

**STATE OF NORTH DAKOTA**  
**BEFORE THE INSURANCE COMMISSIONER**

<b>In the Matter of</b>	)	<b>FINDINGS OF FACT,</b>
	)	<b>CONCLUSIONS OF LAW,</b>
<b>Timothy Anderson,</b>	)	<b>AND DEFAULT ORDER</b>
<b>NPN 17617844,</b>	)	
	)	<b>CASE NO. AG-17-704</b>
<b>Respondent.</b>	)	

**TO: Timothy Anderson, 60 Apple Road, Tolland, CT 06084**

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 Timothy Anderson, NPN 17617844 (“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 – Unclaimed – 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 – Unclaimed – 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 been licensed as a nonresident insurance producer in North Dakota since June 15, 2015.

V

On or about October 4, 2016, Respondent submitted information to the Department relating to a May 18, 2016, conviction for Larceny. Respondent also submitted information relating to being charged with DUI and Reckless Driving on May

22, 2016, and being charged with Evading Responsibility-Injury/Property Damage on June 5, 2016. The latter issues were resolved on September 23, 2016. The May 18, 2016, conviction for Larceny should have been reported to the Department by June 18, 2016, and it was not reported until October 4, 2016. Respondent's failure to report a criminal conviction to the Department within 30 days is in violation of N.D.C.C. § 26.1-26-45.1(2).

#### VI

On or about October 19, 2016, an email was sent to Respondent's address on file requesting information relating to the criminal conviction and criminal charges and why they were not reported to the Department within 30 days. Respondent failed to respond to the request within 20 days. Respondent's failure to respond to a written request for information by the Department within 20 days is a violation of N.D.C.C. § 26.1-26-42(14).

#### VII

Respondent's actions constitute violations of N.D.C.C. § 26.1-26-42(14) and 26.1-26-45.1(2) and are grounds for revocation of Respondent's 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.

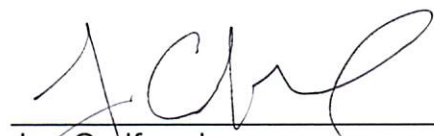
4. Respondent's violations of N.D.C.C. §§ 26.1-26-42(14) and 26.1-26-45.1(2) are grounds for revocation of his insurance producer license.

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 Timothy Anderson, NPN 17617844, 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 23<sup>rd</sup> day of March, 2017.



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

**TO:** Timothy Anderson  
60 Apple Road  
Tolland, CT 06084

**SENDER:** Jeff Ubben

**REFERENCE:** Timothy Anderson

9314 8699 0430 0030 5564 89

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

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DATE & TIME	STATUS OF ITEM	LOCATION
March 6, 2017 , 11:17 am	Delivered, To Original Sender	BISMARCK, ND 58505

Your item has been delivered to the original sender 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 28, 2017 , 3:16 pm	Unclaimed/Max Hold Time Expired	TOLLAND, CT 06084
February 8, 2017 , 1:10 pm	Notice Left (No Authorized Recipient Available)	TOLLAND, CT 06084
February 8, 2017 , 9:02 am	Out for Delivery	TOLLAND, CT 06084
February 8, 2017 , 8:52 am	Sorting Complete	TOLLAND, CT 06084
February 8, 2017 , 7:55 am	Arrived at Unit	TOLLAND, CT 06084
February 7, 2017 , 7:52 pm	In Transit to Destination	
February 6, 2017 , 7:52 pm	Arrived at USPS Destination Facility	SPRINGFIELD, MA 01152
February 5, 2017 , 6:30 pm	In Transit to Destination	
February 4, 2017 , 6:30 pm	Arrived at USPS Destination Facility	HARTFORD, CT 06101
February 4, 2017 , 4:14 am	Departed USPS Facility	SPRINGFIELD, MA 01152
February 3, 2017 , 7:41 am	Arrived at USPS Destination Facility	SPRINGFIELD, MA 01152
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

[Return Receipt Electronic](#)

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