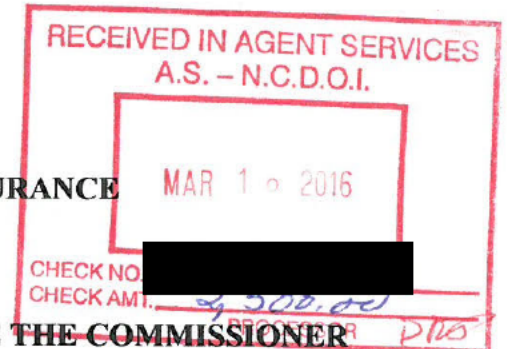


107744

**NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA**

**STATE OF NORTH CAROLINA
COUNTY OF WAKE**



**BEFORE THE COMMISSIONER
OF INSURANCE**

107795

**IN THE MATTER OF THE PERMIT
OF BCN INCORPORATED**

**VOLUNTARY SETTLEMENT
AGREEMENT**

NOW COMEBCN Incorporated (“BCN”) and the North Carolina Department of Insurance (“Department”), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (“Agreement”):

WHEREAS, the Department has the authority and responsibility for enforcement of Article 70 of N.C. General Statute Chapter 58.

WHEREAS, BCN holds a collection agency permit (104928) issued by this Department under Article 70 of N.C. General Statute Chapter 58.

WHEREAS, N.C. General Statute §58-70-10 requires a collection agency desiring to renew its permit to make application for the renewal no fewer than 30 days before the expiration date of the permit.

WHEREAS, BCN violated N.C. General Statute §58-70-10 by failing to timely apply for its permit renewal.

WHEREAS, under N.C. General Statute §58-70-40(c), no collection agency shall be entitled to hold a permit if the Commissioner finds that a partner, individual proprietor, or officer of the collection agency has violated or refused to comply with any provision of Article 70 of N.C. General Statute Chapter 58.

WHEREAS, BCN and the Department have agreed to settle, compromise, and resolve the matters referenced in this Agreement, and the Department has agreed not to pursue additional penalties, sanctions, remedies, or restitution against BCN based on these matters.

WHEREAS, pursuant to N.C. General Statute § 58-2-70(g), the Commissioner and the Department have the express authority to negotiate a mutually acceptable agreement with any person as to the status of the person’s license or as to any civil penalty or restitution.

WHEREAS, the parties to this Agreement mutually wish to resolve this matter by consent before the Department initiates an administrative hearing concerning this matter.

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

NOW, THEREFORE, in exchange for, and in consideration of the promises and agreements set out in this Agreement, the Department and BCN hereby agree to the following:

1. BCN agrees to pay a civil penalty of two thousand five hundred dollars (\$2,500.00) to the Department. The civil penalty must be paid with a certified check, cashier's check, or money order; and must be received by the Department contemporaneously with the executed Agreement, signed by BCN, no later than December 28, 2015. The civil penalty shall be subject to disbursement in accordance with the provisions of Article IX, Section 7 of the North Carolina Constitution and N.C. General Statute § 115C-457.2 for the benefit of the public schools.
2. BCN enters into this Agreement freely and voluntarily and with knowledge of its right to have an administrative hearing on this matter. BCN understands that it may consult with an attorney before entering into this Agreement.
3. This Agreement does not in any way affect the Department's disciplinary power in any future examinations of BCN or in any other complaints involving BCN.
4. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. BCN understands that N.C. General Statute § 58-70-40(c)(6) provides that its permit may be revoked for violating an Order of the Commissioner.
5. BCN has read and understands this Agreement and agrees to abide by the terms and conditions stated in this Agreement.
6. This Agreement, when finalized, will be a public record and is not confidential. Any and all permits issued by the Department to BCN shall reflect that Regulatory Action has been taken against BCN following the execution of this Agreement. 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.
7. BCN understands that if a state or federal regulator other than the Department has issued a license or permit to BCN, that regulator may require BCN to report this administrative action to that state or federal regulator. The Department cannot give BCN legal advice as to the specific reporting requirements of other state or federal regulators.
8. This Agreement shall become effective when signed and attested to by BCN and the Department.

This the ^{22nd} ~~9th~~ day of March, 201~~5~~¹⁶ ^{DA}.

NORTH CAROLINA DEPARTMENT OF INSURANCE

By: [Redacted]
BCN Incorporated

By: [Redacted]
Angela Ford
Senior Deputy Commissioner

3-22-16

