

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

RECEIVED IN AGENT SERVICES  
A.S. - N.C.D.O.I.

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PROCESSOR S. Miller

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

BEFORE THE COMMISSIONER  
OF INSURANCE

IN THE MATTER OF THE LICENSURE  
OF STEPHEN D. MIZELL  
LICENSE NO. 18397788

VOLUNTARY SETTLEMENT  
AGREEMENT

**NOW COMES**, Stephen D. Mizell (hereinafter "Mr. Mizell") 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. Mizell currently holds a Non-Resident Producer's license with authority in Accident, Health or Sickness, Life, and Med. Supp./Long Term Care 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**, Mr. Mizell on his application for a non-resident producer's license dated July 20, 2023 answered no when responding to background questions regarding past criminal convictions however due to an administrative action in another state, Agent Services Division learned that Mr. Mizell plead guilty to the felony charge of Distribute/Deliver/Produce or Attempt to or Possess with Intent and Possession of Controlled Substance on or about September 13, 2011; and

**WHEREAS**, Mr. Mizell was sentenced to five years of probation, ordered to pay court costs and fines and adjudication of guilt was withheld in this matter and his sentence was completed early, on or about September 22, 2014; and

**WHEREAS**, Mr. Mizell, by providing materially incorrect, misleading, incomplete, and materially untrue information on his original application, as well as an additional application for licensure as a producer, was in violation of the provisions of N.C. Gen. Stat. § 58-33-46 (a)(1); and

**WHEREAS**, N.C. General Statute § 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. Mizell 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. Mizell; and

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

1. Immediately upon the signing of this Agreement, Mr. Mizell 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. Mizell 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 **July 25, 2024**. 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. Mizell or in any other complaints involving Mr. Mizell.
3. Mr. Mizell 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. Mizell 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. Mizell 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. Mizell 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: Stephen D. Mizell  
License No. 18397788

By: Joe Wall  
Deputy Commissioner

**Date:** 7/18/2024

Date: 7/29/2024