

BASED UPON the careful consideration of the evidence and arguments presented at the hearing by Agent Services, and based upon the entire record in this proceeding, the Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Agent Services is a division of the North Carolina Department of Insurance ("NCDOI"), which is a state agency responsible, in accordance with Chapter 58 of the North Carolina General Statutes, for enforcement of insurance laws and regulating and licensing insurance producers.

2. Respondent currently holds an active non-resident North Carolina insurance producer license with lines of authority in Property and Casualty ("License"). Respondent's License was first issued on March 9, 2021. Respondent is a resident of South Carolina. *See* Pet'r's Ex. 3.

3. Service of the Notice of Administrative Hearing providing Respondent with due notice of the October 23, 2025 hearing was perfected via First Class U.S. Mail on September 26, 2025, four days after the mail piece was placed in the mail, by operation of the deeming provisions of N.C. Gen. Stat. § 58-2-69(e), as shown by the attached Certificate of Service and the Affidavit of Service admitted into evidence at the hearing. *See* Pet'r's Exs. 1 and 2.

4. Jeffrey Miller ("Mr. Miller") is a Complaint Analyst with Agent Services. Among his other duties, he handles licensure investigations of North Carolina insurance producers.

5. On June 8, 2009, in *State v. Williams*, Case No. I233028 in Mt. Olive Magistrate Court, Horry County, South Carolina, Respondent was convicted of the misdemeanor uttering of a fraudulent check in the amount of more than \$500 and less than \$1,000. *See* Pet'r's Exs. 5, 8B.

6. On March 9, 2021, an initial application for a North Carolina insurance producer license was submitted to NCDOI by Allstate Insurance Licensing Administrator Yvette Serna on Respondent's behalf. Ms. Serna declared in the application that Respondent "provided all the information submitted on this application." *See* Pet'r's Ex. 4.

7. Question 1A on the application asked Respondent "[h]ave you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor? You may exclude the following misdemeanor charges: traffic citations, driving under the influence (DUI), driving while intoxicated (DWI), driving without a license, reckless driving, or driving with a suspended or revoked license. You may also exclude juvenile adjudications (offenses where you were adjudicated delinquent in juvenile court)." *See* Pet'r's Ex. 4

8. Even though Respondent was convicted of misdemeanor uttering on June 8, 2009, in Mt. Olive Magistrate Court, Respondent answered "no" to Question 1A on the March 9, 2021, North Carolina license application. *See* Pet'r's Ex. 4.

9. In the application, Respondent certified to NCDOI, under penalty of perjury, that all the information submitted in connection with the March 9, 2021, license application was true and complete. Respondent also acknowledged that “submitting false information or omitting pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties.” See Pet’r’s Ex. 4.

10. Relying on Respondent’s disclosures in the application, NCDOI issued a non-resident insurance producer license on March 9, 2021. See Pet’r’s Ex. 3.

11. In August 2021, Agent Services became aware, via a report from the Regulatory Information Retrieval System (“RIRS”), which is an automatic notification system through the National Association of Insurance Commissioners (“NAIC”), that Respondent received an adverse administrative action in Louisiana, effective June 24, 2021. See Pet’r’s Exs. 6 and 7.

12. The RIRS report revealed that, effective June 24, 2021, the Louisiana Department of Insurance fined Respondent because she failed to make a required disclosure on her Louisiana license application. See Pet’r’s Ex. 7.

13. The Louisiana Department of Insurance entered its *Notice of Fine for Kelly S. Williams* on June 24, 2021 finding that Respondent uploaded information to the National Insurance Producer Registry’s Attachment Warehouse on April 20, 2021 indicating that Respondent had pled guilty to misdemeanor uttering fraudulent checks on June 8, 2009 and that Respondent had not disclosed this conviction on her July 29, 2020 Louisiana license application, in violation of Louisiana law. Accordingly, the June 24, 2021, Louisiana administrative action levied a \$250 fine on Respondent. See Pet’r’s Ex. 11.

14. Respondent failed to report the June 24, 2021, Louisiana administrative action to the Commissioner within thirty days after the final disposition of the matter as required by N.C. Gen. Stat. § 58-33-32(k).

