

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  
DOMINIQUE WILLIAMS  
(NPN # 20056539)

Respondent.

ORDER AND  
FINAL AGENCY DECISION

Docket Number: 2221

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**THIS MATTER** was heard on October 2, 2024, 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 Department of Insurance, located at 3200 Beechleaf Court, Raleigh, Wake County, North Carolina.

Petitioner, Agent Services Division of the North Carolina Department of Insurance ("Petitioner" or "ASD"), was present and represented by Assistant Attorney General Kristin K. Mullins. Respondent, DOMINIQUE WILLIAMS (hereinafter "Respondent"), did not appear and was not represented by counsel at the hearing.

Service of the Notice of Administrative Hearing, providing Respondent with due notice of the October 2, 2024 hearing, was deemed perfected on September 14, 2022, pursuant to N.C. Gen. Stat. § 58-2-69(e).

ASD moved, pursuant to 11 N.C.A.C. 01 .0423(A), for the imposition of sanctions due to Respondent's failure to appear at the hearing. Petitioner's motion for sanctions was DENIED, and the undersigned Hearing Officer proceeded to accept and consider testimony and evidence offered by ASD in support of its Petition at the hearing.

Nadine Scott, Complaint Analyst Supervisor with Agent Services, appeared and testified on behalf of ASD, due to the unexpected absence of Lindsay Melgarejo, Complaint Analyst. ASD offered into evidence Exhibits 1 through 13, which were admitted into evidence.

The Petition for Administrative Hearing alleged that Respondent violated N.C. Gen. Stat. §§ 58-33-32(k) and 58-33-46(a)(2) for failure to report other states'

administrative actions. In addition, the Petition alleged that Respondent violated N.C. Gen. Stat. §58-2-69(c) by failing to timely notify (within 10 days) the Commissioner of her November 18, 2021 conviction. Furthermore, the Petition alleged that Respondent also violated N.C. Gen. Stat. §§ 58-33-46(a)(1) and 58-33-46(a)(3) by failing to disclose her criminal conviction of October 28, 2010, on her September 17, 2021 and October 3, 2022 respective applications, as well as failing to disclose her November 18, 2021 conviction on her October 3, 2022 application.

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. Dominique Williams (“Respondent”) holds a resident license in the State of Kansas. *See* Pet’r Exs. 3 and 4.
3. Respondent currently holds an active non-resident North Carolina Insurance Producer License, National Producer Number 20056539, with lines of authority for Casualty, Personal Lines & Property (hereinafter “License”). Respondent’s North Carolina Non-Resident Producer License was first active in North Carolina on September 17, 2021. *See* Pet’r Exs. 3 and 4.
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 Exs. 1 and 2.
5. The Notice of Administrative Hearing, with the Petition for Hearing as an attached exhibit, and the Affidavit of Service were admitted into evidence as administrative exhibits. *See* Pet’r Exs. 1 and 2.
6. Ms. Lindsay Melgarejo was a Complaint Analyst with ASD, and among her job responsibilities, handled enforcement files for ASD. This included 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.
7. Ms. Nadine Scott is a Supervisor of the complaint analysts with ASD,



and among her job responsibilities, she supervises enforcement files for ASD. This includes supervising the complaint analysts' handling of PIC alerts received through the NAIC system.

8. Ms. Melgarejo was assigned, and Ms. Scott supervised, the PIC alert relating to the Respondent, which the Kansas Department of Insurance entered into NAIC on May 13, 2023. *See* Pet'r Ex. 5. Ms. Melgarejo handled the investigation of the Petitioner's enforcement file from ASD through the date of the hearing, and Ms. Scott supervised the investigation of the Petitioner's enforcement file from ASD through the date of the hearing.

9. Ms. Melgarejo was also assigned, and Ms. Scott supervised, the PIC alert relating to the Respondent, which the Louisiana Department of Insurance entered into the NAIC on February 27, 2024. *See* Pet'r Ex. 5. Ms. Melgarejo handled the investigation of ASD's enforcement file through the date of the hearing, and Ms. Scott supervised the investigation of ASD's enforcement file through the date of the hearing.

10. Ms. Scott supervised the work of Ms. Melgarejo, on the instant matter and the investigation of ASD's enforcement file, through the date of the hearing. Due to Ms. Melgarejo's last minute, unexpected absence, Ms. Scott testified at the hearing.

11. During her investigation, Ms. Melgarejo reviewed, and Ms. Scott supervised said review, the contents of Respondent's enforcement file, including Respondent's State Licensing Report, (*see* Pet'r Ex. 3), Respondent's Licensing Summary Report, (*see* Pet'r Ex. 4), Respondent's Report on the Regulatory Information Retrieval System ("RIRS Report"), (*see* Pet'r Ex. 5), and Respondent's National Insurance Producer Registry ("NIPR"), *see* Pet'r Ex. 6.

