

BASED UPON careful consideration of the documentary and testimonial evidence presented at the hearing, and upon the entire record in the proceeding, 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 for enforcement of the insurance laws of North Carolina and for regulating and licensing insurance producers, in accordance with Chapter 58 of the North Carolina General Statutes.

2. The Notice of Administrative Hearing (“Notice”) and Petition for Administrative Hearing (“Petition”) were deposited in the United States Postal Service via first-class mail and via certified mail, return receipt requested, to Respondent at Respondent’s residential address of record and at the mailing address Respondent provided to Agent Services via e-mail. *See* Pet’r’s Exs. 2-4 and 7c.

3. The Notice and Petition were properly served on Respondent by depositing in the United States Postal Service via first-class mail and via certified mail, return receipt requested, pursuant to N.C. Gen. Stat. §§ 58-2-69(b), (d), and (e) and Rule 4 of the North Carolina Rules of Civil Procedure. *See* Pet’r’s Exs. 1 and 2. The certified mail to Respondent’s residential address was returned to sender due to forward time expired, and the first-class mail was not returned. The certified mail to the mailing address Respondent provided to Agent Services was unclaimed/returned to sender, and the first-class mail was not returned. *Id.*

4. At all relevant times herein, Respondent has held a non-resident North Carolina Insurance Producer License, National Producer Number 17582872, with a line of authority in Life (“License”). *See* Pet’r’s Exs. 3 and 4. Respondent’s License was first active on July 19, 2022. *Id.* Respondent is a resident of Oklahoma. *Id.*

5. Jeff Miller (“Mr. Miller”) is a Complaint Analyst with Agent Services, and his job responsibilities include handling enforcement files for Agent Services. This includes handling an investigation of a licensee if another state takes administrative action against the licensee. Administrative actions are reflected on the Regulatory Information Retrieval System (“RIRS”) report, which is an automatic notification system through the National Association of Insurance Commissioners (“NAIC”). This system generates Personalized Information Capture System alerts (“PIC alert”) that notify the NCDOI if another state has taken administrative action against a North Carolina licensee.

6. Mr. Miller was assigned the PIC alert relating to Respondent and he handled the investigation of Respondent’s enforcement file from Agent Services. Specifically, the PIC alert regarding the administrative action against Respondent that the Oklahoma Department of Financial Services (“Oklahoma”) entered into NAIC on October 16, 2024. *See* Pet’r’s Ex. 5.

7. Agent Services obtained a certified copy of the Conditional

Administrative Order and Notice of Right to Be Heard issued by the Oklahoma Insurance Department (“Oklahoma administrative action”). *See* Pet’s Ex. 10. On May 2, 2024, Oklahoma censured and fined Respondent in the amount of two hundred and fifty dollars (\$250.00) for selling, soliciting, and negotiating insurance business with an expired license. *Id.* The Conditional Order would become a Final Order on the thirty-first (31st) day following the date of mailing the Conditional Order if Respondent failed to request a hearing within thirty (30) days of the mailing of the Conditional Order, which was on May 2, 2024. *Id.* Based on its language, the Oklahoma administrative action would have been effective on or around June 30, 2024.

8. Although the Oklahoma administrative action that was mailed to Respondent via certified mail was returned to Oklahoma, it appears Respondent likely paid the fine because Oklahoma did not enter a subsequent administrative action into NAIC and Respondent is still licensed in Oklahoma. *See* Pet’s Exs. 5 and 10.

9. A licensee is obligated to report any administrative action taken against the licensee to the NCDOI within thirty (30) days after the final disposition of the matter. *See* N.C. Gen. Stat. § 58-33-32(k). A licensee may report an administrative action by uploading a copy of the administrative action to the National Insurance Producer Registry (“NIPR”) Attachment Warehouse or reporting it directly to the NCDOI via mail, e-mail, or fax.

