

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)	ORDER AND
ALVIN JOSEPH BRIDEAU)	<u>FINAL AGENCY DECISION</u>
(NPN #18005697))	
)	Docket No. 2204
Respondent.)	
)	

THIS MATTER was heard on August 28, 2024 by the undersigned Hearing Officer, as designated by the Commissioner of Insurance (“Commissioner”), pursuant to N.C. Gen. Stat. § 58-2-55. The administrative hearing was held in Hearing Room #131 of the Albemarle Building, located at 325 North Salisbury Street, Raleigh, Wake County, North Carolina.

Assistant Attorney General Dilcy Burton was present and represented the North Carolina Department of Insurance (“Department” or “NCDOI”), Agent Services Division (“Petitioner” or “Agent Services”). Respondent Alvin Joseph Brideau, proceeding *pro se*, did not appear. Matthew Reck (“Reck”), Complaint Analyst with Agent Services, appeared and testified for the Department.

Agent Services offered into evidence Petitioner’s Exhibits 1 through 12, which were admitted into evidence with the exception of redactions of personally identifiable information from Petitioner’s Exhibits 3, 4 and 5.

BASED UPON careful consideration of the evidence and arguments presented, and based upon the entire record in the proceeding, the undersigned Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Petition and Notice of Administrative Hearing was properly served on Respondent by deposit with the United States Postal Service via first class U.S. Mail on July 1, 2024. See Pet’r Exs. 1 and 2.

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

3. Respondent currently holds a nonresident insurance producer license with lines of authority in Accident and Health or Sickness, Life, Medicare Supplement and Long Term Care. Respondent's North Carolina insurance producer license was first active on or about July 11, 2016. *See* Pet'r Exs. 3 and 4.

4. Reck testified that this matter came to the Department's attention through a "PIC alert," which is an automatic notification system through the National Association of Insurance Commissioners ("NAIC"), regarding administrative actions that Respondent received in Louisiana and Iowa. *See* Pet'r Ex. 5.

5. On or about August 15, 2023, the Louisiana Department of Insurance issued a Notice of Summary Suspension to Respondent due to a consumer complaint for misrepresentation of insurance premiums. *See* Pet'r Ex. 7A.

6. On or about September 22, 2023, and effective ten days after said date, the Louisiana Department of Insurance issued a Notice of Suspension to Respondent because Respondent misrepresented health insurance premiums to consumers. *See* Pet'r Ex. 7B.

7. On or about October 27, 2023, the Louisiana Department of Insurance issued a Notice of Suspension Lifting Confirmation indicating that the Respondent complied with the suspension notice requirements. *See* Pet'r Ex. 7C

8. On or about October 31, 2023, the Louisiana Department of Insurance issued a Notice of Rescission because the Louisiana Department of Insurance Notice of Summary Suspension was rescinded. However, the Louisiana Department of Insurance emphasized that the notice of proposed regulatory and investigative proceedings remained in effect in Louisiana. *See* Pet'r Ex. 7D

9. On or about October 24, 2023, the Commission of Insurance Division of Iowa ("Commission") revoked the license of Respondent when the Commission determined that Respondent conducted fraudulent financial activities with Iowa consumers. *See* Pet'r Ex. 8

10. Reck testified that a licensee may report an administrative action taken against a licensee by uploading a copy of the administrative action to the NIPR Attachment Warehouse or reporting the administrative action directly to NCDOI. *See* Pet'r Ex. 6.

11. Screenshots of the NIPR Attachment Warehouse search by Respondent name and national producer numbers were introduced into evidence. The screenshots indicated that Respondent did not report the administrative actions from Louisiana and Iowa in the NIPR Attachment Warehouse. *See* Pet'r Ex. 6.

12. On October 9, 2023, October 25, 2023, and December 4, 2023 Reck contacted Respondent at Respondent's e-mail address of ajbrideau@yahoo.com, the e-mail address on record with NCDOI. *See* Pet'r Exs. 9, 10 and 11.

13. On October 25, 2023, Reck sent written correspondence via U.S. Mail to Respondent's residence and mailing address at 5721 NW 120th Avenue, Coral Springs, Florida 33076. *See* Pet'r Ex. 10.

14. On October 25, 2023 and December 4, 2023, Reck requested that the Respondent appear for an informal telephonic conference to explain the administrative actions from the States of Louisiana and Iowa. *See* Pet'r Exs. 10 and 11.

15. An informal conference was scheduled for the Respondent on December 5, 2023 at 10:00 am. NCDOI contacted Respondent at the telephone number on record for Respondent at 954-268-6394. *See* Pet'r Ex. 12.

