

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
DERRICK DEMETRIUS HARRINGTON
(NPN 8593692)

VOLUNTARY SETTLEMENT
AGREEMENT

NOW COME Derrick Demetrius Harrington (hereinafter "Mr. Harrington") and the North Carolina Department of Insurance (hereinafter "Department"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (hereinafter "Agreement");

WHEREAS, the Department has the authority and responsibility for enforcement of insurance laws of this State, and for regulating and licensing professional bail bondsmen; and

WHEREAS, Mr. Harrington is an active bail bondsman and holds licenses as a Professional Bail Bondsman and a Surety Bail Bondsman; and

WHEREAS, N.C.G.S. § 58-71-165(a) requires that: "Each professional bail bondsman shall file with the Commissioner a written report in a form prescribed by the Commissioner regarding all bail bonds on which the bondsman is liable as of the first day of each month showing (i) each individual bonded, (ii) the date the bond was given, (iii) the principal sum of the bond, (iv) the State or local official to whom given, and (v) the fee charged for the bonding service in each instance"; and

WHEREAS, Mr. Harrington failed to timely file monthly reports with the Department for the months of October 2013, November 2013, December 2013, January 2014, and February 2014 in violation of N.C. Gen. Stat. § 58-71-165(a); and

WHEREAS, pursuant to N.C. Gen. Stat. § 58-71-80(a)(7), violations of Article 71 of Chapter 58 constitute grounds to deny, suspend, revoke, or refuse to renew any license under Article 71;

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 issued by the Department, or as to any civil penalty or restitution; and

WHEREAS, the parties to this Agreement mutually wish to resolve this matter by consent before the Department initiates an administrative hearing concerning this matter; and

WHEREAS, the parties to this Agreement have reached a mutually agreeable resolution of this matter as set out in this Agreement.

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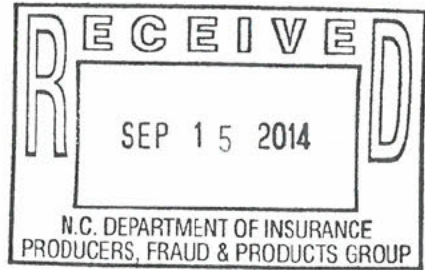
NOW, THEREFORE, in exchange for, and in consideration of the promises and agreements set out herein, the Department and Mr. Harrington hereby agree to the following:

1. Immediately upon signing this Agreement, Mr. Harrington shall pay a civil penalty of five hundred dollars (\$500.00) to the Department. The form of payment shall be 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." Mr. Harrington shall remit the civil penalty by certified mail, return receipt requested, to the Department along with the original of this Agreement bearing the signature of Mr. Harrington. The civil penalty and the signed Agreement must be received by the Department no later than August 25, 2014. The civil penalty shall be subject to the disbursement in accordance with the provisions of Article IX, Section 7 of the North Carolina Constitution for the benefit of public schools.
2. Mr. Harrington 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.
3. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Mr. Harrington understands that N.C. Gen. Stat. § 58-71-80(a)(7) provides that his bondsman's licenses may be revoked for violating an Order of the Commissioner.
4. Mr. Harrington enters into this Agreement freely and voluntarily and with knowledge of his right to have an administrative hearing regarding this matter. Mr. Harrington understands that he may consult with an attorney prior to entering into this Agreement.
5. This Agreement does not in any way affect the Department's disciplinary power in any future examinations of Mr. Harrington, or in any other complaints involving Mr. Harrington. In the event that Mr. Harrington fails to comply with this Agreement or otherwise fails to comply with the laws and rules applicable to bail bondsmen, the Department may take any administrative or legal action it is authorized to take.
6. This Agreement, when finalized, will be a public record and is not confidential. 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. Following the execution of this Agreement, any and all licenses issued by the Department to Mr. Harrington shall reflect that Regulatory Action has been taken against him.
7. This Agreement shall become effective when signed by Mr. Harrington and the Department.

[Redacted]

Derrick Demetrius Harrington

Date: 9-1-14



NORTH CAROLINA DEPARTMENT OF INSURANCE

[Redacted]

By: _____

Angela K. Ford
Senior Deputy Commissioner

Date: 9/15/14