15. Respondent uploaded a copy of the June 24, 2021, Louisiana administrative action to the National Insurance Producer Registry’s Attachment Warehouse on April 19, 2022, notifying the Commissioner of the action two-hundred sixty-nine days after the July 24, 2021, deadline established by N.C. Gen. Stat. § 58-33-32(k). See Pet’r’s Exs. 8A and 8C.

16. On August 17, 2021, Mr. Miller was assigned to investigate the Louisiana administrative action. Mr. Miller emailed Respondent at the email address that Respondent provided to Agent Services requesting that Respondent produce documentation and a written statement regarding the Louisiana administrative action by August 28, 2021. See Pet’r’s Exs. 6 and 9A.

17. On September 2, 2021, Mr. Miller sent a follow-up email to Respondent noting that Respondent had failed to provide the documents and written statement requested in the August 17, 2021, email and providing notice that unless the documents and statement were received within 10 days from the date of receipt, Agent Services would consider Respondent to be in violation of N.C. Gen. Stat. §§ 58-2-185 and 58-2-195. See Pet'r's Exs. 6 and 9B.

18. Having not received a response from Respondent, Mr. Miller emailed Respondent on September 21, 2021, advising that Agent Services wished to speak with Respondent about the Louisiana administrative action and Respondent's failure to disclose her June 2009 misdemeanor conviction on her North Carolina license application at 10:00 p.m. on October 27, 2021. Due to an unforeseen scheduling conflict, Mr. Miller emailed Respondent on September 24, 2021, and advised her that the informal conference was rescheduled to occur at 10:00 a.m. on November 3, 2021. See Pet'r's Exs. 6 and 9C.

19. At 10:00 a.m. on November 3, 2021, Mr. Miller and Joe Wall ("Mr. Wall"), who was then served as Agent Services Compliance Section Supervisor, attempted to contact Respondent by telephone for the scheduled phone conference. The contact phone number provided to Agent Services by Respondent was a business number for Allstate Idaho Licensing. Mr. Wall and Mr. Miller attempted to contact Respondent using a different telephone number that Respondent had provided to another state insurance regulator but were unable to reach her. Mr. Miller left voice mails for Respondent at both numbers asking Respondent to return his call. See Pet'r's Ex. 6.

20. Having not received a return call from Respondent, Mr. Miller emailed Respondent again on November 10, 2021, advising that Agent Services wished to speak with Respondent about the Louisiana administrative action and Respondent's failure to disclose her June 2009 misdemeanor conviction on her North Carolina license application at 11:30 a.m. on December 20, 2021. See Pet'r's Exs. 6 and 9D.

21. On December 7, 2021, Agent Services received a RIRS report indicating that an administrative action was taken against Respondent by the Washington State Office of the Insurance Commissioner, effective November 29, 2021. See Pet'r's Exs. 6 and 7.

22. The Washington State Office of the Insurance Commissioner entered its *Order Revoking License* on November 12, 2021, finding that Respondent failed to report the Louisiana administrative action within thirty days of the final disposition of the matter and failed to respond to inquiries from the Washington Insurance Commissioner within 15 business days, in violation of Washington law. Accordingly, the November 12, 2021, Washington administrative action revoked Respondent's

Washington non-resident insurance producer license effective November 29, 2021. See Pet'r's Ex. 12.

23. Respondent failed to report the November 12, 2021, Washington administrative action to the Commissioner within thirty days after the final disposition of the matter as required by N.C. Gen. Stat. § 58-33-32(k).

24. Respondent uploaded a copy of the November 12, 2021, Washington administrative action to the National Insurance Producer Registry's Attachment Warehouse on April 19, 2022, notifying the Commissioner of the action one-hundred eleven days after the December 29, 2021, deadline established by N.C. Gen. Stat. § 58-33-32(k). See Pet'r's Exs. 8A and 8D.

