

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of

Erinn Keller,
NPN 7214452,

Respondent.

)
)
)
)
)
)

CONSENT ORDER
CASE NO. AG-17-711

TO: Erinn Keller, 3455 East San Carlos Place, Chandler, AZ 85249-5145

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 Erinn Keller, NPN 7214452 (“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. § 26.1-26-45.1(1).

2. 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.

3. Respondent has been licensed as a nonresident insurance producer in North Dakota since March 15, 2012.

4. On or about October 25, 2016, Respondent submitted an application to renew her nonresident insurance producer license in North Dakota. Respondent answered “yes” to background question 2 relating to being named or involved as a party in an administrative proceeding regarding any professional or occupational license. Respondent provided information relating to administrative actions taken by the States of Minnesota, Wisconsin, Delaware, and New York.

5. On February 14, 2015, Minnesota fined Respondent \$250 for failing to notify Minnesota of an address change. The Minnesota administrative action should have been reported to North Dakota by March 14, 2015, and it was not reported until June 5, 2015. 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).

6. On May 27, 2015, Wisconsin denied a license to Respondent for failing to make a required disclosure on a license application. The Wisconsin administrative action should have been reported to North Dakota by June 27, 2015, and it was not reported until June 23, 2016. 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).

7. On December 16, 2015, Delaware revoked Respondent’s license for failing to report another state action. The Delaware administrative action should have been reported to North Dakota by January 16, 2016, and it was not reported until May 25, 2016. 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).

8. On April 21, 2016, New York fined Respondent \$1,500 for failing to report another state action. The New York administrative action should have been reported to North Dakota by May 21, 2016, and it was not reported until May 26, 2016. 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).

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

10. 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.

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 \$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 9th day of March, 2017.



Jon Godfread
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER


The undersigned, **Erinn Keller**, 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 28 day of February, 2017.


Erinn Keller

County of Maricopa
State of Arizona

Subscribed and sworn to before me this 28 day of February, 2017.


Notary Public

My commission expires: 8-6-17

