

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

JAN 26 2024

FILED

STATE OF NEBRASKA)	FINDINGS OF FACT, CONCLUSIONS OF
DEPARTMENT OF INSURANCE,)	LAW, RECOMMENDED ORDER AND
)	ORDER
PETITIONER,)	
)	CAUSE NO. A-2349
VS.)	
)	
DANIELLE DHAITI,)	
(NAIC Producer #17869192))	
)	
)	
RESPONDENT.)	

This matter came up for hearing on January 23, 2024, before Michael W. Anderson, a hearing officer duly appointed by the Director of the Nebraska Department of Insurance. The Nebraska Department of Insurance (“Department”) was represented by its counsel, Megan VanAusdall. Danielle Dhaiti (“Respondent”) was not present and was not represented by counsel. The proceedings were recorded by Shelly Storie, a licensed Notary Public. The Department presented evidence at the hearing and the matter was taken under advisement. The hearing officer makes the following Findings of Fact, Conclusions of Law, and Recommended Order:

FINDINGS OF FACT

1. The Department is the agency of the State of Nebraska charged with licensing Insurance Producers.
2. Respondent currently holds a non-resident insurance producer’s license in the State of Nebraska. Respondent’s registered residential, business, and mailing address with the Department is 218-23 112 Ave, Queens Village, New York 11429. (See Ex. 1, Attachment 1).
3. On or about July 20, 2023, Petitioner’s Office received a notification from the National Insurance Producer Registry (“NIPR”) that after Respondent submitted an electronic application for a non-resident producer’s license, Respondent’s payment for the associated transaction fee did not clear. As a result, Respondent did not pay the licensing fee with her initial application for licensure. (See Exhibit 1, Attachment 2)

4. On or about July 25, 2023, Licensing Administrator, Kevin Schlautman (“Kevin Schlautman”), emailed Respondent, at her registered email address with the Department (danielledhaiti@aol.com), notifying Respondent of her unpaid licensing fee, and attaching a copy of the letter sent by NIPR on July 20, 2023. (See Exhibit 1, Attachment 3)

5. On or about August 28, 2023, the Department sent Respondent a letter at her registered address with the Department, by certified mail, return receipt requested, requesting payment of the licensing fee in the total amount of \$55.60. On November 3, 2023, the Department received the certified return receipt, attached to an un-opened envelope containing the original, August 28, 2023, letter, and marked “RETURN TO SENDER-UNCLAIMED-UNABLE TO FORWARD” by the U.S. Postal Service. (See Exhibit 1, Attachment 4)

6. As of January 17, 2024, the Department has neither received a response from Respondent to either the certified letter or email message from Kevin Schlautman, and the Respondent’s licensing fee balance remains unpaid. (See Exhibit 1).

CONCLUSIONS OF LAW

1. The Department has broad jurisdiction, control, and discretion over the licensing of insurance producers in the State of Nebraska pursuant to Neb. Rev. Stat. §§ 44-101.01 and 44-4047 et seq.

2. The Department has personal jurisdiction over Respondent.

3. Pursuant to Neb. Rev. Stat. § 44-4059(1)(b), the Director may suspend, revoke, or refuse to issue or renew an insurance producer’s license or may levy an administrative fine against an insurance producer’s license if it is found that the producer has violated any insurance law.

4. Pursuant to Neb. Rev. Stat. § 44-4059(1)(h), the Director may suspend, revoke or refuse to issue or renew an insurance producer’s license or may levy an administrative fine against an insurance producer’s license if it is found that the producer has engaged in fraudulent, coercive, or dishonest practices, or [has demonstrated] incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.

5. Respondent violated Neb. Rev. Stat. § 44-4059(1)(b) and (h) as a result of the conduct found in paragraphs 1-6 in the Findings of Fact and as evidenced by the relevant exhibits received.

DISCUSSION

At the hearing, the Department presented evidence of service of notice of these proceedings upon Respondent. The Department served Respondent via certified mail, return receipt requested, regular U.S. mail to the Respondent's registered address, and via email at the Respondent's registered email address.

The uncontested evidence shows that Respondent failed to remit payment to the Department in connection with her insurance producer's application.

These actions constitute violations of Neb. Rev. Stat. § 44-4059(1)(b) and (h).

RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent's non-resident insurance producer's license be suspended until such a time as the application fee associated with her application is received by the Department. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling Respondent or the Department of Insurance to make application for such orders as may be necessary.

Dated this 26th day of January 2024.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



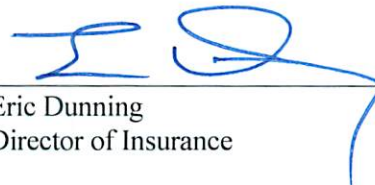
Michael W. Anderson
Hearing Officer

CERTIFICATE OF ADOPTION

I have reviewed the foregoing Findings of Fact, Conclusions of Law, and Recommended Order and hereby certify that the Recommended Order is adopted as the official and final Order of this Department in the matter of State of Nebraska, Department of Insurance vs. Danielle Dhaiti (NAIC Producer #17869192), Cause No. A-2349.

Dated this 26th day of January 2024.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



Eric Dunning
Director of Insurance

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Findings of Fact, Conclusions of Law, Recommended Order, and Order was served upon the Respondent by mailing a copy to Respondent's registered address, 218-23 112 Ave, Queens Village, New York 11429, via certified mail, return receipt requested, via regular U.S. mail, and by email to danielledhaiti@aol.com on this 26th day of January, 2024.