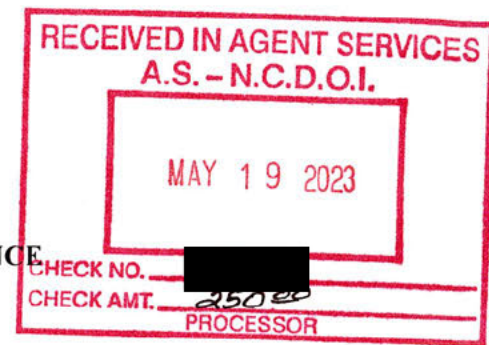


**NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA**



**STATE OF NORTH CAROLINA
COUNTY OF WAKE**

**BEFORE THE COMMISSIONER
OF INSURANCE**

**IN THE MATTER OF THE LICENSURE
CUSTOM INS SOLUTIONS, LLC
LICENSE NO. 1000352088
NPN: 16973753**

**VOLUNTARY SETTLEMENT
AGREEMENT**

NOW COME, CUSTOM INS SOLUTIONS, LLC (hereinafter "CUSTOM") 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 business entities that sell, solicit, or negotiate insurance contracts; and

WHEREAS, CUSTOM currently holds a non-resident Business Entity License (Partnership) with the Department; and

WHEREAS, North Carolina General Statute § 58-33-31(b)(2) requires business entities to designate a licensed producer (DRLP), who is a natural person, responsible for the business entity's compliance with the insurance laws and administrative rules of this State and orders of the Commissioner; and

WHEREAS, North Carolina General Statute § 58-33-32(k) requires producers to report to the Commissioner any administrative action taken against the producer in another state or by another governmental agency in this State, including enforcement actions taken against the producer by the Financial Industry Regulatory Authority (FINRA), within 30 days after the final disposition of the matter; and

WHEREAS, N. C. Gen. Stat. § 58-33-46 (a) (1) 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 North Carolina for providing materially incorrect, misleading, incomplete, or materially untrue information in the license application; and

WHEREAS, on December 03, 2021, the State of Washington, Office of the Commissioner of Insurance, revoked CUSTOM'S license for failure to have an active DRLP and failure to respond to department requests to appoint a replacement DRLP or reactivate the license of its former DLRP whose licensee had expired; and

WHEREAS, effective May 13, 2022, the Louisiana Department of Insurance fined CUSTOM and Brenda K. Rafferty, CUSTOM's DRLP, jointly in the amount of \$500.00 for failure to report the action taken by Washington on December 03, 2021; and

WHEREAS, on April 14, 2022 CUSTOM's DLRP applied to the State of Washington, Office of the Commissioner of Insurance, to reinstate CUSTOM'S license and agreed to pay a fine of \$500.00 to reinstate its license effective April 29, 2022; and

WHEREAS, CUSTOM, on its September 19, 2022 North Carolina license application, by failing to disclose the Washington State and Louisiana administrative actions as required thereon, CUSTOM was in violation of the provisions of N. C. Gen. Stat. § 58-33-46 (a); 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; and

WHEREAS, CUSTOM has agreed to settle, compromise, and resolve the matter referenced in this Agreement on behalf of itself, and the Agent Services Division has agreed not to pursue additional penalties, sanctions, remedies, or restitution based on these matters against CUSTOM; and

WHEREAS, the parties to this Agreement mutually wish to resolve this matter by consent before the Agent Services Division initiates an administrative hearing 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, CUSTOM and the Agent Services Division hereby agree to the following:

1. Immediately upon the signing of this Agreement, CUSTOM shall pay a civil penalty of **\$250.00** to the Department. 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." CUSTOM 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 Agent Services Division no later than **May 16, 2023**.
2. This Agreement does not in any way affect the Agent Services Division's disciplinary power in any future examination of CUSTOM or in any other complaints involving CUSTOM.
3. CUSTOM enters into this Agreement, on behalf of itself, freely and voluntarily and with the knowledge of its right to have an administrative hearing on this matter. CUSTOM understands it 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. CUSTOM understands that N.C.G.S. § 58-33-46(a)(2) provides that a producer'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, all licenses issued by the Agent Services Division to CUSTOM shall reflect that Regulatory Action has been taken against it. 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 provide a copy of a voluntary settlement agreement to any company that has 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 your business entity, 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 regulators.

CUSTOM INS SOLUTIONS, LLC
LICENSE NO. 1000352088
NPN: 16973753

By: Brenda K. Rafferty
DRLP
License No. 0006648972

Date:

16 May 2023

NC. Department of Insurance
Agent Services Division

By: Angela Hatchell
Deputy Commissioner

Date:

5/19/2023