

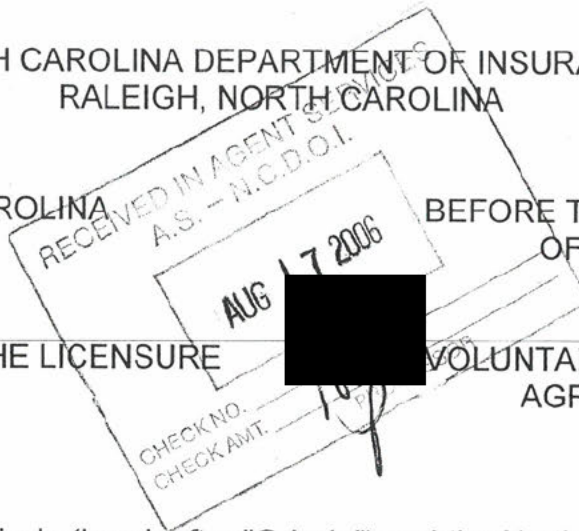
NORTH CAROLINA DEPARTMENT OF INSURANCE  
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

BEFORE THE COMMISSIONER  
OF INSURANCE

IN THE MATTER OF THE LICENSURE  
OF ANDREA GRIZZLE

VOLUNTARY SETTLEMENT  
AGREEMENT



NOW COME Andrea Grizzle (hereinafter "Grizzle") 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 insurance laws of this State, and for regulating and licensing bail bondsmen; and

WHEREAS, Grizzle holds an active license as a surety bondsman issued by the Department; and

WHEREAS, **N.C. Gen. Stat. § 58-71-145** requires each professional bondsman acting as surety on bail bonds in this State to maintain securities with the North Carolina Commissioner of Insurance (hereinafter "Commissioner") of a fair market value of at least one-eighth (1/8) the amount of all bonds or undertaking written in this State on which he or she is absolutely liable as of the first date of the current month; and

WHEREAS, a review by the Department of Grizzle's monthly reports for the months of June, July, August, September, October, November, and December 2005 revealed that Grizzle wrote bonds in excess of eight times the amount of securities posted with the Commissioner, in violation of **N.C. Gen. Stat. § 58-71-145**; and

WHEREAS, **N.C. Gen. Stat. § 58-71-175** states that no professional bondsman shall become liable on any bond or multiple of bonds for any one individual that totals more than one fourth (1/4) of value of securities deposited with the Commissioner at that time until final termination of liability on such bond or multiple bonds; and

WHEREAS, a review by the Department of Grizzle's monthly reports for the months of June, July, August, September, October, November, and December 2005 revealed that, in violation of **N.C. Gen. Stat. § 58-71-175**, Grizzle became liable on a bond or multiple of bonds for an individual that totaled more than one fourth (1/4) of value of

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securities deposited with the Commissioner at that time until final termination of liability on such bond or multiple bonds; and

WHEREAS, the Department sent Grizzle several notices informing Grizzle that he was in violation of N.C. Gen. Stat. §§ 58-71-145 and §§ 58-71-175 as described above, to which Grizzle did not respond; and

WHEREAS, following an informal conference between the Department and Grizzle on December 21, 2005, Grizzle subsequently made a deposit of \$5,000.00 into his security account on December 28, 2005, curing his deficiencies and bringing Grizzle into compliance with the requirements of N.C. Gen. Stat. §§ 58-71-145 and §§ 58-71-175; and

WHEREAS, Grizzle's violations of N.C. Gen. Stat. §§ 58-71-145 and §§ 58-71-175 demonstrate financial irresponsibility in violation of **N.C. Gen. Stat. § 58-71-80(a)(1)**, for which Grizzle's bail bondsman license could be revoked; and

WHEREAS, in lieu of an administrative hearing on the matters stated herein, Grizzle has 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 based on these matters against Grizzle; and

WHEREAS, pursuant to N.C.G.S. § 58-2-70(g), the Commissioner of Insurance 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 certificate or as to any civil penalty or restitution; and

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

1. Immediately upon his signing of this document, Grizzle shall pay a **civil penalty of \$1,000.00** to the Department. The form of payment shall be in a certified check, cashiers 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." Grizzle shall send the civil penalty by certified mail, return receipt requested, to the Department simultaneously with the return of this Agreement, signed by Grizzle. The civil penalty and the signed Agreement must be received by the Department no later than **August 15, 2006**.
2. Grizzle shall obey all laws and regulations applicable to a licensed surety bondsman.



3. Grizzle enters into this Agreement freely and voluntarily and with knowledge of her right to have an administrative hearing on this matter. Grizzle understands that he may consult with an attorney prior to entering into this Agreement.

4. This Agreement does not in any way affect the Department's disciplinary power in any future follow-up examinations of Grizzle, or in any other cases or complaints involving Grizzle.

5. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Grizzle understands that N. C. Gen. Stat. § 58-71-80(a)(7) provides that a bail bondsman's license may be revoked for violating an Order of the Commissioner.

6. The parties have read and understand this Agreement and agree to abide by the terms and conditions stated herein.

7. This Voluntary Settlement Agreement, when finalized, will be a public record and is not confidential. Any and all licenses issued by the Department to the licensee shall reflect that Regulatory Action has been taken against the licensee 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.

This the 15<sup>th</sup> day of Aug, 2006.

North Carolina Department of Insurance



Andrea Grizzle

By: 

Angela Ford  
Senior Deputy Commissioner

8-18-06