25. At 11:30 a.m. on December 20, 2021, Mr. Miller and Mr. Wall again attempted to contact Respondent by telephone for the scheduled phone conference, but were unable to reach Respondent at the telephone number she provided Agent Services or at the South Carolina area code number Respondent provided a different state insurance regulator. The voice mail message for the South Carolina number indicated that callers should leave a message for "Kelly." Mr. Miller left a voice mail asking Respondent to return his call. Mr. Miller did not receive a return call from Respondent. See Pet'r's Exs. 6 and 10.

26. On February 17, 2022, Agent Services received a RIRS report that, effective February 11, 2022, the Washington State Office of the Insurance Commissioner had entered a consent order levying a \$500 fine on Respondent. See Pet'r's Exs. 6 and 7.

27. The Washington State Office of the Insurance Commissioner entered a *Consent Order Rescinding Order Revoking License No. 21-0658 and Levying a Fine* on February 11, 2022, indicating that Respondent agreed to pay a fine to restore her Washington non-resident insurance producer license. Accordingly, the *Consent Order* rescinded the November 12, 2021, Washington administrative action and levied a \$500 fine on Respondent, effective February 11, 2022. See Pet'r's Ex. 14.

28. Respondent failed to report the February 11, 2022, Washington administrative action to the Commissioner within thirty days after the final disposition of the matter as required by N.C. Gen. Stat. § 58-33-32(k).

29. Respondent uploaded a copy of the February 11, 2022, Washington administrative action to the National Insurance Producer Registry's Attachment Warehouse on April 19, 2022, notifying the Commissioner of the action thirty-seven days after the March 13, 2022, deadline established by N.C. Gen. Stat. § 58-33-32(k). See Pet'r's Exs. 8A and 8F.

30. On March 31, 2022, Agent Services received a RIRS report that, effective January 31, 2022, the South Carolina Department of Insurance had entered a consent order levying a \$500 fine on Respondent. *See* Pet'r's Exs. 6 and 7.

31. The South Carolina Department of Insurance entered a *Consent Order Imposing Administrative Fine* on January 31, 2022, finding that Respondent failed to disclose a 2008 fraudulent check conviction on her South Carolina license application and that her Washington state non-resident insurance producer license was revoked, authorizing adverse action against her license under South Carolina law. The *Consent Order* levied a \$500 fine on Respondent, effective January 31, 2022. *See* Pet'r's Ex. 13.

32. Respondent failed to report the January 31, 2022, South Carolina administrative action to the Commissioner within thirty days after the final disposition of the matter as required by N.C. Gen. Stat. § 58-33-32(k).

33. Respondent uploaded a copy of the January 31, 2022, South Carolina administrative action to the National Insurance Producer Registry's Attachment Warehouse on April 19, 2022, notifying the Commissioner of the action forty-eight days after the March 2, 2022, deadline established by N.C. Gen. Stat. § 58-33-32(k). *See* Pet'r's Exs. 8A and 8E.

34. On August 10, 2023, Agent Services received a RIRS report indicating that an administrative action was taken against Respondent by the Division of Insurance of the Alaska Department of Commerce, Community, and Economic Development effective August 3, 2023. *See* Pet'r's Exs. 6 and 7.

35. The Alaska Division of Insurance entered its *Accusation and Order of Revocation* on July 18, 2023, finding that Respondent failed to disclose her June 2009 misdemeanor conviction on her April 12, 2023, application to renew her Alaska non-resident insurance license and failed to timely report administrative actions taken against her by Louisiana, Washington, South Carolina, Delaware and South Dakota, in violation of Alaska law. Accordingly, the July 18, 2023, Alaska administrative action revoked Respondent's Alaska non-resident insurance producer license effective July 18, 2023. *See* Pet'r's Ex. 15.

36. Respondent failed to report the July 18, 2023, Alaska administrative action to the Commissioner within thirty days after the final disposition of the matter as required by N.C. Gen. Stat. § 58-33-32(k).

37. Respondent uploaded a copy of the July 18, 2023, Alaska administrative action to the National Insurance Producer Registry's Attachment Warehouse on September 18, 2023, notifying the Commissioner of the action thirty-two days after

the August 17, 2023, deadline established by N.C. Gen. Stat. § 58-33-32(k). *See* Pet'r's Exs. 8A and 8E.

