

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

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**STATE OF NORTH CAROLINA
COUNTY OF WAKE**

**BEFORE THE COMMISSIONER
OF INSURANCE**

**IN THE MATTER OF THE LICENSURE
OF KEVIN JAMES McELWEE
NPN: 19807519**

**VOLUNTARY SETTLEMENT
AGREEMENT**

NOW COME, Kevin James McElwee (hereinafter “Mr. McElwee”) and the Agents 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. McElwee currently holds a Non-resident Producer’s license with authority for Property and Casualty lines of insurance issued by the Agent Services Division; 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. McElwee was involved in an administrative procedure with the Florida Department of Financial Services wherein his application for licensure was denied effective March 08, 2024 based on Florida Statute Section 626.621(15): “Denial, suspension, or revocation of, or any other adverse administrative action against, a license to practice or any regulated profession, business, or vocation of this state, any other state, any nation, any possession or district of the United States, and any court, or any other agency thereof.”

From 2008 to 2020, Mr. McElwee held a Single Subject Teaching Credential and Cross-Cultural Language and Academic Certificate with the California Commission on Teacher Credentialing. On or about March 08, 2020, the Commission revoked his credentials based on an “allegation” of engaging in a romantic relationship with a student.

WHEREAS, Mr. McElwee did not report the Florida Department of Financial administrative action to the Agent Services Division within 30 days after the final disposition of that matter as required by North Carolina General Statute § 58-33-32(k) and was therefore 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. McElwee 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. McElwee; and

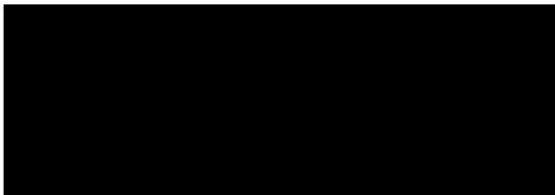
NOW, THEREFORE, in exchange for the consideration and promises and agreements set out herein, Mr. McElwee and the Agent Services Division hereby agree to the following:

1. Immediately upon the signing of this Agreement, Mr. McElwee shall pay a civil penalty of **\$250.00** 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. McElwee 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 **March 04, 2025**. The civil penalty shall be subject to disbursements 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. McElwee or in any other complaints involving Mr. McElwee.
3. Mr. McElwee 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.

McElwee 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. McElwee 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. McElwee 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, will provide a copy of the voluntary settlement agreement to 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: Kevin James McElwee
NPN: 19807519



By: Joe Wall
Deputy Commissioner

Date: 2/6/2025

Date: 2/25/2025