

NORTH CAROLINA DEPARTMENT OF INSURANCE  
RALEIGH, NORTH CAROLINA 2007 APR 27 PM 2:29

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STATE OF NORTH CAROLINA  
COUNTY OF WAKE

RECEIVED IN AGENT SERVICES  
A.S. - N.C.D.O.I.

AGENT SERVICES  
BEFORE THE COMMISSIONER  
OF INSURANCE

Docket Number: D-1358

IN THE MATTER OF THE  
LICENSURE OF CHRISTOPHER S.  
COLE

APR 27 2007

CONSENT ORDER

CHECK NO. [REDACTED]  
CHECK AMT. [REDACTED] PROCESSED [REDACTED]

**THIS CAUSE** coming before the undersigned Hearing Officer, as designated by the Commissioner of Insurance pursuant to North Carolina General Statutes §§ 58-2-55, 58-2-70, 58-71-80, 58-71-82, 58-71-85, 150B-38, 150B-40 and 11 NCAC 1.0401 et. seq. and other applicable statutes and regulations, on this day, pursuant to a Notice which was duly issued and served.

The Petitioner, is the North Carolina Department of Insurance, Agent Services Division (hereinafter "Department").

The Respondent, Christopher S. Cole (hereinafter "respondent") is licensed by the Department as a surety bail bondsman.

THE PARTIES HAVING REPRESENTED TO THE UNDERSIGNED that the parties have reached a mutually agreeable resolution of this matter as set out in this Consent Order; and

THE PARTIES HAVING REPRESENTED TO THE UNDERSIGNED that Respondent failed to timely file monthly reports of all bail bonds on which he was liable for the months of September, October, November and December, 2005, as well as January, February, March, April, May, June, July, August, October, November and December 2006 as required by N.C. Gen. Stat § 58-71-165; and

THE PARTIES HAVING REPRESENTED TO THE UNDERSIGNED that Respondent ADMITS that, in violation of N.C. Gen. Stat. §§58-71-165 and 58-71-80(a)(7), he has failed to comply with the provisions of Article 71 of Chapter 58 of the North Carolina General Statutes by his failure to timely file the above-mentioned monthly reports; and

THE PARTIES HAVING REPRESENTED TO THE UNDERSIGNED that Respondent ADMITS that, in violation of N.C. Gen. Stat. §58-71-80(a)(8), he has demonstrated

incompetence in the conduct of his affairs under his license by his failure to timely file the above-mentioned monthly reports; and

THE PARTIES HAVING REPRESENTED TO THE UNDERSIGNED that Respondent agrees to pay a civil monetary penalty in the amount of \$218.75 for each untimely filed monthly report for a total civil monetary penalty of \$3,500.00 pursuant to N.C. Gen. Stat. §58-2-70 by reason of his violations of N.C. Gen. Stat. §§58-71-80(a)(7), 58-71-80(a)(8) and 58-71-165, as set out above; and

IT IS, THEREFORE, BY CONSENT, ORDERED:

1. Pursuant to N. C. Gen. Stat. § 58-2-70(g), the Commissioner of Insurance and the Department have the express authority to negotiate "a mutually acceptable agreement with any person as to the status of the person's license or certificate or as to any civil penalty or restitution."

2. Respondent has violated N.C. Gen. Stat. §§58-71-165 and 58-71-80(a)(7), and has failed to comply with the provisions of Article 71 of Chapter 58 of the North Carolina General Statutes by his failure to timely file monthly reports of all bail bonds on which he was liable for the months of September, October, November and December, 2005, as well as January, February, March, April, May, June, July, August, October, November and December 2006 as required by N.C. Gen. Stat § 58-71-165.

3. Respondent has violated N.C. Gen. Stat. §58-71-80(a)(8), and demonstrated incompetence in the conduct of his affairs under his license by his failure to timely file monthly reports of all bail bonds on which he was liable for the months of September, October, November and December, 2005, as well as January, February, March, April, May, June, July, August, October, November and December 2006 as required by N.C. Gen. Stat § 58-71-165.

4. Respondent shall pay a civil monetary penalty in the amount of \$218.75 for each untimely filed monthly report for a total civil monetary penalty of \$3,500.00 to the North Carolina Department of Insurance pursuant to N.C. Gen. Stat. §58-2-70 by reason of his violations of N.C. Gen. Stat. §§58-71-80(a)(7), 58-71-80(a)(8) and 58-71-165, as set out above.

5. The above-referenced civil monetary penalty will be paid by cashier's check or official bank check made out to the "North Carolina Department of Insurance." The check shall be delivered to the Department with the Consent Order signed by Respondent on or before April 27, 2007.

6. Respondent shall comply with all provisions of Chapter 58 of the North Carolina General Statutes and Title 11 of the North Carolina Administrative Code that are applicable to him.




7. This administrative action when finalized, will be a public record and is not confidential. Any and all licenses issued by the Department to the licensee shall reflect that Regulatory Action has been taken against the licensee following the execution of this Agreement. The Department is free to disclose the contents of this Agreement to third parties upon request or pursuant to any law or policy providing for such disclosure. The Department routinely provides copies of voluntary settlement agreements to all companies that have appointed the licensee.

8. By signing this Consent Order, Respondent expressly waives his right to any further proceedings in this matter, and expressly waives his right to seek judicial review or to otherwise challenge the validity of this Consent Order.

9. Except as to the matters and things necessarily determined within the scope of this administrative proceeding, this Consent Order shall not prevent the Department from taking any other administrative action it is authorized to take against Respondent in any future follow-up examinations of Respondent, or in any other cases or complaints involving respondent.

This the 24<sup>th</sup> day of APR:1, 2007.

  
Stewart L. Johnson  
Hearing Officer  
N.C. Department of Insurance

**WE CONSENT:**

NORTH CAROLINA DEPARTMENT OF  
INSURANCE

By: 

ANGELA FORD  
Senior Deputy Commissioner

4-30-07

  
Christopher S. Cole