

STATE OF NORTH DAKOTA  
BEFORE THE INSURANCE COMMISSIONER

In the Matter of	)	FINDINGS OF FACT,
	)	CONCLUSIONS OF LAW,
Alyson Marie Yahna,	)	AND DEFAULT ORDER
NPN 17672893,	)	
	)	CASE NO. AG-17-739
Respondent.	)	

**TO: Alyson Marie Yahna, 701 Clark Ave., Larimore, ND 58251-5030**

On September 19, 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 Alyson Marie Yahna, NPN 17672893 (“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 September 20, 2017. On October 27, 2017, the certified mail was returned to the Department. Respondent was served with the complaint on December 4, 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 December 27, 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 September 20, 2017. On October 27, 2017, the certified mail was returned to the Department. Several attempts were made to serve Ms. Yahna. Service was made on December 4, 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

On or about June 30, 2015, Respondent submitted an application to for a resident producer license. Due to Respondent's unsatisfied judgments she was offered a 24 month conditional license from August 3, 2015 to August 3, 2017. On August 3, 2017 a review was conducted and found that Respondent had violated several conditions of her conditional license. Respondent failed to provide documentation of satisfied judgements. A search revealed one of the judgements still outstanding. Furthermore, a court search found a September 26, 2016 Misdemeanor conviction. Respondent's failure to abide by the conditions of her license is in violation of N. D. C. C. § 26. 1-26-42(12).

Respondent's actions constitute violations of N. D. C. C. § 26. 1-26-42(12) 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 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(12) are grounds for revocation of 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 Alyson Marie Yahna, NPN 17672893, 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 27<sup>th</sup> day of December, 2017.

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