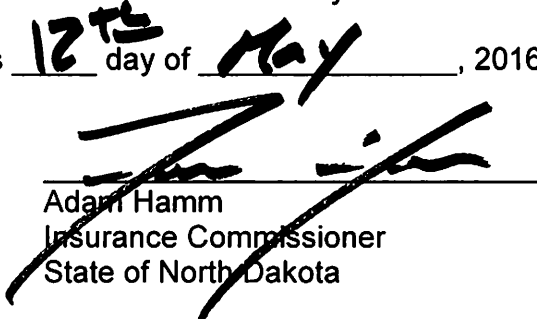
12. For purposes of resolving this matter without further administrative proceedings, Respondent has agreed to enter into the following order.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Respondent agrees to pay a fine in the amount of \$700 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 12th day of May, 2016.



Adam Hamm
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **David Hollis**, 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 May, 2016.

David Hollis
David Hollis

County of VIRGINIA BEACH
State of VIRGINIA

Subscribed and sworn to before me this 9th day of May, 2016.

Jennifer Yvonne-Johnson Doty
Notary Public

My commission expires: 11/30/2019



Jennifer Yvonne-Johnson Doty
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7511843
My Commission Expires
November 30, 2019