10. The NIPR Attachment Warehouse screenshot shows that Respondent did not report the administrative action from Oklahoma within thirty (30) days from its effective date of on or around June 30, 2024. *See* Pet’s Ex. 6. Furthermore, Respondent did not report the June 30, 2024 Oklahoma administrative action directly to the NCDOI.

11. On October 24, 2024, Mr. Miller sent correspondence via e-mail to Respondent’s e-mail address of record informing Respondent that Agent Services was aware of the unreported Oklahoma administrative action and explained the statutory requirement to report within thirty (30) days after the final disposition. *See* Pet’s Ex. 7a. Respondent was instructed to provide Agent Services with a written response, along with documentation regarding the Oklahoma administrative action within ten (10) days. *Id.* Respondent failed to provide any response to this correspondence.

12. On November 4, 2024, Mr. Miller sent follow-up correspondence via e-mail to Respondent’s e-mail addresses of record noting that Respondent failed to provide a response and the documentation requested in the October 24, 2024 correspondence. *See* Pet’s Ex. 7b. This November 4, 2024 e-mail included Respondent’s residential address of record in the body of the e-mail. *Id.*

13. On November 4, 2024, Respondent replied to Mr. Miller's e-mail stating, "That is not my mailing address." Mr. Miller replied asking Respondent to provide his current correct address along with the previously requested response. Respondent replied with his current mailing address (604 N Dallas, Moore, Oklahoma 73160). Mr. Miller responded, reiterating the need for Respondent to provide a copy of the Oklahoma Monetary Penalty and an explanation for why this was not reported within 30 days of the effective date. *See Pet'r's Ex. 7c.* Respondent did not provide the requested information.

14. On November 18, 2024, Mr. Miller sent a follow-up e-mail to Respondent reminding him that Agent Services "still require[s] a copy of the Oklahoma Action taken on or about May 2, 2024." *See Pet'r's Ex. 7c.* Respondent failed to provide any response to this e-mail.

15. On December 20, 2024, Mr. Miller sent correspondence via first-class mail to Respondent's residential address of record and e-mailed a copy to Respondent's e-mail addresses of record requesting that Respondent attend an informal conference to discuss the Oklahoma administrative action. The informal conference was scheduled for Respondent on January 21, 2025, at 11:30 a.m. eastern time via the telephone. *See Pet'r's Ex. 7d.* Respondent failed to provide any response to this correspondence. Mr. Miller did not send the informal conference notice to the address provided by Respondent in the November 4, 2024 e-mail, which was an oversight on his part. Mr. Miller did send the informal conference notice to the e-mail address from which Respondent had previously responded.

16. At the appointed time for the January 21, 2025 informal telephonic conference, Mr. Miller and his supervisor, Nadine Scott ("Ms. Scott") attempted to hold the informal conference by calling the Respondent at his phone number on record. Respondent did not pick up, and a voicemail was left asking Respondent to call back. Mr. Miller and Ms. Scott also attempted to call Respondent at his business phone number on record, but it was not in service. *See Pet'r's Exs. 8 and 9.* Respondent failed to contact Agent Services.

17. On May 22, 2025, Mr. Miller sent correspondence via e-mail to Respondent's e-mail address of record, as well as via first-class mail to Respondent's residential address of record and the address provided by Respondent in the November 4, 2024 e-mail. This correspondence advised Respondent that because he failed to respond to the NCDOT's repeated attempts to resolve this matter and he failed to appear at the informal telephonic conference, formal proceedings would be instituted under Article 3A of Chapter 150B, and an administrative hearing would be scheduled in Raleigh, N.C. at a time and date to be determined. *See Pet'r's Ex. 7e.* Respondent failed to provide any response to this correspondence.

18. As of the date of the hearing in this matter, Respondent had failed to

report the Oklahoma administrative action directly to the NCDOI or via the NIPR Attachment Warehouse.

CONCLUSIONS OF LAW

1. This matter is properly before the Commissioner. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Chapter 58 of the North Carolina General Statutes.

