



Hearing were properly served on Respondent by depositing in the United States Postal Service via first class mail and via certified mail, return receipt requested on June 10, 2024, at the address Respondent provided to the Commissioner of Insurance (“Commissioner”). *See* Pet’r Exs. 1 and 2.

2. The Department is a state agency responsible for the enforcement of the insurance laws of North Carolina and for regulating the licensing of insurance producers, in accordance with Chapter 58 of the North Carolina General Statutes.

3. Respondent currently holds a non-resident insurance producer license issued by the Department with lines of authority in Accident and Health or Sickness and Life. Respondent’s North Carolina license was first active on January 18, 2023. *See* Pet’r Exs. 3 and 4.

4. Respondent is a resident of Florida. *See* Pet’r Exs. 3 and 4.

5. Lindsay Melgarejo, Complaint Analyst with Agent Services, received a “PIC alert”, which is an automatic notification system through the NAIC (“National Association of Insurance Commissioners”), notifying the Department of administrative actions that Respondent received in Louisiana. *See* Pet’r Ex. 5.

6. On or about January 30, 2023, the Louisiana Department of Insurance fined Respondent in the amount of \$250.00 for providing incorrect, misleading, incomplete or materially false information on the Louisiana insurance producer application by not reporting a \$1500.00 fine by the Florida Department of Insurance issued on December 27, 2022. Respondent was found in violation of La. R.S. 22: 1554 A (2) by the Louisiana Department of Insurance. *See* Pet’r Ex. 7.

7. A licensee may report an administrative action by uploading a copy of the administrative action to the NIPR Attachment Warehouse or reporting the administrative action directly to the Department. A screenshot of the NIPR Attachment Warehouse was introduced into evidence depicting that Respondent did not report the negative administrative actions from Louisiana in the NIPR Attachment Warehouse. *See* Pet’r Ex. 6.

8. Respondent failed to respond to the Department after Agent Services sent correspondence to Respondent’s e-mail and mailing addresses of record on April 14, 2023 and April 25, 2023, regarding the Louisiana administrative action and Respondent’s statutory requirement to report to the Department in accordance with N.C. Gen. Stat. §§ 58-33-32(k). *See* Pet’r Exs. 3, 8 and 9.

9. On May 9, 2023, Agent Services sent written correspondence via U.S. Mail to Respondent’s business, residence and mailing addresses of record scheduling a telephonic informal conference on June 7, 2023 at 10:00 AM at the telephone

number on record, to explain Respondent's failure to report the Louisiana administrative action to the Department. *See* Pet'r Ex. 3, 8, 9 and 10.

10. Respondent failed to answer Agent Service's call at the scheduled informal conference to explain the failure to timely report the Louisiana adverse action to the Department. *See* Pet'r Ex. 3, 10 and 11.

11. Testimony and documentary evidence admitted at the hearing show that Respondent never provided copies of acceptable notice of the Louisiana negative administrative actions to the NIPR Attachment Warehouse, nor did Respondent provide fax, USPS mail or e-mail of the Louisiana administrative action to the Department. *See* Pet'r Ex. 6 and 7.

12. Testimony and documentary evidence admitted at the hearing show that Respondent has had no contact with the Department after multiple attempts to communicate with Respondent via every means available using the addresses and telephone numbers Respondent provided to the Department on record. *See* Pet'r Exs. 3, 4, 8, 9, and 10.

### 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 Respondent pursuant to N.C. Gen. Stat. § 58-2-69(b) 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 in another state or by another governmental agency in this State within thirty (30) days after the final disposition of the matter.

4. Respondent was required to report the Louisiana (effective January 30, 2023) administrative action(s) within thirty (30) days of the effective dates of the actions pursuant to N.C. Gen. Stat. § 58-33-32(k). *See* Pet'r Ex. 7, 8, 9, 10 and 11.

5. Respondent's failure to report and provide copies of adverse notices to the Department for the administrative actions from the State of Louisiana within thirty (30) days of the effective dates of the actions are violations of N.C. Gen. Stat. § 58-33-32(k).

6. N.C. Gen. Stat. § 58-33-46(a)(2) allows the Commissioner to place on probation, suspend, revoke, or refuse to renew any license issued under this Article for a licensee 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 insurance regulator or violating any rule of FINRA.

7. N.C. Gen. Stat. § 58-33-46(a)(9) provides that NCDOI may place on probation, suspend, revoke or refuse to renew a license if a licensee has an insurance producer license or its equivalent denied, suspended or revoked in any other jurisdiction.

8. Respondent did not comply with the insurance laws in the State of Louisiana and received administrative action in Louisiana that Respondent failed to report to the Department. Pursuant to Respondent's adverse actions in the State of Louisiana, the Department may revoke Respondent's North Carolina insurance producer license due to Respondent's failure to timely report the Louisiana adverse actions to NCDOI.

9. Respondent failed to respond to all communication attempts by the Department regarding this matter at all stages before this matter proceeded to an administrative hearing and failed to participate in the administrative hearing to address the violations alleged in the Petition. Respondent shows no interest in maintaining his North Carolina insurance producer license issued by the Department.

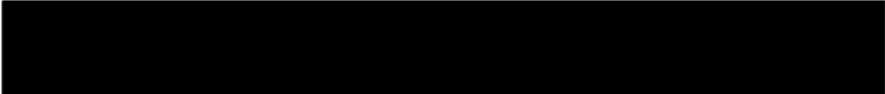
10. Respondent's violations of N.C. Gen. Stat. §§ 58-33-32(k), 58-33-46(a)(2) and 58-33-46(a)(9) provides sufficient statutory authority for revoking Respondent's North Carolina insurance producer license.

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

### ORDER

It is ordered that Respondent's nonresident insurance producer license is hereby REVOKED effective as of the date of the signing of this Order.

This 10<sup>th</sup> day of June, 2025.

  
Alisha Benjamin  
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 the 11 NCAC 1.0413 and N.C.G.S. § 1A-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 and requires service of the Petition on all parties. 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**

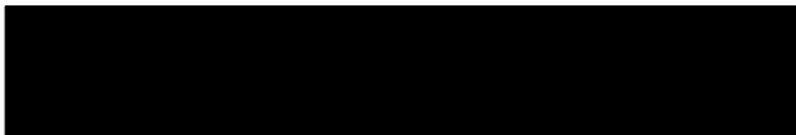
I HEREBY CERTIFY that I have this day served the foregoing **ORDER and FINAL AGENCY DECISION** by mailing a copy of the same via certified U.S. Mail, return receipt requested; and via first class U.S. Mail to the licensee at the address provided to the Commissioner pursuant to N.C. Gen. Stat. § 58-2-69(b); and via State Courier to Attorney for Petitioner addressed as follows:

Mario Romero  
707 SE 11<sup>th</sup> Ct.  
Ft. Lauderdale, FL 33316  
*(Respondent)*

**Certified Mail Tracking Number: 9589 0710 5270 0742 5905 38**

Dilcy Burton  
Assistant Attorney General  
N.C. Department of Justice  
Insurance Section  
9001 Mail Service Center  
Raleigh, NC 27699-9001

This the 10<sup>th</sup> day of June, 2025.



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