

NORTH CAROLINA DEPARTMENT OF INSURANCE  
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

BEFORE THE  
COMMISSIONER OF INSURANCE

IN THE MATTER OF:

THE LICENSURE OF  
JOVAN ANGLIN  
(NPN # 20244057)

Respondent.

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ORDER AND  
FINAL AGENCY DECISION

Docket Number: 2156

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THIS MATTER was heard on Wednesday, January 23, 2024, by the undersigned Hearing Officer, as designated by the North Carolina Commissioner of Insurance pursuant to N.C. Gen. Stat. § 58-2-55. The administrative hearing was held in the Albemarle Building, located at 325 North Salisbury Street, Raleigh, Wake County, North Carolina.

Assistant Attorney General Rebecca E. Lem represented the North Carolina Department of Insurance (hereinafter "Department"), Agent Services Division (hereinafter "Petitioner" or "Agent Services"). Respondent Jovan Anglin (hereinafter, "Respondent") did not appear and was not represented by counsel.

Melody Hocutt, Complaint Analyst with Agent Services of the Department, testified for the Petitioner. Petitioner introduced Exhibits 1-11, and all subparts, into evidence which were admitted.

BASED UPON the allegations set forth in the Notice of Hearing and attached Petition in this matter, as well as documentary and testimonial evidence introduced at the hearing, the undersigned Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. The Notice of Administrative Hearing was properly served on Respondent and delivered on December 11, 2023 as evidenced by the Affidavit of Service. See Pet'r Ex. 1 & 2.

2. The Department is a state agency responsible, in accordance with Chapter 58 of the North Carolina General Statutes, for enforcement of the insurance laws of North Carolina and for regulating and licensing insurance producers.

3. Respondent is a resident of Florida. *See* Pet'r Ex. 4.

4. Respondent holds an active non-resident producer license, National Producer Number is 20244057, with lines of authority in Accident & Health or Sickness and Medicare Supplement/Long Term Care, first active on or about March 8, 2022. *See* Pet'r Ex. 3.

5. Melody Hocutt is the Complaint Analyst for Agent Services who testified that this matter came to Agent Services attention through a "PIC alert" which is an automatic notification system through the NAIC ("National Association of Insurance Commissioners") regarding an administrative action Respondent received in Pennsylvania. *See* Pet'r Ex. 6.

6. Effective March 13, 2023, the Pennsylvania Department of Insurance issued an order revoking Respondent's insurance license in the state of Pennsylvania for a minimum of five (5) years pursuant to 40 P.S. § 2310.91 for failure to make required disclosure on the license application by 1) providing incorrect, misleading, incomplete or false information in a license application; (2) failing to notify that department of a change of address within thirty (30) days; and for (3) demonstrating a lack of general fitness, competence or reliability. Additionally, Respondent was also issued a \$1,500.00 civil penalty from the abovementioned order. *See* Pet'r Ex. 11.

7. Ms. Hocutt testified that a licensee is required to report administrative actions they receive in other states to the Department within thirty (30) days of the effective date of those actions pursuant to N.C. Gen. Stat. § 58-33-32(k), and that they may do so by directly reporting to the Department or by uploading the document to the NIPR Attachment Warehouse. Upon receiving this assignment, Ms. Hocutt searched the Department's records and the NIPR Attachment Warehouse, and discovered that back on April 1, 2022, Respondent uploaded documents to the "reporting of actions" section of the NIPR Attachment Warehouse. These documents consist of three pages related to criminal charges that Respondent received on December 7, 2017, in Broward County, Florida for Resisting an Officer Without Violence, Driving While License Suspended, and Unlawful Speed Posted. *See* Pet'r Exs. 7A & 7B.

8. Ms. Hocutt testified that Respondent never reported the Pennsylvania administrative action to the Commissioner within thirty (30) days as required by N.C. Gen. Stat. § 58-33-32(k). Upon her search of the NIPR Attachment Warehouse, Respondent had not reported the Pennsylvania Administrative Action to the Department as no copies of that order had been uploaded to the Attachment



Warehouse nor had Respondent directly contacted Agent Services to report this administrative action. *See* Pet'r Ex. 7.

