

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
Garrett Morrell,)	AND DEFAULT ORDER
NPN 8459906,)	
)	CASE NO. AG-17-705
Respondent.)	

TO: Garrett Morrell, 3658 NW 18th Avenue, Oakland Park, FL 33309

On January 30, 2017, a Complaint for Revocation of License was filed with the Insurance Commissioner by Kelvin W. Zimmer, Director of Producer Licensing for the North Dakota Insurance Department, alleging Garrett Morrell, NPN 8459906 (“Respondent”), committed various violations of North Dakota insurance statutes.

The Complaint was mailed to Respondent at the address on file with the Department by the United States Postal Service via certified mail, return receipt requested, on January 31, 2017. On March 6, 2017, the certified mail was returned to the Department marked “Return to Sender – Attempted-Not Known – Unable to Forward.” Proof of service of the Complaint is annexed to these Findings. Respondent failed to answer the Complaint within 20 days as required under N.D.C.C. § 28-32-21(1)(e). As such, on March 20, 2017, an Application for Default Order was made deeming the allegations made in the Complaint to be admitted pursuant to N.D.C.C. § 28-32-30.

Based on the allegations made in the Complaint and on the evidence presented in the Affidavits filed in support of the Complainant's Application for Default Order, the following Findings of Fact, Conclusions of Law, and Default Order are entered:

FINDINGS OF FACT

I

Respondent is presently, and has at all times pertinent to this action, been an insurance producer licensed in North Dakota.

II

The Complaint was mailed to Respondent at the address on file with the Department by the United States Postal Service via certified mail, return receipt requested, on January 31, 2017. On March 6, 2017, the certified mail was returned to the Department marked "Return to Sender – Attempted-Not Known – Unable to Forward." Respondent failed to provide a written response to the Complaint.

III

Respondent has not answered the Complaint within 20 days as required under N.D.C.C. § 28-32-21(1)(e).

IV

Respondent has held a North Dakota nonresident individual insurance producer license since May 3, 2016.

V

On or about September 9, 2016, the Department was notified by the National Insurance Producer Registry ("NIPR") that they have not received payment for the application for Respondent's nonresident insurance producer license issued on May 3,

2016. The fees due are the \$100 license fee and the \$6.18 NIPR processing fee for a total amount due of \$106.18. NIPR has tried several times to make contact with Respondent with no response.

VI

On or about September 9, September 22, and October 17, 2016, emails were sent to Respondent's address on file requesting verification of the email address. There was no response to the email requests. On or about October 19, 2016, a letter was sent by certified mail, return receipt requested, to Respondent requesting payment of the application fees in the amount of \$106.18. On or about November 12, 2016, the certified mail was returned to the Department marked "Return to Sender – Unclaimed – Unable to Forward." Respondent failed to respond to the Department's request for payment of the application fees. On or about November 2, 2016, NIPR verified to the Department that Respondent had not remitted the application fees in the amount of \$106.18.

VII

Respondent's violations of N.D.C.C. § 26.1-26-20(1)(b) and N.D. Admin. Code § 45-02-02-02(1)(d) and (2)(a) are grounds for revocation of his insurance producer license.

CONCLUSIONS OF LAW

1. Respondent was properly served with the Complaint in accordance with the North Dakota Rules of Civil Procedure.
2. Because of his failure to answer the Complaint within 20 days of its proper service, Respondent is in default under N.D.C.C. § 28-32-30.

3. Because Respondent is in default, the allegations in the Complaint are deemed admitted pursuant to N.D.C.C. § 28-32-30.

4. Respondent's violations of N.D.C.C. § 26.1-26-20(1)(b) and N.D. Admin. Code § 45-02-02-02(1)(d) and (2)(a) are grounds for revocation of his insurance producer license.

5. Under N.D.C.C. § 26.1-26-42, the Commissioner of Insurance has authority to revoke Respondent's producer license for the violations cited above.

DEFAULT ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, IT IS ORDERED that the North Dakota insurance producer license of Garrett Morrell, NPN 8459906, be **REVOKED** effective after the time for filing a motion to vacate a Default Order pursuant to N.D.C.C. § 28-32-30 expires.

DATED at Bismarck, North Dakota, this 28th day of March, 2017.



Jon Godfread
Commissioner
N.D. Insurance Department
600 East Boulevard Avenue
Bismarck, ND 58505
(701) 328-2440

TO: Garrett Morrell
3658 NW 18th Avenue
Oakland Park, FL 33309

SENDER: Jeff Ubben

REFERENCE: Garrett Morrell

9314 8699 0430 0030 5566 94

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	1.40
	Certified Fee	3.35
	Return Receipt Fee	1.45
	Restricted Delivery	0.00
	Total Postage & Fees	6.20

USPS®

**Receipt for
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No Insurance Coverage Provided
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1/31/17

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Tracking Number: 9314869904300030556694

Updated Delivery Day: **Monday, March 6, 2017**

Product & Tracking Information

Postal Product:
First-Class Mail®

Features:
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
March 6, 2017 , 11:17 am	Delivered, Left with Individual	BISMARCK, ND 58505

Your item was delivered to an individual at the address at 11:17 am on March 6, 2017 in BISMARCK, ND 58505.

March 6, 2017 , 8:48 am	Out for Delivery	BISMARCK, ND 58504
March 6, 2017 , 8:38 am	Sorting Complete	BISMARCK, ND 58504
March 6, 2017 , 5:50 am	Arrived at Unit	BISMARCK, ND 58504
February 21, 2017 , 10:27 am	Undeliverable as Addressed	FORT LAUDERDALE, FL 33309
February 6, 2017 , 7:07 pm	Undeliverable as Addressed	FORT LAUDERDALE, FL 33309
February 5, 2017 , 6:34 pm	In Transit to Destination	
February 4, 2017 , 6:34 pm	Departed USPS Destination Facility	OPA LOCKA, FL 33054
February 4, 2017 , 5:24 am	Arrived at USPS Destination Facility	OPA LOCKA, FL 33054
February 2, 2017 , 5:19 am	In Transit to Destination	
January 31, 2017 , 10:19 pm	Arrived at USPS Facility	BISMARCK, ND 58504
January 26, 2017	Pre-Shipment Info Sent to USPS, USPS Awaiting Item	

Available Actions

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Tracking (or receipt) number

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