

NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE
COMMISSIONER OF INSURANCE

IN THE MATTER OF:

1

THE LICENSURE OF
RAMON NORONHA
(NPN #19365024)

**ORDER AND
FINAL AGENCY DECISION**

Respondent.

Docket Number: 2275

This matter came on for hearing on April 30, 2025, by the undersigned Hearing Officer, as designated by the Commissioner of Insurance pursuant to North Carolina General Statutes §§ 58-2-70, 58-2-162, 58-2-185, 58-33-32(k), 58-33-46, 150B-38, 150B-40 and 11 N.C.A.C. 1.0401 et seq. and other applicable statutes and regulations. The administrative hearing was held in the North Carolina Department of Insurance's Hearing Room #211, located at 3200 Beechleaf Court, Raleigh, Wake County, North Carolina.

Petitioner, the Agent Services Division of the North Carolina Department of Insurance (“Petitioner” or “Agent Services”), was represented by Assistant Attorney General Rebecca E. Lem. Ramon Noronha (hereinafter, “Respondent”) did not appear.

Petitioner's Exhibits 1, 2, 3, 4, 5, 6, 7a, 7b, 7c, 7d, 7e, 7f, 7g, 8, and 9 were admitted into evidence.

Melody Hocutt, Complaint Analyst with Agent Services Division, appeared and testified for the Department.

Based upon the allegations set forth in the Notice of Hearing, the Petition for Administrative Hearing, Affidavit of Service, the testimony of Melody Hocutt, arguments, and documentary exhibits presented at the hearing, the undersigned Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Department has the authority and responsibility for the enforcement of insurance laws of this State and for regulating and licensing

insurance agents. At all relevant times herein, Respondent held a Non-Resident Producer license with authority for a life line of insurance. Respondent's National Producer License Number (NPN) is 19365024. Respondent's North Carolina licenses were first active on or about November 5, 2021. *See Pet'r's Ex. 3 and 4.*

2. Pursuant to 11 NCAC .06A.0101(a)(2), Agent Services is the division of the North Carolina Department of Insurance responsible for the licensing, education, and regulation of Agents. Pursuant to N.C. Gen. Stat. § 58-33-10(1), an "agent" is defined as a person licensed to solicit applications for, or to negotiate a policy of, insurance. Pursuant to N.C. Gen. Stat. § 58-33-10(7), an "insurance producer" or "producer" means a person required to be licensed under Article 33 of Chapter 58 of the North Carolina General Statutes to sell, solicit, or negotiate insurance, and "insurance producer" or "producer" includes an agent and a broker. As a licensed insurance producer, Respondent is considered an "agent" as defined by statute and is therefore subject to the licensing, education, and regulation of Agent Services. *See N.C. Gen. Stat. §§ 58-33-10(1), 58-33-10(7) and 11 NCAC .06A.0101(a)(2).*

3. At all relevant times, Respondent has held a resident producer license issued by the state of Massachusetts, and has had a residential, business, and mailing address on record with the Department located in Massachusetts. *See Pet'r's Ex. 3 and 4.*

4. On or about June 27, 2024, Respondent received an adverse administrative action in the form of a license suspension that became effective on or about July 8, 2024, from the Louisiana Department of Insurance ("LADOI") for Respondent's failure to respond to its inquiry regarding a termination for cause that he received from United of Omaha Life Insurance Company. Respondent's failure to respond was deemed a violation of La. R.S. 22:1554(A) and La. R.S. 49:977.3 and his license was suspended effective on or about July 8, 2024. No end period to the license suspension is set forth in the administrative action. *See Pet'r's Ex. 9.* The June 27, 2024 suspension order from LADOI shall hereinafter be referred to as "the Louisiana administrative action".

5. On August 19, 2025, LADOI entered a "PIC alert" into the Regulatory Insurance Retrieval System ("RIRS") which is administered by the National Association of Insurance Commissioners ("NAIC"), which alerted Agent Services that Respondent had received a license suspension in Louisiana effective on July 8, 2024. *See Pet'r's Ex. 5.* After Agent Services received this PIC alert, the matter was assigned to Agent Services Complaint Analyst Melody Hocutt ("Ms. Hocutt") to investigate.

