

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  
BRENT RHODA  
(NPN # 20195141)

Respondent.

ORDER AND  
FINAL AGENCY DECISION

Docket Number: 2256

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This matter was heard on Monday, March 10, 2025, by the undersigned Hearing Officer, as designated by the Commissioner of Insurance pursuant to N.C. Gen. Stat. § 58-2-55. The administrative hearing was held in the Hearing Room at the North Carolina Department of Insurance, located at 3200 Beechleaf Court, Raleigh, Wake County, North Carolina. Assistant Attorney General Rebecca E. Lem represented the North Carolina Department of Insurance (hereinafter “Department”), Agent Services Division (hereinafter “Petitioner” or “ASD”). Respondent Brent Rhoda (hereinafter, “Respondent”) did not appear.

Matthew Reck (hereinafter, “Mr. Reck”), Complaint Analyst with the Agent Services Division (ASD) of the North Carolina Department of Insurance, testified for the Petitioner. Petitioner’s Exhibits 1-10, including subparts, were admitted into evidence.

Based on the allegations set forth in the Notice of Hearing in this matter, as well as documentary and testimonial evidence introduced at the hearing, the undersigned Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. Pursuant to Chapter 58 of the North Carolina General Statutes, the Department has the authority and responsibility for the enforcement of insurance laws of this State and for regulating and licensing insurance agents.

2. Pursuant to 11 NCAC .06A.0101(a)(2), the Agent Services Division (“ASD”) 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. The Notice of Administrative Hearing originally scheduling this Hearing for January 22, 2025, and an attached Petition and the Affidavit of Service were admitted into evidence as administrative exhibits, after the Respondent’s residential, business and mailing addresses were verified as being those on record with the Department on the “License Summary”. *See* Pet’r’s Ex. 1a, 1b and 3. The Respondent’s residential, business, and mailing addresses on record with the Department are all the same address, and this same address appears on Respondent’s “State Licensing Report” for his home state of Indiana. *See* Pet’r’s Ex. 3 and 4.

4. The Notice of Administrative Hearing was properly served on Respondent pursuant to N.C. Gen. Stat. § 58-2-69(b) and Rule 4 of the North Carolina Rules of Civil Procedure. Respondent failed to appear and failed to retain counsel to appear on his behalf. *See* Pet’r’s Ex. 1a and 1b.

5. The undersigned hearing officer entered an Order of Continuance on January 21, 2025 continuing the hearing originally scheduled for January 22, 2025 due to an impending winter weather advisory that could cause unsafe road conditions. Thereafter, on February 21, 2025, a Scheduling Order was issued rescheduling this matter to March 10, 2025 at 11:00 a.m. An Affidavit of Service was entered into evidence showing that the Scheduling Order was served by first class mail to the Respondent’s address of record. *See* Pet’r’s Ex. 2a, 2b, 2c, 3, and 4.

6. At all relevant times, Respondent’s residential address on record with the Department shows that he is a resident of Indiana. *See* Pet’r’s Ex. 3 and 4. A “State Licensing Report” for Respondent’s home state of Indiana and for North Carolina indicate that Respondent has had the same contact information, including email address, phone number, and business, residential and mailing addresses since he was first licensed in these respective states. *See* Pet’r’s Ex. 4.

7. Respondent holds a Non-Resident Producer License issued by the Department with a line of authority in Life, National Producer Number 20195141. Respondent’s North Carolina licenses were first active on or about June 24, 2022. *See* Pet’r’s Ex. 3 and 4.

8. According to Matthew Reck, Complaint Analyst with ASD, this matter came to ASD's attention through a "PIC alert," short for "Personal Information Capture System," which is an automatic notification system through the National Association of Insurance Commissioners ("NAIC"). Mr. Reck explained that the information from the PIC alerts can be viewed on a "RIRS report," which stands for "Regulatory Information Retrieval System," which is also viewed through the NAIC system. The RIRS report admitted into evidence showed that Respondent received a regulatory action in the form of a license revocation, cease and desist, and monetary penalty from the insurance regulator of the state of Michigan with an effective date of March 14, 2024, entered into the RIRS system by the Michigan insurance regulator on March 19, 2024, for the reasons of "Misrepresentation of Insurance Policy/Product," "Unfair Insurance Practices Act Violation," "Demonstrated Lack of Fitness or Trustworthiness" and "Forgery." See Pet'r's Ex. 5. Mr. Reck was thereafter assigned to handle this matter.

9. The RIRS report entered into evidence also shows that the Utah insurance regulator entered a PIC alert into the system on September 4, 2024, regarding an adverse administrative action in the form of a license revocation taken against the Respondent. The effective date of the Utah administrative action was August 14, 2024, and the RIRS report shows that the reasons entered for the license revocation are "Failure to respond," "Demonstrated lack of fitness or trustworthiness," "Other states action" and "unqualified." See Pet'r's Ex. 5. At the time that Mr. Reck was assigned to this enforcement action concerning Respondent, the Utah administrative action had not yet taken place.

10. When Mr. Reck was assigned the enforcement matter regarding the Michigan administrative action against Respondent, he checked the Department's records and the National Insurance Producer Registry ("NIPR") Attachment Warehouse to see if Respondent had reported the Michigan administrative action to the Department. Mr. Reck explained that Respondent could report an administrative action directly to the Department via fax, e-mail, or regular mail. He explained further that if Respondent had reported the action through the NAIC, it would appear in the NIPR Attachment Warehouse. Respondent had not reported the Michigan administrative action directly to the Department or through the NIPR Attachment Warehouse. See Pet'r's Ex. 6.

11. Documentary evidence showed that although Respondent had uploaded unrelated documents to the NIPR Attachment Warehouse on June 21, 2022, he had never uploaded a copy of the Michigan administrative action. See Pet'r's Ex. 6.

12. Mr. Reck testified that he requested and received a copy of the Michigan administrative action from the Michigan Department of Insurance and Financial

Services (“MIDOI”). A certified copy of the Michigan administrative action was entered into evidence. *See* Pet’s Ex. 10a. This certified copy included a “Final Decision” dated March 14, 2024, as well as a “Complaint” containing a “Statement of Factual Allegations.” The “Final Decision” notes that “The Statement of Factual Allegations contained in the Complaint are adopted in full and made part of this Final Decision. The certified copies of the MIDOI “Final Decision,” “Complaint,” and “Statement of Factual Allegations” will hereinafter collectively be referred to as the “Michigan administrative action.” *See* Pet’s Ex. 10a.

13. The certified copy of the Michigan administrative action shows that this action stemmed from an investigation by MIDOI following a consumer complaint alleging that Respondent filed two life insurance applications for the consumer without the consumer’s knowledge and consent by making up fictitious email addresses and falsifying e-signatures for that consumer. Respondent failed to respond to MIDOI’s “Notice of Opportunity to Show Compliance” regarding this consumer complaint and was provided with an opportunity for a hearing regarding this matter, but did not request a hearing on this matter. *See* Pet’s Ex. 10a.

14. The Michigan administrative action document notes that Respondent’s actions constituted the violation of several of its insurance laws or grounds for sanctions, including:

- a. MCL 500.2003, which prohibits insurance producers from engaging in unfair and deceptive trade practices.
- b. MCL 500.2018, which establishes that a deceptive act or practice in the business of insurance includes making false or fraudulent statements or representations on or relative to an application for an insurance policy for the purpose of obtaining a fee, commission, money or other benefit from an insurer, broker, or individual.
- c. MCL 500.1239(1)(c), which allows sanctions for intentionally misrepresenting the terms of an application for insurance.
- d. MCL 500.1239(1)(g), which allows sanctions for using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.
- e. MCL 500.1239(1)(h) which allows sanctions for forging another’s name to an application for insurance.

*See* Pet’s Ex. 10a.

15. The Michigan administrative action revoked Respondent's Michigan insurance license, issued a \$2,500 financial penalty against him, and issued a cease and desist against him. *See* Pet'r's Ex. 10a

16. At the time that Mr. Reck was first assigned to handle the matter related to the PIC alert entered by MIDOI concerning the Michigan administrative action against Respondent, Respondent still had time to report the Michigan administrative action to the Department and be in compliance with the thirty (30) day reporting requirements of N.C. Gen. Stat. § 58-33-32(k).

17. Mr. Reck first contacted Respondent at Respondent's e-mail addresses on record with the Department on March 21, 2024 through the SBS ("State Based Systems") Correspondence System, which is part of the NAIC system. This e-mail notified Respondent of the Michigan administrative action and the thirty (30) day reporting requirement of N.C. Gen. Stat. § 58-33-32(k). The e-mail also requested that Respondent provide a written response and documentation regarding the Michigan administrative action within ten (10) days and advised Respondent that a response was required pursuant to N.C. Gen. Stat. §§ 58-2-25, 58-2-185, 58-2-195. *See* Pet'r's Ex. 7a. At this point in time, Respondent could still have timely reported the March 14, 2024 Michigan administrative action pursuant to N.C. Gen. Stat. § 58-33-32(k). Mr. Reck testified that he did not receive a response to this email within ten (10) days.

18. On April 1, 2024, Mr. Reck sent a second e-mail to Respondent that attached the March 21, 2024 e-mail and again requested that Respondent provide a response within ten (10) days. *See* Pet'r's Ex. 7b. At this point in time, Respondent could still have timely reported the March 14, 2024 Michigan administrative action pursuant to of N.C. Gen. Stat. § 58-33-32(k). Again, Respondent failed to respond to this email.

19. On April 17, 2024, Mr. Reck sent Respondent a notification of an informal conference to be held on June 17, 2024 by telephone because of Respondent's failure to timely report the Michigan administrative action in violation of N.C. Gen. Stat. § 58-33-32(k). This informal conference notification was sent by e-mail and by first class U.S. Postal Service to the Respondent's contact information on record. The informal conference notice also advised Respondent of the telephone number he would be called on. *See* Pet'r's Ex. 7c. On June 14, 2024, Mr. Reck sent a reminder e-mail to Respondent. *See* Pet'r's Ex. 7d.

20. On June 17, 2024, Mr. Reck and his supervisor Nadine Scott held an informal conference with Respondent regarding the Michigan administrative action. At the informal conference, ASD requested that Respondent provide them with a copy of the Michigan administrative action by close of business on that day. Respondent

did not do so. *See* Pet'r's Ex. 7e, 8 and 9.

21. On June 19, 2024, Mr. Reck e-mailed Respondent noting his failure to provide the Michigan administrative action and requesting a response. Respondent sent a reply e-mail back which stated, "I can't find any documentation from Michigan. It's been awhile and sorting through everything has just been a mess." Of note, Respondent's reply e-mail was from the same e-mail address that all previous correspondence had been sent to. Pet'r's Ex. 7e. Mr. Reck testified that Respondent was given options to avoid an administrative hearing and requested a response by July 5, 2024, but Respondent never contacted ASD again. *See* Pet'r's Ex. 7e, 7f, and 9. Further, according to Mr. Reck, licensees can easily request a copy of administrative actions from insurance regulators.

22. On July 18, 2024, Mr. Reck sent Respondent an e-mail and USPS letter noting Respondent's lack of response and informing Respondent that the matter would be referred for an administrative hearing. The e-mail and letter contained Mr. Reck's direct contact information. Respondent did not respond. *See* Pet'r's 7f and 9.

23. Respondent received an adverse administrative action from the Utah Insurance Department ("UTID") effective August 14, 2024 which was entered into the RIRS system as a PIC alert by UTID on September 4, 2024 (hereinafter, "Utah administrative action"). *See* Pet'r's Ex. 5 and 10b. The bases for the Utah administrative action under Utah's insurance statutes included Respondent's failure to timely report the Michigan administrative action; Respondent's failure to respond to UTID's requests for information and contact attempts; that Respondent committed an act that is grounds for denial suspension, or revocation; that Respondent failed to timely report the Michigan administrative action within 30 days; that Respondent failed to immediately report a revocation, suspension, or limitation of the person's license in another state; that Respondent failed to meet the trustworthy character requirement; that Respondent was unqualified for a license; that Respondent had his insurance license denied, suspended, revoked, or surrendered to resolve an administrative action; and that Respondent failed to promptly reply in writing to a reasonable written inquiry from Utah's Commissioner of Insurance. *See* Pet'r's Ex. 10b.

24. Respondent never reported the Utah administrative action to the Department, and the NIPR Attachment Warehouse screenshot shows that at no time has Respondent uploaded any documents since June 21, 2022, which predates both the Michigan and Utah administrative actions. *See* Pet'r's Ex. 6.

25. On December 19, 2024, Mr. Reck sent Respondent an email and USPS letter noting Respondent's previous lack of response, and noting both the Michigan and Utah administrative actions, and informing Respondent that the matter would

be referred for an administrative hearing. The e-mail and letter contained Mr. Reck's direct contact information. Respondent did not respond to this correspondence. *See* Pet'r's 7f and 9.

26. The only communication that Mr. Reck had with Respondent was during the informal conference on June 17, 2024, and in Respondent's reply e-mail back to Mr. Reck on June 19, 2024. *See* Pet'r's 7e and 9.

27. The underlying bases for the Michigan administrative action were of particular concern to ASD due to the underlying and unaddressed allegations of consumer harm in that action. Mr. Reck noted that Respondent did not address the underlying bases for the Michigan administrative action during the June 17, 2024 informal conference.

28. Respondent never reported the Michigan administrative action to the Department, despite written notification of the thirty (30) day reporting requirement of N.C. Gen. Stat. § 58-33-32(k) on two occasions when Respondent still could have timely reported this administrative action. Further, Respondent was advised during the telephonic informal conference again of the reporting requirement of N.C. Gen. Stat. § 58-33-32(k), but nevertheless did not timely, or ever, report the Utah administrative action to the Department. Mr. Reck expressed the opinion on behalf of ASD that Respondent had not shown a continuing interest in retaining his North Carolina insurance license and noted that ASD was seeking revocation of Respondent's North Carolina insurance license.

### CONCLUSIONS OF LAW

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

2. The Notice of Administrative Hearing was properly served on Petitioner pursuant to Rule 4 of the North Carolina Rules of Civil Procedure. Further, the Order of Continuance and Scheduling Order rescheduling the hearing to March 10, 2025 were properly served on Respondent.

3. The evidence presented at the hearing supports the allegations of the Notice of Hearing and Petition.

4. Respondent's administrative action in the form of a license revocation, cease and desist, and financial penalty by the Michigan insurance regulator, MIDOI, effective March 14, 2024, is an adverse administrative action that Respondent was

required to report within thirty (30) days of the effective date of that action pursuant to N.C. Gen. Stat. § 58-33-32(k). *See* Pet'r's Ex. 10a.

5. Respondent failed to timely report, or indeed ever report, the Michigan administrative action to the Department. Respondent was advised of the thirty (30) day reporting requirement by ASD twice in writing during the period that Respondent could have timely reported the Michigan administrative action, but he failed to do so. Respondent's failure to report the Michigan administrative action to the Department within thirty (30) days of the effective date of that action is a violation of N.C. Gen. Stat. § 58-33-32(k).

6. Respondent's license revocation effective August 14, 2024 by the Utah insurance regulator, UTID, is an adverse administrative action that Respondent was required to report within thirty (30) days of the effective date of that action pursuant to N.C. Gen. Stat. § 58-33-32(k). *See* Pet'r's Ex. 10b.

7. Respondent failed to timely report, or indeed ever report, the Utah administrative action to the Department, despite having been previously made aware of North Carolina's thirty (30) day reporting requirement on several occasions. Respondent's failure to report the Utah administrative action to the Department within thirty (30) days of the effective date of that action is a violation of N.C. Gen. Stat. § 58-33-32(k).

8. The reasons that Respondent's insurance license in Michigan was disciplined are substantially similar to reasons for which Respondent's insurance license would be subject to discipline pursuant to N.C. Gen. Stat. §§ 58-33-46(a) and its subsections. Pursuant to N.C. Gen. Stat. § 58-33-46(a)(9), Respondent's licenses may be subject to monetary penalty, suspension, or revocation for "[h]aving an insurance producer license, or its equivalent, denied, suspended, or revoked in any other jurisdiction for reasons substantially similar to those listed in this subsection." To wit:

- a. In the Michigan administrative action, Respondent was found to be in violation of MCL 500.2003, which prohibits insurance producers from engaging in unfair and deceptive trade practices. N.C. Gen. Stat. §§ 58-63-10 and 58-63-15 also prohibit unfair and deceptive trade practices in the insurance industry. A producer who has engaged in an unfair and deceptive trade practice pursuant to N.C. Gen. Stat. §§ 58-63-10 and/or 58-63-15 would have cause to have his license disciplined pursuant to N.C. Gen. Stat. § 58-33-46(a)(8), for "[u]sing fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this State or elsewhere."

- b. In the Michigan administrative action, Respondent was found to be in violation of MCL 500.2018, which establishes that a deceptive act or practice in the business of insurance includes making false or fraudulent statements or representations on or relative to an application for an insurance policy for the purpose of obtaining a fee, commission, money or other benefit from an insurer, broker, or individual. A producer who has made a false or fraudulent statement or representation on or relative to an application for an insurance policy for the purpose of obtaining a fee, commission, money or other benefit from an insurer, broker, or individual, would have cause to have his license disciplined pursuant to N.C. Gen. Stat. § 58-33-46(a)(5) for “[i]ntentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance,” and pursuant to N.C. Gen. Stat. § 58-33-46(a) (8), for “[u]sing fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this State or elsewhere.”
- c. In the Michigan administrative action, Respondent was found to be in violation of MCL 500.1239(1)(c), which allows sanctions for intentionally misrepresenting the terms of an application for insurance. A producer who has intentionally misrepresented the terms of an application for insurance would have cause to have his license disciplined pursuant to N.C. Gen. Stat. § 58-33-46(a)(5) for “[i]ntentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance,” and pursuant to N.C. Gen. Stat. § 58-33-46(a) (8), for “[u]sing fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this State or elsewhere.”
- d. In the Michigan administrative action, Respondent was found to be subject to discipline pursuant to MCL 500.1239(1)(g), which allows sanctions for using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Michigan or elsewhere. This is nearly identical to N.C. Gen. Stat. § 58-33-46(a) (8), which states a license is subject to discipline for “[u]sing fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this State or elsewhere.”
- e. In the Michigan administrative action, Respondent was found to be subject to discipline pursuant to MCL 500.1239(1)(h), which allows sanctions for forging another’s name to an application for insurance. This is nearly identical to N.C. Gen. Stat. § 58-33-46(a)(10), which states a license is

subject to discipline for “[f]orging another’s name to an application for insurance or to any document related to an insurance transaction.”

9. Because Respondent’s Michigan insurance license was revoked for reasons substantially similar to those listed in N.C. Gen. Stat. §§ 58-33-46(a)(5), 58-33-46(a)(7), 58-33-46(a)(8), and 58-33-46(a)(10), as set forth above, Respondent’s North Carolina insurance license is subject to disciplinary action pursuant to N.C. Gen. Stat. § 58-33-46(a)(9).

10. N.C. Gen. Stat. § 58-33-46(a)(2) allows the Commissioner to suspend, revoke, or refuse to renew any license issued under this Article for violating any insurance law of this or any other state. Additionally, N.C. Gen. Stat. § 58-2-70 allows the Commissioner to order a payment of a monetary penalty for a violation of Chapter 58 of the North Carolina General Statutes.

11. Respondent failed to respond to numerous attempts by ASD to contact him by email and first class US Postal Service mail. Although Respondent participated in an informal conference with ASD, he failed to provide the requested document following the informal conference. Further, despite being advised numerous times by ASD of the thirty (30) day reporting requirement of N.C. Gen. Stat. § 58-33-32(k) after Respondent received the Michigan administrative action, he subsequently failed to timely report the Utah administrative action. Respondent has shown no interest in retaining his North Carolina insurance license.

12. Further, the Michigan administrative order revoking Respondent’s Michigan insurance license was based on allegations of substantial consumer harm and pursuant to an investigation by Michigan’s insurance regulator. ASD, and the Department as a whole, have an interest in protecting North Carolina consumers against harm by those operating in the insurance industry, including licensed insurance agents. Therefore, allegations of serious consumer harm by Respondent in another State, found to be substantiated by that state’s insurance regulator and resulting in adverse administrative action against the Respondent, are of special concern. The Michigan administrative action shows that Respondent failed to address these serious allegations of consumer harm with MIDOI despite opportunity to do so. Further, Respondent did not attend this Hearing, which would have afforded him additional opportunity to address concerns regarding whether Respondent’s continued retention of his North Carolina insurance licenses would put North Carolina consumers at risk. Thus, in order to protect North Carolina consumers against potential harm by Respondent’s continued licensure in this State, revocation of Respondent’s insurance license is appropriate.

13. Further, Respondent’s actions in repeated failures to respond to ASD have resulted in unnecessary administrative burden and expense to the Department.

Respondent was advised of the need to report the Michigan administrative action by ASD two times in writing while Respondent still had time to comply with the thirty (30) day reporting requirement of N.C. Gen. Stat. § 58-33-32(k). Further, even after being so advised several times in writing, and also during a telephonic informal conference with ASD, Respondent never reported his subsequent Utah administrative action. Respondent has not demonstrated an interest in complying with the insurance laws of this State. It is clear that Respondent's email address, physical mailing address, and phone numbers on record with the Department were all good, as evidenced by Respondent responding to one such email, Respondent answering the phone during the informal conference attempt, successful delivery of certified mail to Respondent's address on record, and several unreturned first class USPS mailings to Respondent's address on record.

Based on the foregoing Findings of Fact and Conclusions of Law, the Hearing Officer enters the following:

### **ORDER**

BASED UPON the foregoing Findings of Fact and Conclusions of Law, it is ORDERED that:

1. Respondent's North Carolina insurance license is hereby REVOKED.
2. Respondent is advised that this Order and Final Agency Decision is an administrative action which he may be required to report to other states' insurance regulators, and that he may be required to report this administrative action to other professional or occupational regulating entities which have issued his licenses or certifications. Respondent should refer to the reporting requirements of each state agency or occupational regulating entity in which he is licensed or certified regarding their reporting requirements.
3. Respondent is advised that this Order and Final Agency Decision is an administrative action which he may be required to disclose on future applications or renewal applications for licensure or certification with professional or occupational regulating entities. Respondent should refer to the specific disclosure requirements of each state agency or occupational regulating entity in which he seeks licensure or certification in the future.

This the 19 day of May, 2025.



Terence D. Friedman  
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; via first class U.S. mail to the licensee, at the addresses provided to the Commissioner pursuant to N.C. Gen. Stat. § 58-2-69(b); and via State Courier to Attorney for Petitioner, addressed as follows:

Brent Rhoda  
3710 Landings Way Drive  
Apt. 201  
Tampa, FL 33624-3002  
*(Respondent)*

**Certified Mail Tracking Number: 9589 0710 5270 1723 5214 66**

Rebecca E. Lem  
Assistant Attorney General  
N.C. Department of Justice  
Insurance Section  
9001 Mail Service Center  
Raleigh, NC 27699-9001  
*(Attorney for Petitioner)*

This the 14<sup>th</sup> day of May, 2025.

  
Raheema I. Moore  
Clerk of Court for Administrative Hearings  
Paralegal III  
N.C. Department of Insurance  
1201 Mail Service Center  
Raleigh, NC 27699-1201