

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
ANTHONY WILLIAMS
(NPN #20647303)

Respondent.

ORDER AND
FINAL AGENCY DECISION

Docket Number: 2254

THIS MATTER was heard on March 24, 2025 by the undersigned Hearing Officer, as designated by the Commissioner of Insurance pursuant to N.C. Gen. Stat. § 58-2-55. The administrative hearing was held in the Hearing Room at the North Carolina Department of Insurance, located at 3200 Beechleaf Court, Raleigh, Wake County, North Carolina.

Petitioner, the Agent Services Division of the North Carolina Department of Insurance ("Petitioner" or "ASD"), was present and represented by Assistant Attorney General Kristin K. Mullins. Jeffrey Miller, a Complaint Analyst for ASD, appeared and testified on behalf of the Petitioner. Respondent, ANTHONY WILLIAMS, ("Respondent") did not appear and was not represented by counsel at the hearing.

Petitioner's Exhibits 1-13 were admitted into evidence.

BASED UPON careful consideration of the evidence, arguments presented at the hearing by ASD, and upon the entire record in the proceeding, the 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, in accordance with Chapter 58 of the North Carolina General Statutes, for enforcement of the insurance laws of North Carolina and for regulating and licensing insurance producers.

2. Anthony Williams ("Respondent") is a resident of Ohio. *See* Pet'r's Exs.

5 and 6.

3. Respondent currently holds an active non-resident North Carolina Insurance Producer License, National Producer Number 20647303, with lines of authority for Accident & Health or Sickness, Life, and Medicare Supplement/Long Term Care ("License"). Respondent's North Carolina Non-Resident Producer License was first active in North Carolina on April 24, 2023. *See* Pet'r's Exs. 5 and 6.

4. The Notice of Administrative Hearing was properly served on Petitioner pursuant to N.C. Gen. Stat. §§ 58-2-69(d) and 58-2-69(e). *See* Pet'r's Exs. 1 and 2.

5. The Notice of Administrative Hearing, and Petition for Administrative Hearing as an attached exhibit, and the applicable Affidavit of Service were admitted into evidence as administrative exhibits. *See* Pet'r's Exs. 1 and 2.

6. The Order of Continuance was properly served on Petitioner pursuant to N.C. Gen. Stat. §§ 58-2-69(d) and 58-2-69(e). *See* Pet'r's Exs. 3 and 4.

7. The Order of Continuance and the applicable Affidavit of Service were admitted into evidence as administrative exhibits. *See* Pet'r's Exs. 3 and 4.

8. Mr. Jeffrey Miller ("Mr. Miller") is a Complaint Analyst with ASD, and among his job responsibilities is handling enforcement files for ASD. This includes handling Personalized Information Capture system alerts ("PIC alert") received through the National Association of Insurance Commissioners ("NAIC") system. PIC alerts notify NCDOI if another state has taken administrative action against a North Carolina licensee.

9. Mr. Miller was assigned the PIC alert relating to the Petitioner, which the California Department of Insurance entered into NAIC on May 30, 2024. *See* Pet'r's Ex. 7. Mr. Miller has handled the investigation of the Petitioner's enforcement file from ASD since the file's inception.

10. During his investigation, Mr. Miller reviewed the contents of Respondent's enforcement file, including Respondent's Licensing Summary Report, *see* Pet'r's Ex. 5, Respondent's State Licensing Report, *see* Pet'r's Ex. 6, Respondent's Report on the Regulatory Information Retrieval System ("RIRS Report"), *see* Pet'r's Ex. 7, Respondent's National Insurance Producer Registry ("NIPR") Attachment Warehouse, *see* Pet'r's Ex. 8, Respondent's Documents in Reporting of Actions Section of Warehouse, *see* Pet'r's Ex. 8a and Respondent's Documents in Background Section of Warehouse, *see* Pet'r's Ex. 8b.

11. As part of his investigation, Mr. Miller obtained a copy of the administrative action from the California Department of Insurance, more specifically

the Statement of Issues and Default Decision and Order of Denial. *See* Pet'r's Ex. 9. The California administrative action was a denial of the Respondent's non-resident California insurance producer license due to his two convictions, of October 30, 2013 and June 6, 2022, which the California Department of Insurance deemed demonstrated a pattern of repeated and willful disregard for the law, which is substantially related to the qualifications, functions, or duties of an insurance licensee. *Id.* As a result, the California Department of Insurance determined that it would be against the public interest to permit Respondent to transact insurance in the State of California and constitute grounds for the Commissioner to deny the Respondent's pending application pursuant to the provisions of Section 1668(b) of the California Insurance Code. *Id.* As a result, on April 8, 2024, Respondent was served with a Statement of Issues, Statement to Respondent, and a form entitled Notice of Defense as provided for by Section 11505 of the California Government Code. *Id.* As of April 24, 2024, which was the date of the Default Decision and Order of Denial by Assistant Chief Counsel Tyler McKinney, on behalf of Ricardo Lara, Insurance Commissioner, the Respondent had failed to file a Notice of Defense within the time allowed under Section 11506 of the Government Code. *Id.* As a result, his application for a non-resident Insurance Producer License was denied. *Id.*

12. A licensee is obligated to report administrative actions to NCDOI within thirty (30) days. *See* N.C. Gen. Stat. § 58-33-32(k). This requirement can be achieved either by notifying ASD directly, in this case notifying Jeff Miller, or by uploading a copy of the administrative action to the NIPR attachment warehouse within thirty (30) days.

