

**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 WHITNEY VALCIN
LICENSE NO. 21104547**

**VOLUNTARY SETTLEMENT
AGREEMENT**

NOW COME, Whitney Valcin (hereinafter "Mr. Valcin") and the Agent Services Division of the N.C. Department of Insurance (hereinafter "Agent Services Division"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (hereinafter "this Agreement").

WHEREAS, the Agent Services Division has the authority and responsibility for enforcement of the insurance laws of this State, and for regulating and licensing insurance agents; and

WHEREAS, Mr. Valcin is a New York resident, and currently holds a Non-resident Producer's license with authority for an accident and health or sickness line of insurance issued by the Agent Services Division; and

WHEREAS, on or about March 15, 2017, Mr. Valcin plead guilty to identity theft in the second degree, a Class E Felony, in the Superior Court of Westchester County, New York; and

WHEREAS, Mr. Valcin was sentenced to six months incarceration, followed by five years of probation for this conviction; and

WHEREAS, Mr. Valcin completed his sentence on or around March 8, 2022; and

WHEREAS, Mr. Valcin was granted a Certificate of Relief from Disabilities from the State of New York on November 18, 2022; and

WHEREAS, North Carolina General Statute § 58-33-46(a)(6) provides that the Commissioner may place on probation, suspend, revoke, or refuse to issue or renew any license issued under Article 58 of the General Statutes of North Carolina for having been convicted of a felony or a misdemeanor involving dishonesty, a breach of trust, or moral turpitude; and

WHEREAS, Agent Services Division finds that the March 15, 2017, felony conviction from New York is a felony within the meaning of North Carolina General Statute § 58-33-46(a)(6) and that the Application By An Eligible Offender For Certificate Of Relief to the State of New York does not provide evidence that this conviction was exonerated without a showing that the application in question was granted by the State of New York; and

WHEREAS, on April 1, 2024, Mr. Valcin submitted an application to the N.C. Department of Insurance for a non-resident insurance producer license. On his application, Mr. Valcin certified that all his answers were correct, and acknowledged that his application could be denied, or have administrative action

taken against his license, if it was determined that he had provided false or incorrect information on the application; and

WHEREAS, on the April 1, 2024, license application, Mr. Valcin was asked whether he had ever plead guilty or otherwise been convicted of a felony. Mr. Valcin responded 'No,' to this question despite his 2017 felony conviction in New York; and

WHEREAS, North Carolina General Statute § 58-33-46(a)(1) provides that the Commissioner may place on probation, suspend, revoke, or refuse to issue or renew any license issued under Article 58 of the General Statutes of North Carolina for providing materially incorrect, misleading, incomplete, or materially untrue information in the license application; and

WHEREAS, North Carolina General Statute § 58-33-46(a)(3) provides that the Commissioner may place on probation, suspend, revoke, or refuse to issue or renew any license issued under Article 58 of the General Statutes of North Carolina for obtaining or attempting to obtain a license through misrepresentation or fraud; and

WHEREAS, North Carolina General Statute § 58-33-46(a)(17) provides that the Commissioner may place on probation, suspend, revoke, or refuse to issue or renew any license issued under Article 58 of the General Statutes of North Carolina for any cause for which issuance of the license could have been refused had it then existed and been known to the Commissioner at the time of issuance; and

WHEREAS, Mr. Valcin contends that his Certificate of Relief from Disabilities from the State of New York authorized him to answer 'no' when questioned regarding prior criminal convictions on his April 1, 2024, license application; and

WHEREAS, Agent Services Division contends that a Certificate of Relief from Disabilities is not equivalent to an exoneration or to a pardon, and nor does it expunge the recipient's criminal record; and

WHEREAS, Agent Services Division contends that under New York law, the Certificate of Relief from Disabilities removes automatic bars and disqualifications from employment and licensure due to past criminal convictions but still requires the disclosure of the past criminal convictions on license applications. The functioning of this being equivalent to certificates of relief granted pursuant to N.C. Gen. Stat. § 15A-173.2 which does not expunge a criminal record and still requires the disclosure of the criminal convictions in question; and

WHEREAS, Agent Services Divisions finds that by answering 'no' on his April 1, 2024, application was materially incorrect and untrue information provided by Mr. Valcin due to his prior 2017 felony conviction for identity theft in New York; and

WHEREAS, Agent Services Division, contends that Respondent was required to disclose his criminal conviction, even with consideration of the November 8, 2022, Certificate of Relief from Disabilities; and

WHEREAS, Agent Services Division finds that by obtaining his license despite the materially incorrect information regarding his prior criminal conviction, Mr. Valcin's license could be revoked, suspended, placed on probation, or had its renewal denied pursuant to North Carolina General Statute § 58-33-46(a)(3); and

WHEREAS, Agent Services Division finds that issuance of Mr. Valcin's license could have been refused if the 2017 felony conviction had been known at the time of issuance as contemplated by North Carolina General Statute § 58-33-46(a)(17); and

