

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  
MATTHEW SKAGGS  
(NPN # 19159966)

Respondent.

ORDER AND  
FINAL AGENCY DECISION

Docket Number: 2231

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THIS MATTER was heard on January 28, 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, the Agent Services Division of the North Carolina Department of Insurance (“Petitioner” or “Agent Services”), was present and represented by Assistant Attorney General Whitney N. Shaffer. Respondent, Matthew Skaggs (“Respondent”) did not appear and was not represented by counsel at the hearing.

Jeff Miller, Compliance Analyst for Agent Services, appeared and testified on behalf of the Petitioner.

Petitioner’s Exhibits 1-8 and all subparts were admitted into evidence with redactions from Petitioner’s Exhibits 3-5 and 9.

Petitioner’s Exhibit 9, an uncertified copy of the Connecticut Insurance Department Revocation of Respondent’s producer license, was offered into evidence by Petitioner. The undersigned Hearing Officer reserved ruling on the admissibility of the uncertified copy and requested that Petitioner file a motion to supplement with the evidence that a certified copy was requested. On February 18, 2025, Petitioner submitted a motion to supplement the record to substitute the uncertified copy that was proffered into evidence as Exhibit 9 with a certified copy, which the undersigned Hearing Officer granted on February 28, 2025.

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 General Statutes.

2. The Notice of Administrative Hearing and Petition for Administrative 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, pursuant to N.C. Gen. Stat. §§ 58-2-69(b), (d) and (e) and Rule 4 of the North Carolina Rules of Civil Procedure. *See* Pet’r’s Exs. 1-3. The first-class and certified mail were returned. *Id.*

3. The Notice of Administrative Hearing and Petition for Administrative Hearing were served on Respondent at Respondent’s residential address of record and at additional addresses discovered through LEXIS via Federal Express-Priority Overnight on January 13, 2025. *See* Pet’r’s Ex. 2.

4. Respondent holds an active non-resident North Carolina Insurance Producer License, National Producer Number 19159966, with a line of authority for Life (“License”). *See* Pet’r’s Exs. 3 and 4. Respondent’s License was first active in North Carolina on August 19, 2020. *Id.* Respondent is a resident of Ohio. *Id.*

5. Jeff Miller is a Complaint Analyst with ASD, and his job responsibilities includes handling enforcement files for ASD. This includes handling an investigation of a licensee if another state takes administrative action against the 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.

6. Mr. Miller was assigned the PIC alert for Respondent that the Connecticut Insurance Department entered into NAIC on March 15, 2024. *See* Pet’r’s Ex. 5. Mr. Miller has handled the investigation of Respondent’s enforcement file from ASD through the date of the hearing.

7. Effective March 13, 2024, the Connecticut Insurance Department (“Connecticut”) revoked Respondent’s non-resident insurance producer license on the

grounds that Respondent had falsified insurance application documents and failed to respond to the inquiries of the Connecticut Insurance Department, both of which are grounds for revocation of a non-resident insurance producer license. *See* Pet'r's Ex. 9.

8. A licensee may report an administrative action by uploading documents to the National Insurance Producer Registry ("NIPR") Attachment Warehouse or by reporting the administrative action directly to the NCDOI via mail, e-mail, or fax.

9. Pursuant to N.C. Gen. Stat. § 58-33-32(k), a licensee is obligated to report any administrative action taken against the licensee to the NCDOI within thirty (30) days. The NIPR Attachment Warehouse shows that Respondent did not report the Connecticut administrative action within thirty (30) days from its effective date of March 13, 2024. *See* Pet'r's Ex. 6. Furthermore, Respondent did not report the March 13, 2024 Connecticut administrative action directly to the NCDOI.

