

**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
TMARKO CHANDLER**

**VOLUNTARY SETTLEMENT
AGREEMENT**

NOW COMES, Tmarko Chandler (hereinafter "Chandler") and the Bail Bond Regulatory Division of the North Carolina Department of Insurance (hereinafter "Bail Bond Regulatory Division"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (hereinafter "this Agreement").

WHEREAS, Chandler has agreed to settle, compromise, and resolve the matters referenced in this Agreement on behalf of himself, and the Bail Bond Regulatory Division has agreed not to pursue additional civil ramifications; including penalties, sanctions, remedies or restitution based on these matters alleged against Chandler; and

WHEREAS, the Bail Bond Regulatory Division has the authority and responsibility for regulating and licensing professional bail bondsmen, surety bail bondsmen, and bail bond runners; and

WHEREAS, Chandler applied for a Surety Bail Bondsman license on February 18, 2020;

WHEREAS, Chandler answered "no" to the screening question 3a: "Have you ever been convicted of a crime (Felony, Misdemeanor and Traffic Convictions), whether or not adjudication was withheld (including any Prayer for Judgments 'PJC')"; and

WHEREAS, that on or about October 1, 2019, Chandler plead guilty to the misdemeanor charge of Carrying a Concealed Gun 07-24-19 (M) (Prayer for Judgment), Forsyth County File #19CR 057688 (the "October 2019 guilty plea");

WHEREAS, that on March 13, 2020, the Bail Bond Regulatory Division notified Chandler that his application was denied for cause under N.C. Gen. Stat. §58-71-80(a)(3) for failing to disclose the October 2019 guilty plea; and

WHEREAS, that on March 13, 2020, Chandler requested a review of the denial under N.C. Gen. Stat. §58-71-85(b); and

WHEREAS, that on November 12, 2020, Chandler had a denial review with the Bail Bond Regulatory Division; and

WHEREAS, that upon further investigation following the November 12, 2020 denial review, the Bail Bond Regulatory Division discovered that on November 6, 2019, Chandler plead guilty to the charges of Driving a Motor Vehicle with No Registration and having a Fictitious/Altered Title and Registration Card, and that on November 20, 2019, Chandler plead guilty to Operating a Motor Vehicle without Insurance and plead responsible to Expired/No Inspection, and that Chandler did not disclose the November 6, 2019 and November 20, 2019 pleas (the "November 2019 pleas") in his application; and

WHEREAS, N.C. Gen. Stat. §58-71-50 grants the Bail Bond Regulatory Division the authority to refuse to issue a license; and

WHEREAS, Chandler violated N.C. Gen. Stat. §58-71-80(a)(3) for failing to disclose the October 2019 guilty plea and the November 2019 pleas in his application; and

WHEREAS, N.C. Gen. Stat § 58-71-80(a)(3) allows the Commissioner to refuse to issue or renew any license issued under Article 58 of the General Statutes of North Carolina when the applicant has made a material misstatement, misrepresentation or fraud in obtaining the license; and

WHEREAS, the violations set forth above may be sufficient to support a denial of Chandler's license application as allowed by N.C. Gen. Stat. § 58-71-50; and

WHEREAS, pursuant to N.C. Gen. Stat. § 58-2-70(g), the Commissioner and the Bail Bond Regulatory Division have the express authority to negotiate a mutually acceptable agreement with any person as to the status of the person's license issued by the Bail Bond Regulatory Division, or as to any civil penalty or restitution; and

WHEREAS, Chandler has agreed to settle, compromise, and resolve the matters referenced in this Agreement on behalf of himself, and the Bail Bond Regulatory Division has agreed not to pursue additional penalties, sanctions, remedies, or restitution based on these matters against Chandler; and

WHEREAS, the parties to this Agreement mutually wish to resolve this matter by consent before the Bail Bond Regulatory Division 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, Chandler and the Department hereby agree to the following:


1. Chandler shall pay a civil penalty of **\$500.00** to the Department on or before **September 30, 2021**. 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." Chandler shall remit the civil penalty by certified mail, return receipt requested, to the North Carolina Department of Insurance, BBRD, 325 North Salisbury Street Raleigh, NC 27603-5926- along with a signed copy of this Agreement. The civil penalty and this Agreement must be received by the Department no later than **September 30, 2021**. 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. Chandler shall complete the Bail Bondsman-Pre-Licensing Education course and obtain a certificate of completion on or before **September 30, 2021**. A copy of the PLE certificate of completion should be emailed to Simone Singleton at Simone.Singleton@ncdoi.gov.
3. Upon completion of the terms of this Agreement by Chandler, the Department will issue a Surety Bail Bondsman license to Chandler.
4. This Agreement does not in any way affect the Department's disciplinary power in any future review of Chandler or in any other unrelated complaints involving Chandler.

5. Chandler enters into this Agreement, on behalf of himself, freely and voluntarily and with the knowledge of the right to have an administrative hearing on this matter. Chandler understands he 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. Chandler understands that pursuant to N.C. Gen. Stat. § 58-71-80(a)(7), a bail bondsman'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, any and all licenses issued by the Department to Chandler 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.
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 North Carolina 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 North Carolina Department of Insurance cannot give you legal advice as to the specific reporting requirements of other state or federal regulators.

Tmarko Chandler

North Carolina Department of Insurance


By: Tmarko Chandler


By: Marty Sumner
Senior Deputy Commissioner

Date: 09/18/2021

Date: 9/21/2021