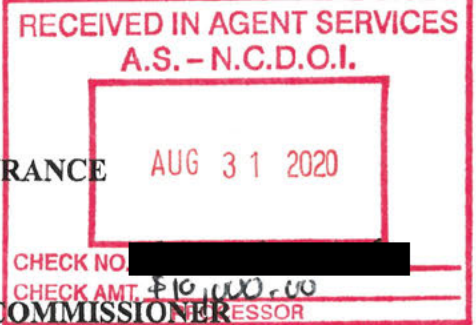


NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA



STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE COMMISSIONER
OF INSURANCE

IN THE MATTER OF
THE LICENSURE OF
BASIL A AL-TAHER
LICENSE NO. 16008410

VOLUNTARY SETTLEMENT
AGREEMENT

NOW COME, Basil Al-Taher (hereinafter "Mr. Al-Taher") and the North Carolina Department of Insurance (hereinafter "Department"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (hereinafter "this Agreement").

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

WHEREAS, Mr. Al-Taher currently holds a resident producer's license with authority for Property and Casualty issued by the Department; and

WHEREAS, a Department target examination was conducted by Department examiners on March 4, 2020 of First American Insurance Agency ("First American Insurance" or "agency"), DBA "First American Auto Insurance Agency, Inc." and "First American Insurance", located at 6339 Albemarle Rd., Charlotte, NC, owned and operated by Mr. Al Taher, in response to a consumer complaint; and

WHEREAS, First American Insurance Agency has been operating for approximately seven (7) years, and is located inside an office that has additional businesses, including check cashing, issuance of money orders, notary services, and copy and fax services; and

WHEREAS, Mr. Al-Taher admitted during the target examination by the Department that his agency has sold DL-123 forms for \$98, whereby other non-related persons' policy numbers were put on those forms; and

WHEREAS, Mr. Al-Taher had a sign in his office indicating that the DL-123 form does not provide insurance but is used only to obtain a drivers license; and

WHEREAS, Mr. Al-Taher estimated that his agency had sold approximately fifty (50) DL-123 forms over the past seven years, and stated that he was unaware that this practice was prohibited; and

WHEREAS, Mr. Al-Taher's actions in selling DL-123 forms to customers that contained other non-related persons' policy numbers are violations of N.C. Gen. Stat. § 58-33-46(a)(8); and

WHEREAS, although First American Insurance Agency did have a sign posted in its agency showing service fees, the target examination revealed that the agency had failed to obtain signed consent forms for these fees in violation of 11 NCAC 4.0120; and

WHEREAS, Mr. Al-Taher has expressed remorse for his actions and has stated that he did not understand at the time that his actions were violations of the insurance laws; and

WHEREAS, Mr. Al-Taher has cooperated with the Department's target examination; and

WHEREAS, N. C. Gen. Stat. § 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, Mr. Al-Taher has agreed to settle, compromise, and resolve the matters referenced in this Agreement on behalf of herself, and the Department has agreed not to pursue additional penalties, sanctions, remedies, or restitution based on these matters against Mr. Al-Taher; and

WHEREAS, the parties to this Agreement mutually wish to resolve this matter by consent before the Department initiates an administrative hearing 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. Al-Taher and the Department hereby agree to the following:

1. Immediately upon the signing of this Agreement, Mr. Al-Taher shall pay a civil penalty of **\$10,000.00** to the Department. 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. Al-Taher shall remit the civil penalty by certified mail, return receipt requested, to the Department along with a copy of this signed Agreement. The civil penalty and the signed Agreement must be received by the Department no later than **September 1, 2020**. 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. Mr. Al-Taher shall complete six (6) hours of continuing education relating to automobile insurance, and Mr. Al-Taher shall provide written proof of completion to the Department by December 1, 2020. Such proof may be provided to the Department by electronic communication (e-mail) or by a mailed hard-copy.
3. The Department reserves the right to make any follow up examinations of Mr. Al-Taher's agency without prior notice to assure compliance; and any non-adherence to this requirement by Mr. Al-Taher shall constitute a violation of an Order of the Commissioner pursuant to Paragraph No. 6. below; and
4. This Agreement does not in any way affect the Department's disciplinary power in any future examination of Mr. Al-Taher or in any other complaints involving Mr. Al-Taher.
5. Mr. Al-Taher 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. Al-Taher understands she may consult with an attorney prior to entering into this Agreement.
6. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Mr. Al-Taher understands that N.C.G.S. § 58-33-46(a)(2) and 58-71-80(a)(7) provide respectively that a broker's and producer's license may be revoked for violating an Order of the Commissioner.
7. This Agreement, when finalized, will be a public record and will not be held confidential by the Department. Following the execution of this Agreement, all licenses issued by the Department to Mr. Al-Taher shall reflect that Regulatory Action has been taken against him. The Department 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 Department routinely provides, upon request, copies a copy of the voluntary settlement agreement to all companies that have appointed the licensee.
8. The parties have read and understand this Agreement and agree to abide by the terms and conditions stated herein.
9. Be aware that if a state or federal regulator other than the N. C. Department of Insurance has issued an occupational or professional license to you, that regulator may require you to report this administrative action to it. The N.C. Department of Insurance cannot give you legal advice as to the specific reporting requirements of other state or federal regulators.

N. C. Department of Insurance

[Redacted Signature]

By: Basil Al-Taher
License No. 16008410

[Redacted Signature]

By: Angela Hatchell
Deputy Commissioner

Date: 8/24/20

Date: 9/1/2020