

**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  
DYAN B. CONWAY  
LICENSE NO. 0002318706**

**VOLUNTARY SETTLEMENT  
AGREEMENT**

RECEIVED IN AGENT SERVICES A.S. - N.C.D.O.I.	
MAR 30 2023	
CHECK NO.	[REDACTED]
CHECK AMT.	\$ 2,000.00
[REDACTED] SSOR	

**NOW COME**, Dyan B. Conway (hereinafter "Ms. Conway") and the Agent Services Division of the N.C. Department of Insurance (hereinafter "Agent Services Division"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (hereinafter "this Agreement").

**WHEREAS**, the Agent Services Division has the authority and responsibility for enforcement of the insurance laws of this State, and for regulating and licensing insurance agents and insurance agencies; and

**WHEREAS**, Ms. Conway currently holds a resident producer's license with authority for Property and Casualty lines of insurance issued by the Agent Services Division; and

**WHEREAS**, an agency review was conducted by Department investigators at the Bradsher & Bunn Agency in Raleigh, North Carolina, where Ms. Conway is Agency Manager, to verify that all agency employees are appropriately licensed, to audit the agency's financials, and to randomly review files to verify proper underwriting; and

**WHEREAS**, the review was initiated by a call by another insurance agent indicating that questionable certificates of insurance that appeared to be issued by Bradsher & Bunn for her insured, Monarch Premium Services, Inc./Keith McCrimmon, in that there appeared to be inaccurate information thereon and potentially gaps in coverage; and

**WHEREAS**, Department investigators met with Ms. Conway on August 17, 2022 to address the complaint and conduct a file review. Ms. Conway indicated that since she had no knowledge of the financials a meeting would have to be scheduled with the agency owner Mr. Charles Bradsher, which ultimately had to be delayed until October 5, 2022 because of his health issues; and

**WHEREAS**, N.C. Gen. Stat. § 58-33-46(a)(5) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew any license issued under Article 33 of Chapter 58 of the General Statutes of NC for intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance; and

**WHEREAS**, N.C. Gen. Stat. § 58-3-150(f) provides that it is unlawful for any person to knowingly prepare, issue, request, or require a certificate of insurance that meets any of the following criteria:

(2) Contains any false or misleading information concerning the policy of insurance to which the certificate makes reference.

(3) Purports to alter, amend, or extend the coverage provided by the policy of insurance to which the certificate of insurance makes reference.

**WHEREAS**, it appears that Ms. Conway issued three (3) inaccurate certificates for Monarch/McCrimmon. Certificates issued on May 19, 2022 and July 22, 2022 reflect an auto liability policy that does not exist with Travelers or Auto Owners. Certificates issued on May 19, July 22 and August 05, 2022 reflect an incorrect medical expense limit and personal and advertising coverage that does not exist under the general liability policy. The workers compensation policy listed on the May 19, 2022 certificate was cancelled January 09, 2022 while the certificate indicated that it was still in force. The certificates issued July 22 and August 05, 2022 show coverage with Auto Owners rather than Ohio Security and incorrect effective dates. Both certificates were issued after the policy was cancelled on July 20, 2022 indicating that the workers compensation policy was in force when it was not. Also, it appears that Ms. Conway issued four (4) more certificates with incorrect policy numbers, limits, effective dates, and insurers for other insureds; and

**WHEREAS**, N.C. Gen. Stat. § 58-33-46(a)(8) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew any license issued under Article 33 of Chapter 58 of the General Statutes of NC for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this State or elsewhere; and

**WHEREAS**, it appears that Ms. Conway, by her actions, has violated the provisions of N.C. Gen. Stats. §§ 58-33-46(a)(5) and (8) and 58-3-150(f)(2) and (3); and

**WHEREAS**, North Carolina General Statute § 58-33-46(a)(2) provides that the Commissioner may place on probation, suspend, revoke, or refuse to issue or renew any license issued under Article 58 of the General Statutes of North Carolina for 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 regulator;

**WHEREAS**, 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"; and

**WHEREAS**, Ms. Conway has agreed to settle, compromise, and resolve the matters referenced in this Agreement on behalf of herself and the Agent Services Division has agreed not to pursue additional civil ramifications, including penalties, sanctions, remedies, or restitution based on these matters against Ms. Conway; and

**WHEREAS**, the parties to this Agreement mutually wish to resolve this matter by consent and have reached a mutually agreeable resolution of this matter as set out in this Agreement.

**NOW, THEREFORE**, in exchange for the consideration and promises and agreements set out herein, Ms. Conway and the Agent Services Division hereby agree to the following:

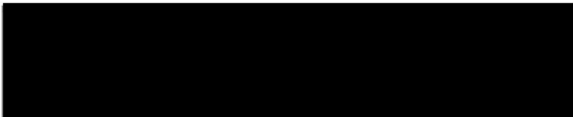
1. Immediately upon the signing of this Agreement, Ms. Conway shall pay a civil penalty of **\$2,000.00** to the Agent Services Division. The form of payment shall be by certified check, cashier's check, or money order. The check or money order for the payment of this civil penalty shall be payable to the "North Carolina Department of Insurance." Ms. Conway shall remit the civil penalty by certified mail, return receipt requested, to the Agent Services Division along with a copy of this signed Agreement. The civil penalty and the signed Agreement must be received by



the Department no later than **March 23, 2023**. The civil penalty shall be subject to disbursement in accordance with the provisions of Article IX, Section 7 of the North Carolina Constitution for the benefit of public schools.

2. This Agreement does not in any way affect the Agent Services Division's disciplinary power in any future examination of Ms. Conway or in any other complaints involving Ms. Conway.
3. Ms. Conway enters into this Agreement, on behalf of herself, freely and voluntarily and with the knowledge of her right to have an administrative hearing on this matter. Ms. Conway understands she may consult with an attorney prior to entering into this Agreement.
4. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Ms. Conway understands that N.C.G.S. § 58-33-46(a)(2) provides that an agent's license may be revoked for violating an Order of the Commissioner.
5. This Agreement, when finalized, will be a public record and will **not** be held confidential by the Agent Services Division. Following the execution of this Agreement, any and all licenses issued by the Department to Ms. Conway shall reflect that Regulatory Action has been taken against her. The Agent Services Division is free to disclose the contents of this Agreement with third parties upon request or pursuant to any law or policy providing for such disclosure. The Agent Services Division, upon request, will routinely provide a copy of the voluntary settlement agreement to all companies that have appointed the licensee.
6. The parties have read and understand this Agreement and agree to abide by the terms and conditions stated herein.
7. Be aware that if a state or federal regulator other than the Agent Services Division has issued an occupational or professional license to you, that regulator may require you to report this administrative action to it. The Agent Services Division cannot give you legal advice as to the specific reporting requirements of other state or federal regulator.

**N. C. Department of Insurance  
Agent Services Division**

  
By: Dyan B. Conway  
License No. 0002318706

  
By: Angela Hatchell  
Deputy Commissioner

Date: 03-21-23

Date: 3/30/2023