WHEREAS, North Carolina General Statute § 58-33-32(k) requires producers to report to the Commissioner any administrative action taken against the producer in another state or by another governmental agency in this State, including enforcement actions taken against the producer by the Financial Industry Regulatory Authority (FINRA), within 30 days after the final disposition of the matter; and

WHEREAS, on or about May 22, 2024, the Florida Department of Financial Services denied Mr. Valcin's license application due to his criminal record; and

WHEREAS, on or about August 21, 2024, the Florida Department of Financial Services denied Mr. Valcin's license application due to a prior criminal conviction for identity theft in the second degree, a Class E Felony in the state of New York, which Mr. Valcin plead guilty to on or about March 15, 2017; and

WHEREAS, Mr. Valcin failed to report the administrative actions taken by the Florida within 30 days after the final disposition of that matter as required by North Carolina General Statute § 58-33-32(k), and therefore, was in violation thereof; and

WHEREAS, North Carolina General Statute § 58-33-46(a)(2) provides that the Commissioner may place on probation, suspend, revoke, or refuse to issue or renew any license issued under Article 58 of the General Statutes of North Carolina for 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 regulator; and

WHEREAS, Agent Services Division petitioned the Commissioner for an administrative hearing on January 14, 2026, to seek administrative action for the violations alleged in this agreement; and

WHEREAS, the Department noticed an administrative hearing to address all matters presented in this agreement on January 15, 2026 (NCDOI Docket Number 2364), and authorized the parties to informally resolve the matter prior to the hearing noticed for March 11, 2026, via voluntary settlement agreement, and for Agent Services Division to file a voluntary dismissal upon completion of this agreement; and

WHEREAS, N. C. Gen. Stat. § 58-2-70 provides that whenever the Commissioner has reason to believe that any person has violated any law that would subject the license or certification of that person to suspension or revocation, the Commissioner is authorized, in lieu of a hearing, to negotiate a mutually acceptable agreement as to the status of the person's license or certificate or to any civil penalty or restitution; and

WHEREAS, Mr. Valcin has agreed to settle, compromise, and resolve the matter referenced in this Agreement on behalf of himself, and the Agent Services Division has agreed to dismiss the administrative action noticed for hearing on January 15, 2026, and to not to pursue additional civil ramifications, including penalties, sanctions, remedies, or restitution based on this matter against Mr. Valcin; and

WHEREAS, the parties to this Agreement mutually wish to resolve this matter by consent and have reached a mutually agreeable resolution of this matter as set out in this Agreement.

NOW, THEREFORE, in exchange for the consideration and promises and agreements set out herein, Mr. Valcin and the Department hereby agree to the following:

1. Immediately upon the signing of this Agreement, Mr. Valcin shall pay a civil penalty of **\$500.00** to the Agent Services Division. The form of payment shall be by certified check, cashier's check, or money order. The check or money order for the payment of this civil penalty shall be payable to the "North Carolina Department of Insurance." Mr. Valcin shall remit the civil penalty by certified mail, return receipt requested, to the Agent Services Division along with a copy of this signed Agreement. The civil 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 public schools.
2. The Department shall file a voluntary dismissal of the noticed administrative hearing (NCDOI Docket Number 2364), upon receipt of Mr. Valcin's payment and execution of this agreement.
3. This Agreement does not in any way affect the Agent Services Division's disciplinary power in any future examination of Mr. Valcin or in any future complaints involving Mr. Valcin.
4. Mr. Valcin enters into this Agreement, on behalf of himself, freely and voluntarily and with the knowledge of his right to have an administrative hearing on this matter. Mr. Valcin understands he may consult with an attorney prior to entering into this Agreement.
5. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Mr. Valcin understands that N.C.G.S. § 58-33-46(a)(2) provides that a producer's license may be revoked for violating an Order of the Commissioner.
6. This Agreement, when finalized, will be a public record and will **not** be held confidential by the Agent Services Division. Following the execution of this Agreement, all licenses issued by the Agents Services Division to Mr. Valcin shall reflect that Regulatory Action has been taken against him. The Agent Services Division is free to disclose the contents of this Agreement with third parties upon request or pursuant to any law or policy providing for such disclosure. The Agent Services Division, upon request, routinely will provide a copy of the voluntary settlement agreement to companies that have appointed the licensee.
7. The parties have read and understand this Agreement and agree to abide by the terms and conditions stated herein.
8. Be aware that if a state or federal regulator other than the Agent Services Division has issued an occupational or professional license to you, that regulator may require you to report this administrative action to it. The Agent Services Division cannot give you legal advice as to the specific reporting requirements of other state or federal regulators.

**N. C. Department of Insurance
Agent Services Division**



By: Whitney Valcin
License No. 21104547



By: Joe Wall
Deputy Commissioner

Date: 2/28/2026

Date: 3/10/2026