

NORTH CAROLINA DEPARTMENT OF INSURANCE  
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

BEFORE THE  
COMMISSIONER OF INSURANCE

IN THE MATTER OF: )  
)  
THE LICENSURE OF )  
KENOLD PIERRE )  
(NPN 21055848) )  
Respondent. )  
)

ORDER AND  
FINAL AGENCY DECISION

Docket Number: 2287

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**THIS MATTER** was heard on June 25, 2025 by the undersigned Hearing Officer, as designated by the North Carolina Commissioner of Insurance (“Commissioner”) pursuant to N.C. Gen. Stat. § 58-2-55 and other applicable statutes and regulations. The administrative hearing was held in the North Carolina Department of Insurance’s Hearing Room, Room #211, located at 3200 Beechleaf Court, Raleigh, Wake County, North Carolina.

Petitioner, Agent Services Division of the North Carolina Department of Insurance (“Petitioner” or “Agent Services”), was present and represented by Assistant Attorney General, Kristin K. Mullins. Respondent, Kenold Pierre (“Respondent”) did not appear and was not represented by counsel at the hearing.

Matthew Reck, Complaint Analyst for Agent Services, appeared and testified on behalf of the Petitioner.

Petitioner’s Exhibits 1-14 were admitted into evidence as full exhibits with redactions from Petitioner’s Exhibits 3-5.

The Petition for Administrative Hearing alleged that Respondent violated N.C. Gen. Stat. §§ 58-33-32(k) and 58-33-46(a)(2) for failure to report another state’s administrative action.

BASED UPON careful consideration of the documentary and testimonial evidence presented at the hearing, and upon the entire record in the proceeding, the undersigned Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. The North Carolina Department of Insurance (“NCDOI”) is a state agency responsible for enforcement of the insurance laws of North Carolina and for

regulating and licensing insurance producers, in accordance with Chapter 58 of the North Carolina Statutes.

2. The Notice of Administrative Hearing (“Notice”) and Petition for Administrative Hearing (“Petition”) were properly served on Respondent at Respondent’s residential address of record pursuant to N.C. Gen. Stat. §§ 58-2-69(b), (d), and (e) and Rule 4 of the North Carolina Rules of Civil Procedure. The Notice and Petition were delivered to Respondent on June 5, 2025 via Federal Express-Priority Overnight. *See* Pet’r’s Exs. 1-3.

3. Respondent holds an active non-resident North Carolina Insurance Producer License, National Producer Number 21055848, with lines of authority in Accident & Health or Sickness and Life (“License”). *See* Pet’r’s Exs. 3 and 4. Respondent’s License was first active in North Carolina on February 21, 2024 and expires on March 31, 2026. *Id.* Respondent is a resident of Florida. *Id.*

4. Matthew Reck is a Complaint Analyst with Agent Services, and his job responsibilities include handling enforcement files for Agent Services. This includes handling an investigation of a licensee if another state takes administrative action against a licensee. Administrative actions are reflected on the Regulatory Information Retrieval System (“RIRS”) report, which is an automatic notification system through the National Association of Insurance Commissioners (“NAIC”). This system generates Personalized Information Capture System alerts (“PIC alert”) that notify the NCDOI if another state has taken administrative action against a North Carolina licensee.

5. Matthew Reck has handled the investigation of Respondent’s enforcement file from Agent Services since the file’s inception through the date of the hearing. He was assigned the PIC alert relating to Respondent, specifically the PIC alert regarding the administrative action against Respondent that the Kansas Department of Insurance (“Kansas”) entered into NAIC on October 10, 2024. *See* Pet’r’s Ex. 5.

6. As part of his investigation, Matthew Reck obtained a certified copy of the Decision on License Application issued by the Kansas Insurance Department (“Kansas administrative action”). *See* Pet’r’s Ex. 7. On March 1, 2024, Kansas denied Respondent’s application for a non-resident insurance producer license. *Id.* The denial was based on Respondent’s failure to disclose a previous criminal charge and an administrative action despite clear instructions on the application to do so. *Id.* Kansas determined this constituted providing incorrect, misleading, incomplete or untrue information in the license application and indicated the insurable interests of the public would not be served by granting a license. *Id.* The denial became effective at the expiration of fifteen (15) days (plus three (3) days for mailing) of the March 1, 2024 letter if Respondent failed to request a hearing or enter into a Consent Order.

*Id.* Based on its language, the Kansas administrative action would have been effective on March 20, 2024.

7. A licensee is obligated to report any administrative action taken against the licensee to the NCDOI within thirty (30) days of the action's final disposition. *See* N.C. Gen. Stat. § 58-33-32(k). A licensee may report an administrative action by uploading a copy of the administrative action to the National Insurance Producer Registry ("NIPR") Attachment Warehouse or reporting it directly to the NCDOI via mail, e-mail, or fax.

8. The NIPR Attachment Warehouse shows that Respondent did not report the Kansas administrative action within thirty (30) days from its effective date of March 20, 2024. *See* Pet'r's Ex. 6. Furthermore, Respondent did not report the March 20, 2024 Kansas administrative action directly to the NCDOI.

9. The NIPR Attachment Warehouse screenshot does show that Respondent timely reported the January 25, 2024 administrative action from Florida on February 5, 2024. *See* Pet'r's Exs. 5 and 6. The Florida administrative action is not at issue in this hearing because it occurred prior to Respondent applying for and being granted a North Carolina non-resident producer license, but it shows that Respondent was aware of how to report an administrative action.