9. Ms. Hocutt testified that following the PIC alert concerning Respondent's Pennsylvania administrative action and noting that Respondent received this action, in part, for failure to accurately answer license application questions regarding his criminal history, Ms. Hocutt retrieved Respondent's license application to the Department submitted on March 7, 2022, and discovered that he had answered "no" to the screening question, "Have you ever been convicted of a misdemeanor, had a judgement withheld or deferred, or are you currently charged with committing a misdemeanor?" *See* Pet'r Ex. 5.

10. On March 20, 2023, Agent Services sent an email to Respondent on his email address of record, notifying him that he had received a Pennsylvania administrative action that he still had until April 13, 2023 to timely report, and also requesting that he respond in writing about both the Pennsylvania administrative action and his failure to disclose his criminal history on his license application. This email required Respondent to send a response within ten (10) days. Respondent did not respond to this email. *See* Pet'r Exs. 8A and 10.

11. On March 30, 2023, Agent Services sent a second email to Respondent on his email address of record, again requesting that Respondent send a written response within ten (10) days concerning both the Pennsylvania administrative action and his failure to disclose his criminal history on his license application. Respondent did not respond to this email. *See* Pet'r Exs. 8B and 10.

12. On April 17, 2023, Ms. Hocutt sent Respondent a notice for an informal conference to take place by telephone by both email and first-class USPS mail, and sent Respondent an email reminder of the informal conference on May 19, 2023. *See* Pet'r Exs. 8C & 8D.

13. On May 23, 2023, Ms. Hocutt attempted to hold the informal conference with Respondent, calling all three phone numbers on record with the Department but was unsuccessful in reaching Respondent. Ms. Hocutt got a busy signal on one number, and the other two numbers were for a company "Highland Healthcare". Highland Healthcare informed Ms. Hocutt that Respondent did not work there. Ms. Hocutt indicated that she had also checked the contact information that Respondent had on file with his home state, the Department of Insurance of Florida, and there were no additional phone numbers for Respondent. *See* Pet'r Exs. 9a & 10.

14. On June 29, 2023, Ms. Hocutt sent Respondent a notice for a second informal conference by both email and first-class USPS mail. The informal conference was set for July 18, 2023, and was to be held via telephone. Ms. Hocutt sent Respondent an email reminder of this informal conference on July 12, 2023.

Respondent failed to respond. *See* Pet'r Exs. 8F and 8G.

15. On July 18, 2023, Ms. Hocutt again attempted to call Respondent for the second informal conference at all three phone numbers Respondent had on record with the Department. Ms. Hocutt had a busy signal on one number. Upon calling the other two phone numbers, Ms. Hocutt was again informed by Highland Healthcare employees that Respondent did not work there. Agent Services was unable to speak with Respondent despite multiple notices given to Respondent. *See* Pet'r Exs. 9B and 10.

16. On December 29, 2023, Ms. Hocutt sent Respondent a letter by both email and USPS first class mail notifying him that, due to his failure to respond to Agent Services repeated attempts to resolve this matter and Respondent's failure to attend two prior informal conferences, the matter was being referred for an administrative hearing. *See* Pet'r Ex. 8H.

17. Ms. Hocutt testified that at no time did Respondent contact ASD or otherwise respond to ASD's numerous attempts to reach him by email, phone, or USPS first class mail. Ms. Hocutt testified that the emails sent to Respondent's email address of record with the Department were not returned as undeliverable. A review of the Department's records show that Respondent only had one email address on file with both the Department and his home state of Florida's Department of Insurance. *See* Pet'r Exs. 3 & 4.

### **CONCLUSIONS OF LAW**

1. This matter is properly before the Commissioner, and the Commissioner has jurisdiction over the parties and the subject matter pursuant to Chapter 58 of the North Carolina General Statutes.

2. The Notice of Administrative Hearing was properly served on Respondent pursuant to N.C. Gen. Stat. § 58-2-69(d) and Rule 4 of the North Carolina Rules of Civil Procedure.

