N. C. DEPARTMENT OF INSURANCE AGENT SERVICES DIVISION
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE COMMISSIONER [redacted]
OF INSURANCE

IN THE MATTER OF THE LICENSURE
OF BILLYJACK VAUGHN JOHNSON
LICENSE NO. 0018998280

VOLUNTARY SETTLEMENT
AGREEMENT

NOW COME, Billyjack Vaughn Johnson (hereinafter "Mr. Johnson") 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 agencies and agents; and

WHEREAS, Mr. Johnson currently holds a Resident Producer's license with authority for Life and Accident & Health or Sickness lines of insurance issued by the Agent Services Division; 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, N. C. Gen. Stat. § 58-33-46 (a) (3) 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 obtaining or attempting to obtain a license through misrepresentation or fraud; and

WHEREAS, N. C. Gen. Stat. § 58-33-46 (a) (6) 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 having been convicted of a felony or a misdemeanor involving dishonesty, a breach of trust, or moral turpitude; and

WHEREAS, Mr. Johnson, on his application dated October 29,2021 for a Resident Producer's license, answered "No" to questions thereon requesting whether he had been convicted of, or was currently charged with, committing any misdemeanors or felonies

WHEREAS, information brought to the attention of the Agent Services Division indicated that Mr. Johnson was found guilty in 2006 of Criminal Trespass 1st Degree and Harassing Communication, a Misdemeanor in the District Court of Knott County, Kentucky, Case # 04-M-00911 and was placed on probation for two (2) years; and was found guilty of the charges of Cultivation of Marijuana, five (5) or more plants, and Traffic in Marijuana 8 0z. to <5lbs. and was placed on supervised probation for five (5) years (three (3) years suspended); and

WHEREAS, Mr. Johnson, by not answering the questions truthfully, and based on the nature of the crimes committed, was in violation of the provisions of , N. C. Gen. Stats. § 58-33-46 (a) (1), (3) and (6); 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, Mr. Johnson's application for licensure with the Illinois Department of Insurance was denied effective April 13,2022 based on his providing incorrect, misleading, incomplete, or materially untrue information on the application regarding his past criminal history which was requested and required thereon, and attempting to obtain a license through misrepresentation or fraud; and

WHEREAS, Mr. Johnson failed to report the administrative action taken by the Illinois Department of Insurance within 30 days after the final disposition of that matter as required by North Carolina General Statute § 58-33-32(k), and therefore, was in violation thereof; and

WHEREAS, N. C. Gen. Stat. § 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, N. C. Gen. Stat. § 58-2-70 provides that whenever the Commissioner has reason to believe that any person has violated any law that would subject the license or certification of that person to suspension or revocation, the Commissioner is authorized, in lieu of a hearing, to negotiate a mutually acceptable agreement as to the status of the person's license or certificate or to any civil penalty or restitution; and

WHEREAS, Mr. Johnson has agreed to settle, compromise, and resolve the matters referenced in this Agreement on behalf of himself, and the Agent Services Division has agreed not to pursue additional civil ramifications, including penalties, sanctions, remedies, or restitution based on these matters against Mr. Johnson; and

NOW, THEREFORE, in exchange for the consideration and promises and agreements set out herein, Mr. Johnson and the Agent Services Division hereby agree to the following:

1. Immediately upon the signing of this Agreement, Mr. Johnson shall pay a civil penalty of **$500.00** to the Agent Services Division. 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**." Mr. Johnson 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 **October 05, 2022**. The civil penalty shall be subject to disbursement in accordance with the provisions of Article IX, Section 7 of the North Carolina Constitution for the benefit of public schools.

2. This Agreement does not in any way affect the Agent Services Division's disciplinary power in any future examination of Mr. Johnson or in any other complaints involving Mr. Johnson.

3. Mr. Johnson enters into this Agreement, on behalf of himself, freely and voluntarily and with the knowledge of his right to have an administrative hearing on this matter. Mr. Johnson understands he 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. Mr. Johnson 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 Mr. Johnson shall reflect that Regulatory Action has been taken against him. 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, routinely provides a copy of the voluntary settlement agreement to all companies that have 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 you, 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.

N.C. Department of Insurance
Agent Services Division

______________________________	______________________________
By: Billyjack Vaughn Johnson **License No. 0018998280**	**By: Angela Hatchell** **Deputy Commissioner**
Date: ______________________	**Date:** ______________________

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N.C. Department of Insurance

Agent Services Division

[redacted]

By: Billyjack Vaughn Johnson

License No. 0018998280

Date: 10-7-22

[redacted]

By: Angela Hatchell

Deputy Commissioner

Date: 10/12/2022