

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  
ALEXANDRIA ELLIOTT  
(NPN # 17243011)

Respondent.

ORDER AND  
FINAL AGENCY DECISION

Docket Number: 2155

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**THIS MATTER** came on for hearing on Wednesday, January 17, 2024, before the undersigned Hearing Officer, as designated by the Commissioner of Insurance pursuant to N.C. Gen. Stat. § 58-2-55. The administrative hearing was held in Room #131 of the Albemarle Building, located at 325 North Salisbury Street, Raleigh, North Carolina.

Petitioner, Agent Services Division of the North Carolina Department of Insurance ("Petitioner" or "ASD") was present and represented by Assistant Attorney General Rebecca E. Lem. Respondent, Alexandria Elliott, ("Respondent") did not appear.

Matthew Reck, Complaint Analyst with ASD, testified for Petitioner.

Petitioner's Exhibits 1–9 and 11 were admitted into evidence.

Based on the allegations set forth in the Petition in this matter, as well as careful consideration of the documentary and testimonial evidence presented at the hearing, the undersigned Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. The North Carolina Department of Insurance ("NCDOI") is a state agency responsible, in accordance with Chapter 58 of the North Carolina General Statutes, for enforcement of the insurance laws of North Carolina and for regulating and licensing insurance producers.

2. Respondent is a resident of Georgia and has held a nonresident producer's license in North Carolina, with lines of authority in Casualty and Property, since August 8, 2019. *See* Pet'r's Ex. 3. Respondent's National Insurance Producer Number ("NPN") is 17243011. *See id.*

3. The Notice of Administrative Hearing was properly served on Petitioner pursuant to N.C. Gen. Stat. §§ 58-2-69(d) and 58-2-69(e) and Rule 4 of the North Carolina Rules of Civil Procedure. *See* Pet'r's Exs. 1 & 2

4. North Carolina licensees are obligated by law to report out-of-state administrative actions to NCDOI within thirty days. *See* N.C. Gen. Stat. § 58-33-32(k). This requirement can be effectuated either by notifying ASD directly, or by uploading a copy of the administrative action to the National Insurance Producer Registry ("NIPR") attachment warehouse.

5. On January 12, 2022, in response to an emailed request from an ASD Complaint Analyst, Lisa Webb, Respondent reported a March 30, 2020, New York administrative action to ASD. *See id.*

6. On January 19, 2022, ASD issued a written warning to Respondent for her late reporting of the New York regulatory action. In the written warning, ASD advised Respondent of the requirement to report any future regulatory actions, including license denials, to the Department within thirty (30) days of the final disposition of that matter. *See* Pet'r's Ex. 7b.

7. On or about February 24, 2023, Respondent received an adverse administrative action in the form of a denial of her application for a nonresident producer license from the South Dakota Dept. of Labor and Regulation ("the South Dakota Denial"). *See* Pet'r's Exs. 5 & 11.

8. The South Dakota Denial states, in part, "Please note this denial is considered an administrative action which will be reported to the database maintained by the National Association of Insurance Commissioners. If an administrative action occurs, an insurance producer may be required to report the action to all states in which an insurance license is held and in accordance with the timeframes and requirements of each state." Pet'r's Ex. 11.

9. On or around early May 2023, Matthew Reck, a Complaint Analyst for ASD, testified that he was assigned to this matter after ASD received an alert from the Personalized Information Capture System ("PIC Alert") through the National Association of Insurance Producers ("NAIC"), notifying ASD that Respondent had received an adverse administrative action in South Dakota.

10. Upon receiving this assignment, Mr. Reck searched ASD's records and



the NIPR Attachment Warehouse, but Respondent had not reported the South Dakota Denial to the Department. *See* Pet'r's Ex. 6

11. Mr. Reck attempted to contact Respondent by email at Respondent's email addresses of record on April 25, 2023, and May 5, 2023, each time requesting a response from Respondent within ten (10) days. *See* Pet'r's Exs. 8a, 8b. Respondent did not respond to either of these requests.

