

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
THEDDEUS STYLES
(NPN # 18854952)

Respondent.

FINAL AGENCY
DECISION AND ORDER

Docket Number: 2133

THIS MATTER came on for hearing on Tuesday, August 1, 2023, before the undersigned Hearing Officer, as designated by the Commissioner of Insurance ("Commissioner") pursuant to N.C. Gen. Stat. § 58-2-55. The administrative hearing was held in the Albemarle Building, located at 325 North Salisbury Street, Raleigh, Wake County, North Carolina. Assistant Attorney General Anne Goco Kirby was present and represented the Agent Services Division of the North Carolina Department of Insurance ("Petitioner" or "Agent Services"). Respondent Theddeus Styles did not appear.

Petitioner's Exhibits 1 through 9 were admitted into evidence.

Gwen Harris, Complaint Analyst for the Agent Services, appeared and testified for the Department.

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. The North Carolina Department of Insurance ("Department" or "NCDOI") has the authority and responsibility for the enforcement of insurance laws of this State and for regulating and licensing insurance agents.

2. Licensees are required, pursuant to N.C. Gen. Stat § 58-2-69(b), to notify the Commissioner in writing of any change of the licensee's residential or e-mail

address within ten business days after the licensee moves into the licensee's new residence or obtains a different e-mail address.

3. Respondent has is a resident of Florida and has held a non-resident producer's license with lines of authority in Accident & Health or Sickness and Medicare Supplement/Long-Term Care since 2018. *See* Pet'r's Ex. 3.

4. The Notice of Administrative Hearing was properly served on Petitioner pursuant to N.C. Gen. Stat. § 58-2-69(b) and Rule 4 of the North Carolina Rules of Civil Procedure. *See* Pet'r's Ex. 2.

5. On July 18, 2022, the Illinois Department of Insurance issued an order revoking Respondent's Illinois producer's license ("Illinois Revocation") for having violated Illinois insurance law and for having "demonstrated incompetence and untrustworthiness in the conduct of business in [Illinois]". Pet'r's Ex. 5. The Illinois Revocation went into effect thirty days after the date of the order. *See id.*

6. Licensees are required, pursuant to N.C. Gen. Stat. § 58-33-32(k), to report out-of-state administrative actions to Petitioner within thirty days of the effective date of the action.

7. On or around August 25, 2023, the Illinois Revocation was uploaded to the Regulatory Information Retrieval System ("RIRS"), a system that is accessible via the National Association of Insurance Commissioners ("NAIC"). *See* Pet'r's Ex. 4.

8. Agent Services became aware of the Illinois Revocation through RIRS, and Gwen Harris was assigned to investigate.

9. Ms. Harris e-mailed Respondent at his e-mail addresses of record on September 1 and September 13, 2022, requesting that he provide a written response along with any documentation regarding the Illinois Revocation within ten days pursuant to N.C. Gen. Stat. §§ 58-2-185 and 58-2-195. Petr's' Exs 6 and 7. Respondent did not respond to either of those e-mails.

10. After receiving no responses to her September 1 and September 13, 2023, e-mails, Ms. Harris sent a letter to Respondent on September 29, 2022, via e-mail and U.S. mail, requesting his participation in an informal conference via telephone. Said informal conference was scheduled for November 17, 2022. Petr's' Ex. 8.

11. On November 17, 2022, Agent Services called the Respondent at the appointed time but received no answer. Agent Services left a voicemail for Respondent asking him to call back, but Respondent did not return the call.

12. On December 1, 2022, Ms. Harris again requested that Respondent participate in an informal conference via telephone, this time scheduled for January 19, 2023. Again, Agent Services called the Respondent at the appointed time but received no answer. Agent Services left Respondent another voicemail asking Respondent to call back, but Respondent still did not return the call.

13. To date, Respondent has not reported the Illinois Revocation to Agent Services.

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.

3. Pursuant to N.C. Gen. Stat. § 58-33-32(k), Respondent was required to report the Illinois administrative action to Petitioner within thirty days of the effective date of the action. Accordingly, Respondent's failure to report the Illinois Revocation to Agent Services constitutes a violation of N.C. Gen. Stat. § 58-33-32(k).

4. N.C. Gen. Stat. § 58-33-46(a)(2) authorizes the Commissioner to "suspend, revoke, or refuse to renew any license" issued under Article 33 of Chapter 58 of the North Carolina General Statutes for violating any insurance law of this or any other state.

5. N.C. Gen. Stat. § 58-33-46(a)(9) further authorizes the Commissioner to "place on probation, suspend, revoke, or refuse to renew" any license for the licensee's "having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other jurisdiction for reasons substantially similar to those listed in [N.C. Gen. Stat. § 58-33-46(a)]."

6. N.C. Gen. Stat. § 58-33-46(a)(8) authorizes the Commissioner to "place on probation, suspend, revoke, or refuse to renew a license 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."

7. Respondent's Illinois Revocation was based on his violation of Illinois insurance law and for "demonstrat[ing] incompetence and untrustworthiness in the conduct of business" in Illinois, Pet'r's Ex. 5, which is substantially similar to the grounds for revocation delineated in N.C. Gen. Stat. § 58-33-46(a)(8)

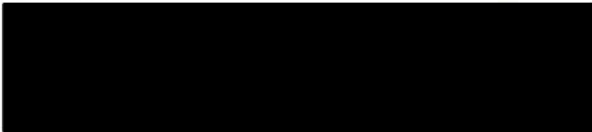
8. Respondent's nonresident producer's license, therefore, is subject to revocation pursuant to N.C. Gen. Stat. § 58-33-46(a)(2) for violating an insurance law of Illinois and for his violation of N.C. Gen. Stat. § 58-33-32(k).

9. Additionally, Respondent's nonresident producer's license is subject to revocation pursuant to N.C. Gen. Stat. § 58-33-46(a)(9) for having his Illinois license revoked for a reason substantially similar to the grounds for revocation listed in N.C. Gen. Stat. § 58-33-46(a)(8).

ORDER

Based on the foregoing Findings of Facts and Conclusions of Law, it is ordered that Respondent's non-resident producer's license issued by the North Carolina Department of Insurance is hereby REVOKED effective as of the date of the signing of this order.

This the 18th day of September, 2023.



Erin E. Gibbs
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: A. John Hoomani, 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 (d); and via State Courier to Attorney for Petitioner, addressed as follows:

Theddeus Styles
9410 Live Oak Place Apt 203
Davie, Florida 33324-4710
(Respondent)

Certified Mail Tracking #: 7022 2410 0000 9662 6892

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

This the 19th day of September, 2023.



Kimberly W. Pearce, NCCP
Paralegal III
N.C. Department of Insurance
General Counsel's Office
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