13. Mr. Miller testified that Respondent failed to report the May 24, 2024 California administrative action within the thirty (30) days, as required by N.C. Gen. Stat. § 58-33-32(k). *See* Pet'r's Ex. 8. Furthermore, Mr. Miller testified that the Respondent never reported the May 24, 2024 California administrative action. *Id.*

14. Mr. Miller testified that although materials were uploaded by Respondent to the "Link to Document" under the Reporting of Actions section of the Warehouse, the materials uploaded were only documents from Ohio regarding his Ohio criminal matter, including court documents and letters of explanation. *See* Pet'r's Exs. 8 and 8a. Mr. Miller testified that none of the documents, uploaded in this section, pertained at all to his California administrative action.

15. Furthermore, Mr. Miller testified that although additional materials were also uploaded by Respondent to the "Link to Document" under the Background section of the Warehouse, the materials uploaded there were only the front and back of Respondent's Ohio driver's license and the completed Illegal Immigration Reform and Enforcement Act Form from Georgia. *See* Pet'r's Exs. 8 and 8b. Mr. Miller again testified that none of the documents uploaded, in this section, pertained at all to Respondent's California administrative action.

16. Accordingly, ASD sent correspondence to Respondent's e-mail addresses on record, initially on May 31, 2024, advising the Respondent that the California administrative action, in order to be compliant with N.C. Gen. Stat. § 58-33-32(k), needed to be reported within thirty (30) days of the May 24, 2024 effective date, or by June 22, 2024. *See* Pet'r's Exs. 10 and 11. Respondent was instructed to provide to Mr. Miller a written response, along with documentation regarding the administrative action, within ten (10) days of receipt of the letter. *Id.*

17. Mr. Miller testified that Respondent did not respond to the May 31, 2024 correspondence.

18. Additionally, on June 11, 2024, 2024, ASD sent yet another e-mail to Respondent's e-mail addresses on record. In that e-mail, it was noted that the Respondent failed to provide a response and the documentation requested in the May 31, 2024 initial correspondence. *See* Pet'r's Exs. 10 and 12. The June 11, 2024 correspondence gave Respondent notice that unless he sent a copy of the administrative actions and a written statement to ASD with ten (10) days, ASD would consider Respondent to be in violation of N.C. Gen. Stat. §§ 58-2-185 and 58-2-195 and could consider proceeding with an administrative action against his license. *Id.*

19. Mr. Miller testified that Respondent did not directly respond to the June 11, 2024 correspondence. However, Mr. Miller testified that on June 21, 2024, and documented in his Enforcement Case Summary, he "had a reply from a license admin that they would reach out to the licensee". *See* Pet'r's Ex. 10. Regardless of this reply, Mr. Miller testified that he did not hear further from the Respondent, or anyone, regarding the June 11, 2024 correspondence.

20. Additionally, on July 12, 2024, ASD sent yet another e-mail to Respondent's e-mail addresses on record. That same day, a copy of the correspondence was also physically mailed to Respondent's residential address on record, as required by N.C. Gen. Stat. § 58-2-69(b), via the U.S. Postal Service on July 12, 2024. *See* Pet'r's Exs. 10 and 13. This correspondence alerted Respondent that he appeared to be in violation of N.C. Gen. Stat. §§ 58-33-46(a)(2) and 58-33-32(k) and informed him that an informal telephonic conference had been scheduled for August 15, 2024 at 10:00 a.m. to discuss the allegations. *Id.*

21. Mr. Miller testified that Respondent did respond to the July 12, 2024 correspondence and did not attend the scheduled August 15, 2024 informal telephonic conference.

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 in this matter, pursuant to N.C. Gen. Stat. §§ 58-2-69(d) and 58-2-69(e). *See* Pet'r's Exs. 1 and 2.

3. Respondent was also properly served with the Order of Continuance in this matter, pursuant to N.C. Gen. Stat. §§ 58-2-69(d) and 58-2-69(e). *See* Pet'r's Exs. 3 and 4.

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 by another state "within 30 days after the final disposition of the matter." N.C. Gen. Stat. § 58-33-32(k) further specifies that this report "shall include a copy of the order or consent order and other information or documents filed in the proceeding necessary to describe the action."

5. Respondent failed to report the California administrative action taken by the California Department of Insurance (effective May 24, 2024) to the Commissioner within thirty (30) days of the action's final disposition, as is required by N.C. Gen. Stat. § 58-33-32(k).

6. Furthermore, Respondent has failed to report, to date, the California administrative action.

7. In addition, N.C. Gen. Stat. § 58-33-46(a)(2) states that the Commissioner may place on probation, suspend, revoke or refuse to renew the license of a licensee that 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.

8. By failing to report the California administrative action within thirty (30) days of the action's final disposition, or ever, the Respondent violated a North Carolina insurance law within the meaning of N.C. Gen. Stat. § 58-33-46(a)(2).


9. Based upon the evidence received and the applicable law, the undersigned Hearing Officer concludes that the Respondent's license should be revoked under N.C. Gen. Stat. § 58-33-46(a)(2) for violating N.C. Gen. Stat. § 58-33-32(k).

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

ORDER

It is **ORDERED** that Respondent's non-resident North Carolina Insurance Producer license is hereby **REVOKED** effective as of the date of the signing of this Order.

This the 14th day of May, 2025.


Terence D. Friedman
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, 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:

Anthony Williams
1107 Shriver Avenue SE
Massillion, OH 44646-8238
(Respondent)

Certified Mail Tracking Number: 9589 0710 5270 1723 5214 73

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

This the 14th day of May, 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