12. Accordingly, on May 16, 2023, Mr. Reck sent Respondent a letter via email and the U.S. Postal Service, scheduling an informal telephonic conference for June 26, 2023, to discuss Respondent's reporting of the South Dakota Denial. Pet'r's Ex. 8c.

13. On June 26, 2023, ASD attempted to contact Respondent at her phone number of record with ASD, but Respondent's voicemail prompt indicated that she was not accepting any calls. *See* Pet'r's Ex. 8d & 9.

14. Following the informal conference attempt on June 26, 2023, Mr. Reck sent Respondent an email indicating that the matter would be referred for an administrative hearing. *See* Pet'r's Ex. 8d. Mr. Reck testified that at no time did Respondent contact ASD about this matter. Mr. Reck further testified that no email sent to Respondent's email addresses of record was returned as undeliverable.

15. Respondent did not report the South Dakota Denial within thirty (30) days as required by N.C. Gen. Stat. § 58-33-32(k).

### 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 Petitioner pursuant to N.C. Gen. Stat. §§ 58-2-69(d) and 58-2-69(e) and Rule 4 of the North Carolina Rules of Civil Procedure. *See* Pet'r's Exs. 1 & 2.

3. Respondent was required to report the February 24, 2023, South Dakota Denial within thirty (30) days of its effective date pursuant to N.C. Gen. Stat. § 58-33-32(k). Respondent's failure to report the South Dakota Denial constitutes a violation of N.C. Gen. Stat. § 58-33-32(k).

4. N.C. Gen. Stat. § 58-33-46(a)(2) authorizes the Commissioner to suspend, revoke, or refuse to renew any license issued under Article 33 of Chapter 58 of the North Carolina General Statutes for violating any insurance law of this or any

other state.

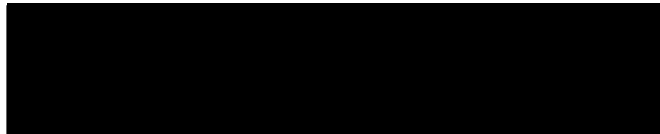
5. Based on the evidence received and the applicable laws, the undersigned Hearing Officer concludes that Respondent's license should be revoked pursuant to N.C. Gen. Stat. § 58-33-46(a)(2) for violating N.C. Gen. Stat. § 58-33-32(k).

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

**ORDER**

It is ordered that Respondent's licenses issued by the North Carolina Department of Insurance are hereby REVOKED effective as of the date of the signing of this order.

This the 8<sup>th</sup> day of March, 2024.



Erin E. Gibbs  
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 11. NCAC 01.0413 and N.C. Gen. Stat. § 1 A-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, including explicitly stating what exceptions are taken to the decision or procedure and what relief the petitioner seeks, and requires service of the Petition by personal service or by certified mail upon all who were parties of record to the administrative proceedings. The mailing address to be used for service on the Department of Insurance is: A. John Hoomani, 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; via first class U.S. mail to the licensee, at the addresses 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:

Alexandria Elliott  
2305 Global Forum Blvd., Apt. 119  
Atlanta, GA. 30340-4575  
*(Respondent)*

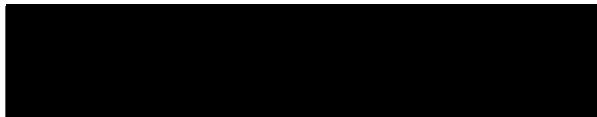
**Certified Mail Tracking Number: 70222410000096626175**

Alexandria Elliott  
State Farm Insurance CCC-Sales  
64 Perimeter Center E  
Atlanta, GA. 30346-2220  
*(Respondent)*

**Certified Mail Tracking Number: 70222410000096626205**

Rebecca E. Lem  
Assistant Attorney General  
N.C. Department of Justice  
Insurance Section  
9001 Mail Service Center  
Raleigh, NC 27699-9001  
*(Attorney for Petitioner)*

This the 8th day of March, 2024.



Mary Faulkner  
Paralegal III  
N.C. Department of Insurance  
General Counsel's Office  
1201 Mail Service Center  
Raleigh, NC 27699-1201