10. On May 14, 2024, Agent Services sent correspondence via e-mail to Respondent's e-mail address of record informing Respondent that Agent Services was aware of the unreported Kansas administrative action and explained the statutory requirement to report within thirty (30) days after the final disposition. *See* Pet'r's Ex. 9. Respondent was instructed to provide Agent Services with a written response, along with documentation regarding this matter within ten (10) days. *Id.* Agent Services did not receive a bounce-back message or any other indication that the e-mail sent to respondent was not delivered. *See* Pet'r's Ex. 8. Respondent failed to provide any response to this correspondence.

11. On May 28, 2024, Agent Services sent a follow-up correspondence via e-mail to Respondent's e-mail address of record noting that Respondent failed to provide a response, and the documentation requested in the May 14, 2024 correspondence. *See* Pet'r's Ex. 10. This May 28, 2024 correspondence gave Respondent notice that unless he provided a response to Agent Services within ten (10) days, Agent Services would consider Respondent to be in violation of N.C. Gen. Stat. §§ 58-2-185 and 58-2-195 and may consider proceeding with an administrative action against his license. *Id.* Respondent failed to provide any response to this correspondence.

12. On October 9, 2024, Toni Garrard, Legal Assistant at the Legal Division of the Kansas Department of Insurance sent correspondence via e-mail to Matthew

Reck to advise that Respondent failed to pay the Consent Order, resulting in the Kansas denial remaining in place. *See* Pet'r's Exs. 8 and 11.

13. On October 24, 2024, Agent Services sent correspondence via first-class mail to Respondent's residential address of record and e-mailed a copy of the letter to Respondent's e-mail address of record requesting that Respondent attend an informal conference to discuss the Kansas administrative action. The informal conference was scheduled for Respondent on December 5, 2024 at 2:00 p.m. eastern time via the telephone. *See* Pet'r's Ex. 12. Respondent failed to provide any response to this correspondence.

14. On December 3, 2024, Agent Services sent a follow-up correspondence via e-mail to Respondent's e-mail address of record as a courtesy reminder to Respondent of the informal conference scheduled for December 5, 2024, and provided the telephone number they would be contacting him at. *See* Pet'r's Ex. 13. Respondent failed to provide any response to this correspondence.

15. Respondent did not attend the December 5, 2024 informal telephonic conference at the appointed time of 2:00 p.m. *See* Pet'r's Ex. 8.

16. On December 9, 2024, Agent Services sent correspondence via first class mail to Respondent's residential address of record and e-mailed a copy of the letter to Respondent's e-mail address of record advising Respondent that he failed to respond to the NCDOI's repeated attempts to resolve this matter and he failed to appear at the informal conference. *See* Pet'r's Ex. 14. This correspondence also informed Respondent that formal proceedings would be instituted under Article 3A of Chapter 150-B and an administrative hearing would be scheduled in Raleigh, North Carolina at a time and date to be determined. *Id.* Respondent failed to provide any response to this correspondence.

17. As of the date of the hearing, Respondent had failed to report the March 20, 2024 Kansas administrative action directly to the NCDOI or via the NIPR Attachment Warehouse.

### CONCLUSIONS OF LAW

1. This matter is properly before the Commissioner. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Chapter 58 of the North Carolina General Statutes.

2. Respondent was properly served with the Notice of Administrative Hearing and Petition for Administrative Hearing pursuant to N.C. Gen. Stat. §§ 58-2-69(d) and (e) and Rule 4 of the North Carolina Rules of Civil Procedure.

3. N.C. Gen. Stat. § 58-33-32(k) requires an insurance producer to report to the Commissioner any administrative action taken against the producer by another state within thirty (30) days after the final disposition of the matter and to include a copy of the order or consent order and other information or documents filed in the proceeding necessary to describe the action. Respondent was required to report the Kansas administrative action (effective on March 20, 2024) within thirty (30) days of the action's final disposition.

4. Respondent's failure to report and provide a copy of the March 20, 2024 Kansas administrative action directly to the NCDOI or via the NIPR Attachment Warehouse within thirty (30) days of the action's final disposition is a violation of N.C. Gen. Stat. § 58-33-32(k).

5. N.C. Gen. Stat. § 58-33-46(a)(2) allows the Commissioner to 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.

6. Respondent's non-resident insurance producer license is subject to disciplinary action due to Respondent's violation of N.C. Gen. Stat. § 58-33-32(k) for failing to timely report the March 20, 2024 Kansas administrative action within thirty (30) days of the action's final disposition.

7. N.C. Gen. Stat. § 58-2-70(c) provides 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, order the payment of a monetary penalty as provided in subsection (d) of this section. Respondent's failure to report and provide a copy of the Kansas administrative action within thirty (30) days of the action's final disposition subjects Respondent's non-resident insurance producer license to suspension or revocation in accordance with N.C. Gen. Stat. § 58-2-70(b).

BASED UPON the foregoing Findings of Fact and Conclusions of Law, the Hearing Officer enters the following:

### **ORDER**

It is **ORDERED** that Respondent's non-resident insurance producer license issued by the North Carolina Department of Insurance is hereby **REVOKED** effective five (5) days from the signing of this Order.

This 8<sup>th</sup> day of August, 2025.



Shannon Wharry  
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, return receipt requested, and via first class U.S. mail to Respondent at the address he provided to the Commissioner pursuant to N.C. Gen. Stat. § 58-2-69(b), (d) and (e); and via State Courier to Attorney for Petitioner, addressed as follows:

Kenold Pierre  
11522 Centaur Way  
Lehigh Acres, FL 33971  
*(Respondent)*

**Certified Mail Tracking Number: 9589 0710 5270 2731 6465 92**

Kristin K. Mullins  
Assistant Attorney General  
N.C. Department of Justice  
Insurance Section  
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Raleigh, NC 27699-9001  
*(Attorney for Petitioner)*

This the 8<sup>th</sup> day of August, 2025.



Raheema I. Moore  
Clerk of Court for Administrative Hearings  
Paralegal III  
N.C. Department of Insurance  
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