16. At the informal conference, NCDOI explained to Respondent that NCDOI required the Respondent to report negative administrative actions to the Department. *See* Pet'r Exs. 5, 6, 7A, 7B, 7C, 7D and 8.

17. Testimony and documentary evidence admitted at the hearing show that Respondent never provided copies of acceptable notice of the Louisiana and Iowa negative administrative actions to the NIPR Attachment Warehouse. Respondent did share a copy of the original consumer complaint with NCDOI but not the state actions. *See* Pet'r Ex. 12.

18. Respondent did not fax, USPS mail or e-mail notice(s) of the adverse administrative action(s) from the States of Louisiana and Iowa to NCDOI. *See* Pet'r Exs. 7A, 7B, 7C, 7D, 8 and 12.

19. Petitioner requested that Respondent's licenses be revoked pursuant to N.C. Gen. Stat. §§ 58-33-32(k), 58-33-46(a)(2), and 58-33-46(a)(9).

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(b) 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 or by another governmental agency in this State within thirty (30) days after the final disposition of the matter.

4. Respondent was required to report the Iowa (effective October 24, 2023) and Louisiana (effective August 15, 2023, October 2, 2023, October 27, 2023, and October 31, 2023) administrative actions within thirty (30) days of the effective dates of the actions pursuant to N.C. Gen. Stat. § 58-33-32(k). *See* Pet'r Ex. 7A, 7B, 7C, 7D and 8.

5. Respondent's failure to report and provide copies of of the administrative actions from the States of Iowa and Louisiana within thirty (30) days of the effective dates of the actions are violations of N.C. Gen. Stat. § 58-33-32(k).

6. N.C. Gen. Stat. § 58-33-46(a)(2) allows the Commissioner to place on probation, suspend, revoke, or refuse to renew any license issued under this Article for a licensee violating any insurance law of this or any other state, violating any administrative rule, subpoena, or order of the Commissioner or of another state's insurance regulator or violating any rule of the Financial Industry Regulatory Authority.

7. N.C. Gen. Stat. § 58-33-46(a)(9) provides that NCDOT may place on probation, suspend, revoke or refuse to renew a license if a licensee has an insurance producer license or its equivalent denied, suspended or revoked in any other jurisdiction.

8. Respondent did not comply with the insurance laws in the States of Iowa and Louisiana and received a negative administrative action in those aforementioned states. Pursuant to Respondent's adverse actions in the States of Iowa and Louisiana, NCDOT may revoke Respondent's North Carolina insurance producer license due to Respondent's failure to timely report the Iowa and Louisiana adverse actions to NCDOT.

9. Respondent's violations of N.C. Gen. Stat. §§ 58-33-32(k), 58-33-46(a)(2) and 58-33-46(a)(9) provide the statutory authority for revoking Respondent's North Carolina insurance producer license.

Based on the foregoing Findings of Fact and Conclusions of Law, the Hearing Officer enters the following:

ORDER

It is ordered that Respondent's nonresident insurance producer license issued by the North Carolina Department of Insurance be REVOKED effective as of the date of the signing of this Order.

This 10th day of January, 2025.



Kyle Heuser
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 the 11 NCAC 1.0413 and N.C.G.S. § 1A-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 and requires service of the Petition on all parties. 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

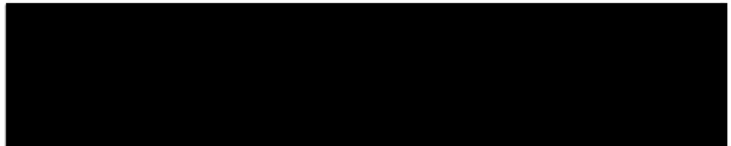
I HEREBY CERTIFY that I have this day served the foregoing **ORDER and FINAL AGENCY DECISION** by mailing a copy of the same via certified U.S. Mail, return receipt requested; and via first class U.S. Mail to the licensee at the address provided to the Commissioner pursuant to N.C. Gen. Stat. § 58-2-69(b);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

Alvin Joseph Brideau
5721 NW 120th Ave
Coral Springs, Florida 33076
(Respondent)

Certified Mail Tracking Number: 9589 0710 5270 0742 5898 60

Dilcy Burton
Assistant Attorney General
N.C. Department of Justice
Insurance Section
9001 Mail Service Center
Raleigh, NC 27699-9001

This the 10th day of January, 2025.



Kimberly W. Pearce, NCCP
Clerk of Court for Administrative Hearings
Paralegal III
N.C. Department of Insurance
1201 Mail Service Center
Raleigh, NC 27699-1201