6. Once Ms. Hocutt was assigned to the matter involving Respondent's PIC alert from LADOI, she reviewed the records of the Department as well as the NIPR Attachment Warehouse to determine if Respondent had already reported the

Louisiana administrative action. Respondent had not reported the Louisiana administrative record to the Department either directly or through the NAIC Attachment Warehouse. *See Pet'r's Ex. 3 and 6.* By this time, Respondent was beyond the thirty (30) day reporting window for adverse administrative actions as set forth in N.C. Gen. Stat. § 58-33-32(k), as the effective date of the Louisiana administrative action was July 8, 2024.

7. Respondent failed to notify the North Carolina Commissioner of Insurance ("Commissioner") of the Louisiana administrative action within thirty (30) days as required by N.C. Gen. Stat. § 58-33-32(k).

8. After determining that Respondent had not timely reported the Louisiana administrative action as required by N.C. Gen. Stat. § 58-33-32(k), on August 26, 2024, Ms. Hocutt contacted him by e-mail at his e-mail address on record with the Department and requested that he report the Louisiana administrative action within ten (10) days. *See Pet'r's Ex. 7a.* Respondent did not reply to that e-mail or otherwise report the Louisiana administrative action. Ms. Hocutt did not get a "bounceback" or "undeliverable" message after she sent Respondent this e-mail. Had an e-mail to a licensee been undeliverable, Ms. Hocutt would have noted it on her Enforcement Summary Notes, and there is no such note. *See Pet'r's Ex. 8.*

9. Ms. Hocutt sent another e-mail to Respondent through the SBS system to all of Respondent's e-mail addresses on record on September 9, 2024. This e-mail requested that Respondent provide a copy of the Louisiana administrative action and a written statement as to why he had not timely reported that administrative action to the Department within ten (10) days. *See Pet'r's Ex. 7b.* Respondent did not respond to that e-mail, and Ms. Hocutt did not receive any message that the e-mail to Respondent was undeliverable. *See Pet'r's Ex. 8.*

10. On October 8, 2024, Ms. Hocutt sent Respondent a letter and e-mail scheduling an informal conference to take place by telephone on October 29, 2024. The letter and e-mail noted that the reason for the informal conference was Respondent's late reporting of the Louisiana administrative action, and it further noted the Respondent's phone number where Ms. Hocutt would be calling him. *See Pet'r's Ex. 7c.* The October 8, 2024, letter sent to Respondent was returned by USPS as undeliverable. *See Pet'r's Ex. 7d, 8.* Ms. Hocutt did not receive any message that the October 8, 2024, e-mail sent to Respondent was undeliverable. *See Pet'r's Ex. 8.*

11. On October 22, 2024, Ms. Hocutt sent an e-mail to Respondent reminding him of the October 29, 2024 informal conference time and date, as well as his phone number that would be called. *See Pet'r's Ex. 7e.* Ms. Hocutt did not receive any message that the October 22, 2024 e-mail sent to Respondent was undeliverable. *See Pet'r's Ex. 8.* At no time prior to the informal conference attempt on October 29, 2024 did Respondent contact Ms. Hocutt. *See Pet'r's Ex. 8.*

12. On October 29, 2024, at the designated time, Ms. Hocutt and Agent Services Team Leader Tommy Walls attempted to call Respondent at his only phone number on record with the Department. Respondent did not pick up the phone, and the voicemail box had not yet been set up. *See Pet'r's Ex. 8.*

13. On November 5, 2024, Ms. Hocutt sent a letter and e-mail to Respondent notifying him that the matter about the late reporting of the Louisiana administrative action would be referred for a hearing. The letter and e-mail had Ms. Hocutt's direct contact information on it. *See Pet'r's Ex. 7f.* Ms. Hocutt did not receive any message that the November 5, 2024 e-mail sent to Respondent was undeliverable. *See Pet'r's Ex. 8.* Ms. Hocutt did not thereafter receive any contact or correspondence from Mr. Noronha.

