l 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 KAYAYETTA D. DUKES)	CONSENT ORDER
(NPN # 15777990))	Docket Number: 1971
Respondent.	ý	

WHEREAS, the North Carolina Department of Insurance [hereinafter, "the Department"] is charged with the authority and responsibility for the enforcement of the insurance laws of the State of North Carolina and for regulating and licensing insurance agents; and

WHEREAS, Respondent Kayayetta Dukes ("Respondent") is a resident of Fort Lauderdale, Florida and holds nonresident producer licenses; and

WHEREAS, this administrative proceeding was instituted against the Respondent by service of a Notice of Hearing on December 23, 2019, setting a hearing in this matter for January 15, 2020; and

WHEREAS, the Department and the Respondent have reached a mutuallyagreed resolution of the claims raised by the Department against Respondent as set forth in the Petition dated December 20, 2019, which was served on Respondent; and

WHEREAS THE DEPARTMENT AND THE RESPONDENT STIPULATE AND AGREE TO THE FOLLOWING FINDINGS OF FACT AND CONCLUSIONS OF LAW:

FINDINGS OF FACT

1. The December 23, 2019 Notice of Hearing and attached Petition were duly served upon the Respondent.

2. Respondent holds nonresident producer licenses in the areas of Life and

Accident & Health or Sickness licenses first issued by the Department on or about October 13, 2014.

3. On or about September 10, 2018, Respondent and the Florida Department of Financial Services entered into a Consent Order suspending Respondent's license to transact the business of insurance in Florida for a period of 9 months citing an allegation that Respondent "submitted insurance applications to insurers without the full knowledge, consent and signature of the applicants."

4. Respondent did not timely report the Florida administrative action to the Department within thirty (30) days of the final disposition of the matter.

CONCLUSIONS OF LAW

1. Notice in this matter was timely and properly effected.

- 2. This matter is properly before the Commissioner of Insurance, and he has jurisdiction over the parties and the subject matter pursuant to Article 28 of Chapter 58 of the General Statutes of North Carolina.
- 3. Respondent violated N.C. Gen. Stat. § 58-33-32(k) by failing to timely report the Florida administrative action to the Department within thirty (30) days. Respondent's violations of N.C. Gen. Stat. § 58-33-32(k) are violations for which Respondent's licenses could be subject to disciplinary action up to and including revocation, pursuant to N.C. Gen. Stat. § 58-33-46(a)(2).

IT IS THEREFORE, BY CONSENT, ORDERED as follows:

- 1. Respondent will pay an administrative penalty within 15 days of the entry of this order of two hundred and fifty dollars (\$250.00) for her violation of N.C. Gen. Stat. § 58-33-32(k).
- 2. Respondent 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. Respondent understands she may consult with an attorney prior to signing this Consent Order.
- 3. The parties to this Agreement agree that this Consent Order is an Order of the Commissioner. Respondent 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.

- 4. This Consent Order, when finalized, will be a public record and will not be held confidential by the Department. Following the execution of this Consent Order, any and all licenses issued by the Department to Respondent shall reflect that Regulatory Action has been taken against her. The Department is free to disclose the contents of this Consent Order with third parties upon request or pursuant to any law or policy providing for such disclosure. The Department routinely provides copies of Consent Orders to all companies that have appointed the licensee.
- 5. The parties have read and understand this Consent Order and agree to abide by the terms and conditions stated herein.
- 6. Be aware that if a state or federal regulator other than the N. C. Department of Insurance has issued an occupational or professional license to you, that regulator may require you to report this Consent Order, which is an administrative action, to it. The N.C. Department of Insurance cannot give you legal advice as to the specific reporting requirements of other state or federal regulators.
- 7. This Final Consent Order shall become effective when signed by the parties.

IN WITNESS WHEREOF, the parties have duly executed this Consent Order as of the dates indicated below.

This the 13th day of Jonuary, 2020

À John Hoomani Hearing Officer North Carolina Department of Insurance

CONSENTED TO BY/

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By Angela Hatchell Deputy Commissioner

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