

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 )  
CHARLES BLANCHARD )  
(NPN # 13097677) )

Respondent. )

ORDER AND  
FINAL AGENCY DECISION

Docket Number: 2065

---

THIS MATTER was heard on November 30, 2021 by the undersigned Hearing Officer, designated by the North Carolina Commissioner of Insurance (hereinafter, "Commissioner") under N.C. Gen. Stat. § 58-2-55. The administrative hearing was held in Hearing Room #131 of the Albemarle Building, located at 325 North Salisbury Street, Raleigh, Wake County, North Carolina.

Petitioner, the Agent Services Division of the North Carolina Department of Insurance (hereinafter, "Agent Services"), was represented by Assistant Attorney General Nathan Childs. Respondent Charles Blanchard (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 November 30, 2021 hearing was perfected by United States Certified Mail on October 28, 2021, as shown by the Affidavit of Service and United States Postal Service tracking record admitted into evidence at the hearing.

Agent Services moved, pursuant to 11 N.C.A.C. 1.0423(A), for the imposition of sanctions due to Respondent's failure to appear at the hearing. Petitioner's motion for sanctions is DENIED. The undersigned Hearing Officer proceeded to accept and consider testimony and evidence offered by Agent Services in support of its Petition at the hearing.

Joe Wall, Compliance Section Supervisor, appeared and testified on behalf of Agent Services. Agent Services offered into evidence Exhibits 1 through 11, which were admitted into evidence.

BASED UPON the careful consideration of the testimony and evidence 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**

1. Respondent has an active non-resident North Carolina Insurance Producer's license with lines of authority in Casualty, Property, and Personal Lines ("License"). Respondent's License was first issued on August 3, 2017.

2. Effective September 30, 2018, the New Hampshire Insurance Department took administrative action against Respondent, refusing to renew Respondent's New Hampshire insurance producer license due to Respondent's failure to disclose two adverse administrative actions taken against him in another state on Respondent's renewal application, and failure to disclose a 2004 misdemeanor conviction in another state on Respondent's renewal application, in violation of New Hampshire law.

3. Respondent did not report the September 30, 2018 New Hampshire administrative action to the Commissioner within thirty days as required by N.C. Gen. Stat. § 58-33-32(k).

4. Effective January 17, 2019, the Louisiana Department of Insurance took administrative action against Respondent, entering a "Notice of Suspension" suspending Respondent's Louisiana insurance producer license due to Respondent's failure to report an adverse administrative action taken against him within thirty days, and Respondent's failure to timely pay a \$300 fine imposed as a result of Respondent's failure to timely report the adverse administrative action, as required by Louisiana law and the Louisiana Department of Insurance's October 19, 2018 Notice of Proposed Regulatory Action.

5. Respondent did not report the January 17, 2019 Louisiana administrative action to the Commissioner within thirty days as required by N.C. Gen. Stat. § 58-33-32(k).

6. Effective July 10, 2019, the Insurance Division of the South Dakota Department of Labor Regulation took administrative action against Respondent, entering a "Final Decision" revoking Respondent's South Dakota insurance producer license due to Respondent's failure to timely report an adverse administrative action taken against him within thirty days, Respondent's failure to inform the Insurance Division of any address change within thirty days, and Respondent's failure to

respond to the Insurance Division's request for documents within twenty days, as required by South Dakota law.

7. Respondent did not report the July 10, 2019 South Dakota administrative action to the Commissioner within thirty days as required by N.C. Gen. Stat. § 58-33-32(k).

8. Effective July 8, 2020, the State Corporation Commission of the Commonwealth of Virginia took administrative action against Respondent, entering an "Order Revoking License" revoking Respondent's license to transact insurance business in Virginia due to Respondent's failure to report administrative actions taken against him within thirty days, as required by Virginia law.

9. Respondent did not report the July 8, 2020 Virginia administrative action to the Commissioner within thirty days as required by N.C. Gen. Stat. § 58-33-32(k).

10. Respondent did not produce records or otherwise respond to written requests from Agent Services sent to Respondent on July 16, 2020 and August 11, 2020 as required by N.C. Gen. Stat. §§ 58-2-185 and 58-2-195.

BASED UPON the foregoing findings of fact, the Hearing Officer makes the following:

### 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 in this matter but failed to attend the November 30, 2021 hearing or retain counsel to represent him at the hearing.

3. Pursuant to N.C. Gen. Stat. § 58-33-46(a)(2), one basis for the revocation of a license issued by the Department of Insurance is violation of the insurance laws of North Carolina.

4. 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."

5. Agent Services' evidence shows that Respondent failed to report the New Hampshire, Louisiana, South Dakota and Virginia administrative actions to the Commissioner within thirty days of the actions' respective final dispositions, as mandated by N.C. Gen. Stat. § 58-33-32(k).

6. By failing to report the New Hampshire, Louisiana, South Dakota and Virginia administrative actions within thirty days of their final disposition, Respondent repeatedly violated a North Carolina insurance law within the meaning of N.C. Gen. Stat. § 58-33-46(a)(2).

7. Agent Services' evidence also shows that Respondent failed to respond to two written requests from Agent Services for documents and other information related to its 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.

8. Based on 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).

**ORDER**

BASED UPON the foregoing Findings of Fact and Conclusions of Law, it is ORDERED that Respondent's non-resident North Carolina Insurance Producer's license is hereby **REVOKED**.

This 21<sup>st</sup> day of December, 2021.



A. John Hoomani, 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: A. John Hoomani, General Counsel, 1201 Mail Service Center, Raleigh, NC 27699-1201.

**CERTIFICATE OF SERVICE**

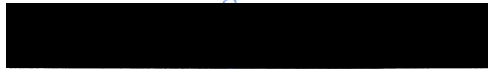
I HEREBY CERTIFY that I have this day served the foregoing **ORDER AND FINAL AGENCY DECISION** by mailing copies of the same via certified U.S. Mail, return receipt requested and via first class U.S. Mail to the Respondent at the address provided to the Commissioner pursuant to N.C. Gen. Stat. § 58-2-69(b); and via State Courier to Attorney for Petitioner, addressed as follows:

Charles Blanchard  
3437 Winter Oak Drive  
Garland, TX 75044-7343  
*(Respondent)*

**Certified Mail Tracking Number: 70200640000031856602**

Nathan D. Childs  
Assistant Attorney General  
N.C. Department of Justice  
9001 Mail Service Center  
Raleigh, NC 27699-9001  
*(Attorney for Petitioner)*

This 21<sup>st</sup> day of December, 2021.



Mary Faulkner  
Paralegal  
N.C. Department of Insurance  
1201 Mail Service Center  
Raleigh, NC 27699-1201