12. As part of her investigation, and under Ms. Scott's supervision, Ms. Melgarejo obtained a copy of the Kansas Department of Insurance administrative action from Kimberly Davenport Megrail, Senior Attorney with the Kansas Department of Insurance. *See* Pet'r Ex. 7. The Kansas administrative action was a Consent Order resulting from Respondent's failure to disclose criminal convictions on her resident and non-resident applications, resulting in incorrect, misleading, incomplete or untrue information. Respondent was allowed to keep her Kansas resident insurance producer license; however, she was charged a monetary penalty and required to report the Consent Order as an administrative action on future applications. *Id.* In addition, Respondent was required to report to the other regulatory authorities, as well, as is required by their respective state laws and regulations. The Consent Order was effective on May 3, 2023. *Id.*

13. As part of her investigation, and under Ms. Scott's supervision, Ms. Melgarejo also obtained a copy of the Louisiana administrative action from Nathan

Strebeck, the Deputy Commissioner for the Office of Insurance Fraud, Louisiana Department of Insurance. *See* Pet'r Ex. 8. The Louisiana administrative action was a complete revocation of Respondent's Louisiana Producer License resulting from Respondent's failure to report to the Louisiana Department of Insurance the Kansas Consent Order, failure to respond to their numerous requests in follow-up for additional information, and the underlying violation of the Kansas insurance law, resulting in a violation of Louisiana insurance law. The revocation was effective January 16, 2024. *Id.*

14. 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 or by uploading a copy of the administrative action to the NIPR attachment warehouse within thirty (30) days.

15. Ms. Scott testified that Respondent failed to report the May 3, 2024 Kansas administrative action within the thirty (30) days, as required by N.C. Gen. Stat. §58-33-32(k). *See* Pet'r Exs. 5 - 7.

16. Furthermore, Ms. Scott also testified that Respondent never reported the January 4, 2024 Louisiana administrative action, as required by N.C. Gen. Stat. § 58-33-32(k). *See* Pet'r Ex. 5, 6 and 8.

17. Accordingly, ASD sent correspondence to Respondent's e-mail addresses of record, on March 15, 2024, advising the Respondent that the Louisiana administrative action had not been reported to the NCDOI or uploaded to the NIPR Attachment Warehouse. *See* Pet'r Exs. 6 and 9. Respondent was instructed to provide a written response, along with documentation regarding the administrative actions taken, within ten (10) days. *Id.* Respondent failed to provide this requested information.

18. Additionally, on April 23, 2024, ASD sent 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 April 23, 2024. *See* Pet'r Ex. 11. This correspondence alerted Respondent that she appeared to be in violation of N.C. Gen. Stat. §§ 58-33-46(a)(2) and 58-33-32(k) and informed her that an informal telephonic conference had been scheduled for May 22, 2024 at 2:00 p.m. to discuss the allegations. *Id.*

19. Ms. Scott testified that Respondent did not attend the informal telephonic conference scheduled for May 22, 2024.

20. Ms. Scott also testified that Respondent does not currently have any active North Carolina appointments. *See* Pet'r Ex. 4.



### 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 Exs. 1 and 2.

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 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." *Id.*

4. Respondent failed to report the administrative action taken by the State of Kansas (effective May 3, 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). She ultimately reported the Kansas administrative action on January 11, 2024.

5. Additionally, Respondent also failed to report the administrative action taken by the State of Louisiana (effective January 16, 2024) to the Commissioner within thirty (30) days of the action's final disposition, or ever, as is required by N.C. Gen. Stat. § 58-33-32(k). As of the date of the hearing, she had not reported the Louisiana Administrative Action.

6. 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 Financial Industry Regulatory Authority.

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

8. By failing to report the Louisiana administrative action within thirty (30) days of the action's final disposition, 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 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 10<sup>th</sup> day of January, 2025.

A solid black rectangular box used to redact the signature of the Hearing Officer.

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Kyle Heuser  
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 addresses 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:

Dominique Williams  
1700 E 45<sup>th</sup> Street  
Kansas City, MO 64110-1902  
(Respondent')

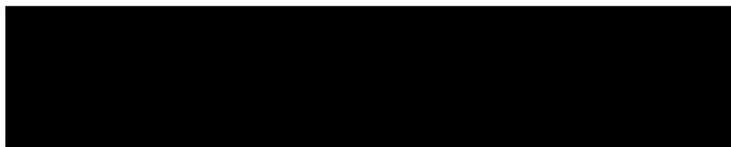
Certified Mail Tracking Number: 9589 0710 5270 0742 5898 39

Dominique Williams  
11214 Renner Blvd.  
Lenexa, KS 66219-9605  
(Respondent)

Certified Mail Tracking Number: 9589 0710 5270 0742 5898 22

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9001 Mail Service Center  
Raleigh, NC 27699-9001  
(Attorney for Petitioner)

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



Kimberly W. Pearce, NCCP  
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