14. On February 6, 2025, Ms. Hocutt sent a letter and e-mail to Respondent notifying him that the matter about the late reporting of the Louisiana administrative action would be referred for a hearing, this time sending it to two additional physical addresses as well as Respondent's residential address of record, one of which was in Florida and one in New York. *See Pet'r's Ex. 7g.* Respondent had not provided these additional addresses to the Department himself, but they had been obtained through other research as being possible addresses for Respondent. Licensees have an affirmative statutory obligation to keep certain of their contact information, including their residential address and e-mail address, up to date with the Department. Agent Services cannot, on its own, change a licensee's contact information of record with the Department without a request from the licensee. Respondent did not thereafter contact Ms. Hocutt. Ms. Hocutt did not receive any message that the February 6, 2025 e-mail sent to Respondent was undeliverable. *See Pet'r's Ex. 8.*

15. Respondent did not report the Louisiana administrative action to the Department. Respondent did not respond to any of Agent Services e-mails, letters, or the informal conference phone call attempt regarding his failure to timely report the Louisiana administrative action to the Department as is required by N.C. Gen. Stat. § 58-33-32(k).

CONCLUSIONS OF LAW

1. Respondent was properly served with the Notice of Hearing and the Department has personal and subject matter jurisdiction in this matter.

2. N.C. Gen. Stat. § 58-33-32(k) requires a 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. The report "shall include a

copy of the order or consent order and other information or documents filed in the proceeding necessary to describe the actions.”

3. Respondent violated N.C. Gen. Stat. § 58-33-32(k) by failing to report the Louisiana Notice of Suspension, effective July 8, 2024, to the Department within thirty days.

4. N.C. Gen. Stat. § 58-33-46(a)(2) states that the Commissioner may 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.

5. N.C. Gen. Stat. § 58-2-70(c) provides, in pertinent part, 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 or certification, order the payment of monetary penalty as provided in subsection (d) of this section...”

6. Licensees are put on notice by N.C. Gen. Stat. § 58-2-69 that they are required to keep their residential address and their e-mail addresses up to date with the Department. Pursuant to N.C. Gen. Stat. § 58-2-69(b), “[e]very applicant for a license shall inform the Commissioner of the applicant's residential address and provide the applicant's e-mail address to which the Commissioner can send electronic notifications and other messages. Every licensee shall give written notification to the Commissioner of any change of the licensee's residential or e-mail address within 10 business days after the licensee moves into the licensee's new residence or obtains a different e-mail address.” Licensees are thereby put on notice that they may be contacted by the Commissioner by e-mail or mail to their residential addresses of record, and that they are required to keep this information up to date.

7. At no time since Respondent became licensed in North Carolina on November 5, 2021, has he changed or updated his contact information on record with the Department. *See Pet'r's Ex. 4.* Respondent has at no time responded to any of the correspondences by Agent Services sent to his e-mail address or residential address on record with the Department. Respondent has not demonstrated a continuing interest in retaining his North Carolina insurance licenses.

8. Respondent’s non-resident Producer license should be revoked pursuant to N.C. Gen. Stat. § 58-33-46(a)(2) based upon his failure to timely report the Louisiana administrative action in violation of N.C. Gen. Stat. § 58-33-32(k).

ORDER

Based on the foregoing Findings of Facts and Conclusions of Law, it is hereby ordered that Respondent's non-resident producer's license issued by the North Carolina Department of Insurance is hereby REVOKED.

This Order becomes effective four (4) days after this Order has been placed in USPS mail to Respondent's residential address of record as evinced by a Certificate of Service pursuant to N.C. Gen. Stat. § 58-2-69(b),(d), &(e).

This Order constitutes an adverse administrative action against Respondent's North Carolina insurance producer license that will be reported by the North Carolina Department of Insurance through the National Association of Insurance Commissioners (NAIC). Respondent may be required to timely report this adverse administrative action to other states in which he holds insurance licenses. Respondent should consult with the insurance regulators for the states in which she holds insurance licenses about their specific reporting requirements for adverse administrative actions.

This the 15 day of May, 2025.



Amy Funderburk
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, returned 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:

Ramon Noronha
150 Edgewater Drive
Framingham, MA 01702
(Respondent)

Certified Mail Tracking Number: 9589 0710 5270 1723 5214 97

Ramon Noronha
93 Rudolph Ter
Yonkers, NY 10701-1533
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(Attorney for Petitioner)

This the 15 day of May, 2025.



Raheema I. Moore
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