10. On March 20, 2024, ASD sent correspondence via first-class U.S. Mail to Respondent's residential address of record and e-mailed a copy of the letter to Respondent's e-mail addresses of record informing Respondent that ASD was aware of the unreported Connecticut administrative action and explained the statutory requirement to report within thirty (30) days after the final disposition. *See* Pet'r's Ex. 8A. Respondent was informed that the Connecticut administrative action must be reported by April 13, 2024, and he was instructed to provide ASD with a written response, along with documentation regarding the Connecticut administrative action within ten (10) days. *Id.* Respondent failed to provide any response to this correspondence.

11. On April 1, 2024, ASD sent a follow-up correspondence via e-mail to Respondent's e-mail addresses of record noting that Respondent failed to provide a response to the previous correspondence and attached a copy of the March 20, 2024 correspondence. *See* Pet'r's Ex. 8B. This email gave Respondent notice that unless Respondent provided a response to ASD within ten (10) days, ASD would consider Respondent to be in violation of N.C. Gen. Stat. §§ 58-2-185 and 58-2-195. *Id.* Respondent failed to provide any response to this correspondence.

12. On May 1, 2024, ASD sent correspondence via first-class U.S. Mail to Respondent's residential address of record and e-mailed a copy of the letter to Respondent's e-mail addresses of record requesting that Respondent attend an informal conference to discuss the allegations. *See* Pet'r's Ex. 8C. The informal conference was scheduled for Respondent on June 3, 2024, at 2:00 p.m. eastern time via the telephone. *Id.*

13. At the appointed time for the June 3, 2024 informal telephonic conference, Respondent did not answer the call from ASD and Respondent did not

contact ASD.

14. As of the date of the hearing, Respondent had failed to report the March 13, 2024 Connecticut 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. The Notice of Administrative Hearing with the Petition for Administrative Hearing attached to it gave Respondent notice of all the factual and legal allegations which Agent Services relies upon to support taking disciplinary action against his non-resident insurance producer license pursuant to N.C. Gen. Stat. § 58-33-46(a)(2). This satisfies the notice required under N.C. Gen. Stat. § 150B-38(b).

4. 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 within 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 Connecticut administrative action (effective March 13, 2024) within thirty (30) days of the action's effective date.

5. Respondent's failure to report and provide a copy of the Connecticut administrative action within thirty (30) days after March 13, 2024 is a violation 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, 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.

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

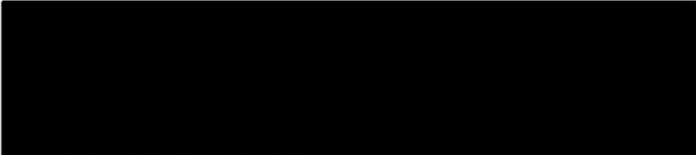
8. N.C. Gen. Stat. § 58-2-70(c) provides that if, under subsection (b) of this section, the Commissioner finds a violation of this Chapter, the Commissioner may, in addition to or instead of suspending or revoking the license, order the payment of a monetary penalty as provided in subsection (d) of this section. Respondent's failure to report and provide a copy of the March 13, 2024 Connecticut 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).

**ORDER**

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

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 the 21<sup>st</sup> day of March, 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; via first class U.S. mail to the licensee at the residential 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:

Matthew Skaggs  
8425 Green St  
Wheelersburg, OH 45694  
*(Respondent)*

**Certified Mail Tracking Number: 9589 0710 5270 0742 5910 78**

Matthew Skaggs  
2220 Bruce Rd Apt. 74  
Delaware, OH 43015  
*(Respondent)*

**Certified Mail Tracking Number: 9589 0710 5270 0742 5910 85**

Matthew Skaggs  
2744 Sunrise Ave  
Portsmouth, OH 45661  
*(Respondent)*

**Certified Mail Tracking Number: 9589 0710 5270 0742 5910 92**

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

This the 21<sup>st</sup> day of March, 2025.



Kaneema Moore  
Clerk of Court for Administrative Hearings  
Paralegal III  
N.C. Department of Insurance  
General Counsel's Office  
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