2. Respondent was properly served with the Notice of Administrative Hearing ("Notice") and Petition for Administrative Hearing ("Petition") in this matter pursuant to N.C. Gen. Stat. §§ 58-2-69(d) and (e) and Rule 4 of the North Carolina Rules of Civil Procedure. Service of the Notice and Petition to Respondent's residential address of record and the address provided by Respondent in the November 4, 2024 e-mail was deemed complete on or about June 28, 2025. *See* Pet'r's Ex. 2.

3. N.C. Gen. Stat. § 58-33-32(k) requires an insurance producer to report to the Commissioner any administrative action taken against the producer in another state within 30 days after the final disposition of the matter and to include a copy of the order or consent order and other information or documents filed in the proceeding necessary to describe the action. Respondent was required to report the Oklahoma administrative action (effective on or around June 30, 2024) within thirty (30) days of the action's final disposition.

4. Respondent's failure to report and provide a copy of the June 30, 2024 Oklahoma administrative action directly to the NCDOI or via the NIPR Attachment Warehouse within thirty (30) days of the action's final disposition is a violation of N.C. Gen. Stat. § 58-33-32(k).

5. N.C. Gen. Stat. § 58-33-46(a)(2) allows the Commissioner to place on probation, suspend, or revoke the license of a licensee who has violated any insurance law of this or any other state, violated any administrative rule, subpoena, or order of the Commissioner or of another state's insurance regulator, or violated any rule of FINRA. Respondent's non-resident insurance producer license is subject to disciplinary action due to Respondent's violation of N.C. Gen. Stat. § 58-33-32(k) for failing to timely report the June 30, 2024 Oklahoma administrative action within thirty (30) days of the action's final disposition.

6. N.C. Gen. Stat. § 58-2-70(c) provides that if, under subsection (b) of this section, the Commissioner finds a violation of this Chapter, the Commissioner may, in addition to or instead of suspending or revoking the license, order the payment of a monetary penalty as provided in subsection (d) of this section. Respondent's failure to timely report and provide a copy of the Oklahoma administrative action within

thirty (30) days of the action's final disposition subjects Respondent's non-resident insurance producer license to suspension or revocation in accordance with N.C. Gen. Stat. § 58-2-70(b).

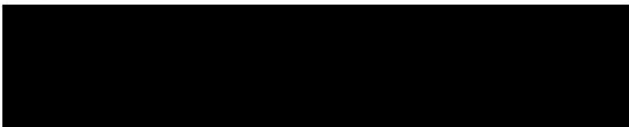
BASED UPON the foregoing Findings of Fact and Conclusions of Law, the Hearing Officer enters the following:

ORDER

It is ORDERED that Respondent's non-resident insurance producer license issued by the North Carolina Department of Insurance is hereby **REVOKED**.

This Order is effective five (5) days from the date of mailing this Order. The "date of mailing" is the date indicated on the Certificate of Service attached to this Order.

This the 25th day of September, 2025.



Shannon Wharry
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: Amy Funderburk, 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 and via first class U.S. mail to the licensee at the residential addresses provided to the Commissioner pursuant to N.C. Gen. Stat. § 58-2-69(b) and (d); and via State Courier to Attorney for Petitioner, addressed as follows:

Joshua Hughes
604 N. Dallas Ave.
Moore, OK 73610
(Respondent)

Certified Mail Tracking Number: 9589 0710 5270 3421 9325 99

Joshua Hughes
902 Bell Dr.
Midwest City, OK 73110
(Respondent)

Certified Mail Tracking Number: 9589 0710 5270 3421 9326 05

Joshua Hughes
929 Blue Bird Ter.
Purcell, OK 73080
(Respondent)

Certified Mail Tracking Number: 9589 0710 5270 3421 9326 12

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 20th day of September, 2025.



Raheema I. Moore
Clerk of Court for Administrative Hearings
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