3. N.C. Gen. Stat. § 58-33-32(k) requires an insurance producer to report to the Commissioner any administrative action taken against the producer in another state within thirty (30) days after the final disposition. The report "shall include a copy of the order or consent and other information or documents filed in the proceeding necessary to describe the actions."

4. Respondent violated N.C. Gen. Stat. § 58-33-32(k) by failing to report the Pennsylvania administrative action that was taken against him on March 13, 2023 within thirty (30) days after final disposition of such administrative action.



5. Although Respondent's answer of "No" to the screening question regarding his misdemeanor criminal history on his March 7, 2022 North Carolina license application was not accurate, the evidence shows that Respondent may have at least attempted to cure this by uploading documents related to his prior criminal history on April 1, 2022 to the NIPR Attachment Warehouse shortly after his initial license application. Therefore, there is not a clear indication that Respondent intentionally provided false or misleading information on his license application as set forth in N.C. Gen. Stat. § 58-33-46(a)(1) as alleged in the Petition.


6. N.C. Gen. Stat. § 58-33-46(a)(2) allows the Commissioner to suspend, revoke, or refuse to renew any license issued under this Article for violating any insurance law of this or any other state. Respondent's license is subject to suspension or revocation under N.C. Gen. Stat. § 58-33-46(a)(2) for his failure to report the Pennsylvania administrative action to the Department in violation of N.C. Gen. Stat. § 58-33-32(k).

7. Respondent's failure to report the March 13, 2023 Pennsylvania Administrative Action, coupled with Respondent's failure to respond to any of Agent Services seven attempts to contact Respondent about this matter, indicate that Respondent has not shown a continuing interest in retaining her North Carolina insurance licenses.

### **ORDER**

Based UPON the foregoing Findings of Fact and Conclusions of Law, it is ORDERED that Respondent's licenses issued by the North Carolina Department of Insurance are hereby REVOKED effective as of the date of the signing of this order.

This the 17<sup>th</sup> day of March, 2024.

  
Alisha Benjamin  
Hearing Officer  
N.C. Department of Insurance

### APPEAL RIGHTS

This is a Final Agency Decision issued under the authority of N.C. Gen. Stat. § 150B, Article 3A.

Under the provisions of N.C. Gen. Stat. § 150B-45, any party wishing to appeal a final decision of the North Carolina Department of Insurance must file a Petition for Judicial Review in the Superior Court of the county where the person aggrieved by the administrative decision resides, or in the case of a person residing outside the State, the county where the contested case which resulted in the final decision was filed. The appealing party must file the petition within 30 days after being served with a written copy of the Order and Final Agency Decision. In conformity with 11. NCAC 01.0413 and N.C. Gen. Stat. § 1 A-1, Rule 5, this Order and Final Agency Decision was served on the parties on the date it was placed in the mail as indicated by the date on the Certificate of Service attached to this Order and Final Agency Decision. N.C. Gen. Stat. § 150B-46 describes the contents of the Petition, including explicitly stating what exceptions are taken to the decision or procedure and what relief the petitioner seeks, and requires service of the Petition by personal service or by certified mail upon all who were parties of record to the administrative proceedings. The mailing address to be used for service on the Department of Insurance is: Amy Funderburk, General Counsel, 1201 Mail Service Center, Raleigh, NC 27699-1201.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this day served the foregoing **ORDER AND FINAL AGENCY DECISION** by mailing a copy of the same via certified U.S. Mail, return receipt requested; via first class U.S. mail to the licensee, at the address provided to the Commissioner pursuant to N.C. Gen. Stat. § 58-2-69(b); and via State Courier to Attorney for Petitioner, addressed as follows:

Jovan Anglin  
662 S Military Trail  
Deerfield Beach, FL 33442  
(Respondent)

**Certified Mail Tracking Number: 70222410000096626182**

Rebecca E. Lem  
Assistant Attorney General  
N.C. Department of Justice  
Insurance Section  
9001 Mail Service Center  
Raleigh, NC 27699-9001  
(Attorney for Petitioner)

This the 13<sup>th</sup> day of March, 2024.



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