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

**STATE OF NORTH CAROLINA
COUNTY OF WAKE**

**BEFORE THE COMMISSIONER
OF INSURANCE**

**IN THE MATTER OF THE LICENSURE
OF HECTOR ELY MONTEZ
NPN: 1311645**

**VOLUNTARY SETTLEMENT
AGREEMENT**

NOW COME, Hector Ely Montez (hereinafter “Mr. Montez”) 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. Montez currently holds a Non-resident Producer’s license with authority for Life, Accident & Health or Sickness, Property and Casualty lines of insurance and a Medicare Supplement-Long-Term Care insurance license 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, in an administrative procedure, the Florida Department of Financial Services revoked Mr. Montez’s non-resident producer’s license effective November 21, 2024. In addition, Mr. Montez was prohibited from applying for a license for two (2) years from the date of his license revocation and was warned that engaging in insurance activities in Florida without a license was a felony of the 3rd degree.

On or about January 30, 2024 the Centers for Medicare and Medicaid Services (CMC), on behalf of the Department of Health and Human Services issued a Notice of Immediate Suspension of Plan Year 2024 Federally Facilitated Exchanges Registration and Denial of Right to Enter into Exchange -Agent Broker Agreement against Mr. Montez.

On September 10, 2024 the Florida Department issued a complaint against Mr. Montez based on his suspension issued by CMC of his right to participate in the exchange and offered him the opportunity of having a hearing regarding the suspension. Mr. Montez failed to respond; and

WHEREAS, Mr. Montez did not report the Florida Department of Financial Services' 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. Montez 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. Montez; and

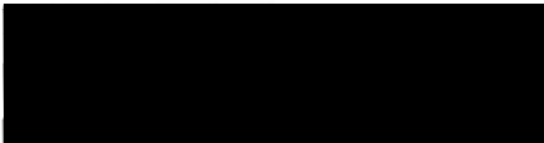
NOW, THEREFORE, in exchange for the consideration and promises and agreements set out herein, Mr. Montez and the Agent Services Division hereby agree to the following:

1. Immediately upon the signing of this Agreement, Mr. Montez 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. Montez 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 13, 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. Montez or in any other complaints involving Mr. Montez.
3. Mr. Montez 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. Montez 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. Montez 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. Montez 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: Hector Ely Montez
NPN: 1311645


By: Joe Wall
Deputy Commissioner

Date: 02/13/2025

Date: 3/5/2025