

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
Michelle Jaramillo,)	AND DEFAULT ORDER
NPN 17349841,)	
)	CASE NO. AG-17-706
Respondent.)	

TO: Michelle Jaramillo, 6126 Falla Drive, Canal Winchester, OH 43110-8548

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 Michelle Jaramillo, NPN 17349841 (“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 17, 2017, the certified mail was returned to the Department. 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 17, 2017, the certified mail was returned to the Department. 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

According to information obtained by the Department, on or about October 4, 2016, Respondent's appointments with a number of companies were terminated for cause. The companies Respondent was terminated from were as follows:

- Nationwide Mutual Insurance Company
- Nationwide Mutual Fire Insurance Company
- Allied Property and Casualty Insurance Company
- Nationwide Affinity Insurance Company of America
- AMCO Insurance Company
- Depositors Insurance Company
- Nationwide Insurance Company of America

The reason for the termination was stated as Respondent may have committed an insurance unfair trade act or practice, insurance fraud, used fraudulent or dishonest practices, or demonstrated incompetence or financial irresponsibility in the conduct of business in this state or elsewhere. Respondent's actions that led to the termination for cause are in violation of N.D.C.C. § 26.1-26-42(6).

V

On or about November 9, 2016, a letter was sent by certified mail, return receipt requested, to Respondent requesting information relating to the termination for cause. Delivery of the certified mail was accepted on November 14, 2016. Respondent has failed to respond to the Department's request for information. 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).

VI

On or about January 31, 2017, a Consent Order was offered to Respondent for being in violation of N.D.C.C. § 26.1-26-42(6) and (14). The Consent Order was mailed to Respondent by certified mail, return receipt requested. On March 17, 2017, the certified mail was returned to the Department. Respondent failed to sign and return the Consent Order within 20 days.

VII

Respondent's actions constitute violations of N.D.C.C. § 26.1-26-42(6) and (14) 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 her 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(6) and (14) are grounds for revocation of her 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 Michelle Jaramillo, NPN 17349841, 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 21st day of March, 2017.



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

TO: Michelle Jaramillo
6126 Falla Drive
Canal Winchester, OH 43110-8548

SENDER: Jeff Ubben

REFERENCE: Michelle Jaramillo

9314 8699 0430 0030 5567 62

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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Available Actions

Return Receipt Electronic

DATE & TIME	STATUS OF ITEM	LOCATION
March 17, 2017 , 9:31 am	Delivered, To Original Sender	BISMARCK, ND 58505
Your item has been delivered to the original sender at 9:31 am on March 17, 2017 in BISMARCK, ND 58505.		
March 13, 2017 , 12:43 pm	In Transit to Destination	
March 12, 2017 , 12:43 pm	Departed USPS Facility	PONTIAC, MI 48340
March 11, 2017 , 11:39 pm	Arrived at USPS Facility	PONTIAC, MI 48340
February 23, 2017 , 2:47 pm	Moved, Left no Address	CANAL WINCHESTER, OH 43110
February 4, 2017 , 3:59 pm	Notice Left (No Authorized Recipient Available)	CANAL WINCHESTER, OH 43110
February 4, 2017 , 8:21 am	Out for Delivery	CANAL WINCHESTER, OH 43110
February 4, 2017 , 8:11 am	Sorting Complete	CANAL WINCHESTER, OH 43110
February 4, 2017 , 5:56 am	Arrived at Unit	CANAL WINCHESTER, OH 43110
February 4, 2017 , 2:48 am	Departed USPS Destination Facility	COLUMBUS, OH 43218
February 3, 2017 , 11:28 am	Arrived at USPS Destination Facility	COLUMBUS, OH 43218
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	

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