

STATE OF NORTH DAKOTA

BEFORE THE INSURANCE COMMISSIONER

In the Matter of

Kandi Jablonski,  
NPN 7117305,

Respondent.

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CONSENT ORDER  
CASE NO. AG-16-679

TO: Kandi Jablonski, 112 High Point Drive, Canonsburg, PA 15317-9609

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 Kandi Jablonski, NPN 7117305 ("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(1) and 26.1-26-45.1(1).

2. 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.

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

**26.1-26-45.1. Reporting of actions.**

1. An insurance producer shall report to the commissioner any administrative action taken against the insurance producer's license in another jurisdiction or by another governmental agency in this state within thirty days of the final disposition of the matter. This report must include a copy of the order, consent to order, or other relevant legal documents.

4. On or about August 24, 2016, Respondent submitted an application to renew her nonresident insurance producer license in North Dakota. Respondent answered "no" to background question two relating to being named or involved as a party in an administrative proceeding regarding any professional or occupational license or registration. A background investigation revealed that on or about February 19, 2014, Ohio took administrative action against Respondent by issuing a Consent Order with a \$100 fine for failing to file the annual Title Agent Review Form in a timely manner to Ohio. The Ohio administrative action should have been reported to North Dakota by March 19, 2014, and it was not reported until May 15, 2014. Respondent's failure to report an administrative action within 30 days is in violation of N.D.C.C. § 26.1-26-45.1(1).

5. On or about January 9, 2015, Delaware took administrative action against Respondent by revoking Respondent's insurance producer license for failing to report other state action taken by Ohio to Delaware. The Delaware administrative action should have been reported to North Dakota by February 9, 2015, and it was never reported. Also, the Delaware administrative action should have been disclosed on Respondent's current renewal application and it was not. Respondent's failure to report

an administrative action within 30 days and failing to disclose the administrative action on an application is in violation of N.D.C.C. §§ 26.1-26-42(1) and 26.1-26-45.1(1).

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

7. Respondent acknowledges that at the time of signing the Consent to Entry of Order, she 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.

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

9. 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 \$400 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 14<sup>th</sup> day of December, 2016.

  
Adam Hamm  
Insurance Commissioner  
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Kandi Jablonski**, states that she has read the foregoing Consent Order, that she knows and fully understands its contents and effect; that she 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 she 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 5<sup>th</sup> day of December, 2016.

Kandi Jablonski  
Kandi Jablonski

County of Allegheny  
State of Pennsylvania

Subscribed and sworn to before me this 5 day of December, 2016.

Daniel F. Loughlin Jr.  
Notary Public

My commission expires:

