

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  
BENJAMIN ROTH ROBERTSON  
NPN # 8009950

Respondent.

CONSENT ORDER

Docket Number: 2166

CONSENT ORDER

This agreed upon Consent Order is entered into on the 27<sup>th</sup> day of February 2024 (the "effective date") between the North Carolina Department of Insurance ("the Department") and Benjamin Roth Robertson, hereinafter referred to as Respondent. The above-named persons may also be collectively referred to as the "parties."

JURISDICTION AND GENERAL FINDINGS

The Department is charged with the authority and responsibility for the enforcement of insurance laws of this State and for regulating and licensing insurance agents.

This administrative proceeding was initiated against Respondent under North Carolina General Statutes §§ 58-2-70, 58-33-32(k), 58-33-46, 150B-38, 150B-40, 150B-41, 150B-42, 11 NCAC 1.0401 and 11 NCAC 06A.0201(a) et. seq., and other applicable statutes and rules on January 24, 2024 pursuant to a Notice of Hearing.

FINDINGS OF FACT

1. Respondent holds a Non-Resident Producer license with authority for Accident & Health or Sickness and Med Supp/Long Term Care lines of insurance. Respondent's National Producer License Number (NPN) is 8009950.

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 failed to report administrative actions taken against him by the Alaska, New Mexico, and Virginia insurance regulators to this Department within 30 days.

### CONCLUSIONS OF LAW

1. Notice in this matter was timely and properly effected.

2. Respondent violated N.C. Gen. Stat. § 58-33-32(k) by failing to report administrative actions taken against him by the Alaska, New Mexico, and Virginia insurance regulators to this Department within 30 days.

3. Under N.C. Gen. Stat. § 58-2-70, a penalty of five hundred dollars (\$500.00) is warranted against Respondent for his violations of N.C. Gen. Stat. § 58-33-32(k).

4. Pursuant to N.C. Gen. Stat. § 58-2-70(g), the Commissioner of Insurance and the Department have the express authority to negotiate a mutually acceptable agreement with any person as to the status of the person's license or as to any civil penalty.

5. The parties consent to the jurisdiction of the Commissioner to enter this Order.

6. The parties consent to be bound by this Consent Order and understand that it has the same binding authority as a final Order of the Commissioner. Respondent understands and agrees that his failure to comply with this Consent Order may result in revocation of his license pursuant to N.C. Gen. Stat. § 58-2-48(a)(2) for having violated an Order of the Commissioner.

7. Respondent expressly waives his rights to a hearing and to any further proceedings on this matter. Respondent also expressly waives his right to seek judicial review or to otherwise challenge the validity of this Consent Order.

8. This written document contains the entire agreement between the parties. There are no other oral or written agreements of any kind which alter or add to this agreement.

**IT IS THEREFORE, BY CONSENT, ORDERED** as follows:

1. Respondent shall pay a civil penalty in the amount of five hundred dollars to the Department. The civil monetary 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 the public schools. Respondent shall pay the civil penalty by attorney trust account check made payable to the North Carolina Department of Insurance. The check shall accompany this Consent Order. Upon receipt of this Consent Order by the Department, the Hearing Officer will sign the Consent Order.

2. Respondent shall comply with all provisions of Chapter 58 of the North Carolina General Statutes and Title 11 of the North Carolina Administrative Code that are applicable to Respondent as a licensed insurance producer.

3. This Consent Order will take care of all violations alleged in the Notice of Hearing dated January 24, 2024.

4. Each party to this Consent Order shall pay his or its own attorneys' fees and expenses.

5. This Consent Order shall become effective after the Department receives the payment of the civil penalty and the Consent Order has been signed by the parties and the Hearing Officer.

IN WITNESS WHEREOF, the parties have duly executed this Consent Order this 27<sup>th</sup> day of February 2024.



Alisha Benjamin  
Hearing Officer  
N.C. Department of Insurance  
1201 Mail Service Center  
Raleigh, NC 27699-1201

WE CONSENT:

NORTH CAROLINA DEPARTMENT OF INSURANCE

B. 

Joe Wall, Deputy Commissioner

2/27/2024


DATE



02/23/2024

Benjamin Roth Robertson

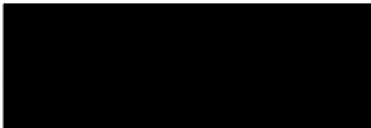
DATE



2-23-24

David K. Liggett, Attorney for Respondent

DATE



2-23-24

Anne Kirby, Assistant Attorney General