CONCLUSIONS OF LAW

1. This matter is properly before the Commissioner, and the Commissioner has jurisdiction over the parties and the subject matter.

2. Respondent was properly served with the Notice of Administrative Hearing providing her with due notice of the October 23, 2025, hearing in this matter, but failed to attend the hearing or retain counsel to represent her at the hearing.

3. Pursuant to N.C. Gen. Stat. § 58-33-46(a)(1), one basis for the revocation of a license issued by NCDOI is where the licensee has provided "materially incorrect, misleading, incomplete, or materially untrue information in the license application."

4. By answering "no" to Question 1A which asked whether Respondent had been convicted of a misdemeanor, Respondent provided materially incorrect, misleading, incomplete, and materially untrue information in Respondent's March 9, 2021, North Carolina license application.

5. N.C. Gen. Stat. § 58-33-46(a)(3) authorizes disciplinary action if a licensee obtains or attempts to obtain a license "through misrepresentation or fraud."

6. By answering "no" when asked whether she had been convicted of a misdemeanor in her North Carolina license application, Respondent obtained her North Carolina non-resident insurance producer license through misrepresentation.

7. Pursuant to N.C. Gen. Stat. § 58-33-46(a)(2), another basis for the revocation of a license issued by NCDOI is violation of the insurance laws of North Carolina or any other State.

8. N.C. Gen. Stat. § 58-33-32(k) is a North Carolina insurance law that 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."

9. Agent Services' evidence shows that Respondent was subject to administrative actions taken against her licenses by the states of Louisiana, Washington, South Carolina and Alaska and the undersigned finds that Respondent was required to timely report these actions to the Commissioner by N.C. Gen. Stat. § 58-33-32(k).

10. Agent Services' evidence establishes that Respondent failed to report the June 24, 2021, Louisiana administrative action, November 12, 2021, Washington administrative action, January 31, 2022, South Carolina administrative action,

February 11, 2022, Washington administrative action, and July 18, 2023, Alaska administrative action to the Commissioner within thirty days of the actions' respective final dispositions, as mandated by N.C. Gen. Stat. § 58-33-32(k).

11. By failing to timely report the five administrative actions from Louisiana, Washington, South Carolina and Alaska within thirty days of their respective final dispositions, Respondent violated a North Carolina insurance law within the meaning of N.C. Gen. Stat. § 58-33-46(a)(2).

12. Agent Services' evidence also shows that Respondent failed to respond to written requests from Agent Services for documents and other information related to Agent Services' licensure investigation, despite Respondent's obligations to provide information to Agent Services "on demand" under N.C. Gen. Stat. §§ 58-2-185 and 58-2-195.

13. Failure to provide documentation and information regarding an administrative action taken by another state is a serious offense that deprives NCDOT of information directly relevant to its evaluation of whether a licensee should continue to engage in the insurance business in North Carolina.

14. Respondent's offenses here are further aggravated by Agent Services' evidence that Respondent failed to respond to inquiries sent on August 18, 2021, and September 2, 2021, directed to Respondent's e-mail address of record, seeking information and documents regarding the Louisiana administrative action, in violation of N.C. Gen. Stat. §§ 58-2-185 and 58-2-195.

15. Based on the evidence received and the applicable law, the undersigned Hearing Officer concludes that Respondent's North Carolina non-resident insurance producer should be revoked per N.C. Gen. Stat. §§ 58-33-46(a)(1), (a)(2), and (a)(3).

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's license is hereby **REVOKED**.

This 31st day of December 2025.



Amy Funderburk
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. § 1A-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 and requires service of the Petition on all parties. 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 copies of the same via certified U.S. Mail, return receipt requested and via first class U.S. Mail to the Respondent at the addresses provided to the Commissioner pursuant to N.C. Gen. Stat. § 58-2-69(b); via courtesy e-mail to Respondent; and via State Courier to Attorney for Petitioner, addressed as follows:

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(Respondent)

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This 31st day of December 2025.


Raheema I. Moore
Clerk of Court for Administrative Hearings
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