

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	
)	CONSENT ORDER
Stacey MacClennan,)	
NPN 7982244,)	CASE NO. AG-16-632
)	
Respondent.)	

TO: Stacy MacClennan, 411 Valley Avenue, Burlington, ND 58722

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 Stacey MacClennan, NPN 7982244 (“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).

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. On or about March 9, 2016, Respondent submitted an application to renew a resident insurance producer license. On the renewal application, Respondent answered "yes" to background question 1A relating to misdemeanor convictions and provided information relating to a 1996 conviction for Disorderly Conduct. During a review of the application, it was discovered that Respondent failed to disclose the criminal conviction on her initial application in 2004, an application to add a line of authority in 2007, and renewal applications in 2010, 2012, and 2014. Respondent's failure to disclose a criminal conviction on an application is in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(1).

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

6. 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.

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

8. 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 \$1,000 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 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 10th day of May, 2016.



Adam Hamm
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Stacey MacClennan**, 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 day of May, 2016.

Stacey MacClennan
Stacey MacClennan

County of Ward
State of North Dakota

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

Ann K. Wullweber
Notary Public

My commission expires: October 16, 2018

