

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
Alexander Ortiz,)	AND DEFAULT ORDER
NPN 17699195,)	
)	CASE NO. AG-17-714
Respondent.)	

TO: Alexander Ortiz, 719 SE 28th Court, Des Moines, IA 50317-1323

On April 20, 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 Alexander Ortiz, NPN 17699195 (“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 April 20, 2017. Delivery of the certified mail was accepted on April 24, 2017. 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 May 17, 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 April 20, 2017. Delivery of the certified mail was accepted on April 24, 2017. 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 September 2, 2015.

V

On or about December 20, 2016, the Department received notification that Respondent submitted documentation to the National Association of Insurance Commissioners Attachment Warehouse regarding criminal convictions that were not disclosed on his initial application in 2015. Respondent provided information relating to

a 2006 conviction for Possession of Drug Paraphernalia, a 2006 conviction for Possession of Cannabis, a 2007 conviction for Retail Theft, and a 2008 conviction of Probation. Respondent's failure to disclose a criminal conviction on a license application is in violation of N.D.C.C. § 26.1-26-42(1).

VI

On or about February 21, 2017, a Consent Order was offered to Respondent for being in violation of N.D.C.C. § 26.1-26-42(1). The Consent Order was mailed to Respondent by certified mail, return receipt requested. Delivery of the certified mail was accepted on March 8, 2017. 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(1) 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 the Respondent's 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(1) are grounds for revocation of the Respondent's 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 Alexander Ortiz, NPN 17699195, 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 15th day of May, 2017.



Jon Godfread
Commissioner
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