

**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
THE HALLMART AGENCY, INC.
PREMIUM FINANCE COMPANY**

**VOLUNTARY SETTLEMENT
AGREEMENT**

NOW COME The Hallmart Agency, Inc. (hereinafter "Hallmart") and the North Carolina Department of Insurance (hereinafter "Department"), and hereby enter into the following Voluntary Settlement Agreement (hereinafter "this Agreement"):

WHEREAS, Hallmart is a corporation organized under the laws of the state of North Carolina; and

WHEREAS, the Department has the authority and responsibility for enforcement of the provisions of Chapter 58 of the North Carolina General Statutes applicable to insurance premium finance companies; and

WHEREAS, North Carolina law requires an insurance premium finance company to obtain and maintain a license issued by the Department pursuant to N.C.G.S. § 58-35-5; and

WHEREAS, Hallmart is an insurance premium finance company required to be licensed by the Department pursuant to N.C.G.S. § 58-35-5; and

WHEREAS, Hallmart obtained a license from the Department for the July 1, 2003 to June 30, 2004 licensure year; and

WHEREAS, at the expiration of the July 1, 2003 to June 30, 2004 licensure year, Hallmart failed to renew its license; and

WHEREAS, Hallmart continued to conduct insurance premium finance business after June 30, 2004 without the required license in violation of North Carolina law; and

WHEREAS, Hallmart has now made proper application to the Department for a renewal license; and

WHEREAS, in violation of to N.C.G.S. §§ 58-35-5 and 58-35-15(c), Hallmart did not

renew its license the Department by the expiration date of June 30, 2004; and

WHEREAS, Hallmart hereby admits that it violated N.C.G.S. §§ 58-35-5 and 58-35-15(c) by failing to timely renew its license as stated herein; 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

WHEREAS, the Department and Hallmart hereby enter into this Settlement Agreement for the purposes of resolving all matters raised herein and avoiding an administrative proceeding;

NOW, THEREFORE, it is agreed by and between the Department and Hallmart as follows:

1. Hallmart agrees to comply with all statutory and regulatory requirements for insurance premium finance companies doing business in this State.
2. Hallmart agrees to pay a monetary assessment in the amount of one thousand dollars (\$1,000.00) to the State of North Carolina contemporaneously with the execution of this document. Hallmart agrees to satisfy this assessment, no later than August 12, 2005, by submitting a check payable to the "North Carolina Department of Insurance" in the agreed-upon amount with the signed Settlement Agreement to the Department.
3. This Voluntary Settlement Agreement is entered into in the interest of avoiding an administrative hearing, and the parties consent to be bound by the Settlement Agreement.
4. The parties to this Voluntary Settlement Agreement agree that it shall have full force and effect of a ruling of the Commissioner. The Company understands that N.C.G.S. § 58-35-20 provides that an insurance premium finance license may be revoked for failing to comply with any ruling of the Commissioner.
5. This 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.
6. The Commissioner of Insurance retains jurisdiction over the parties to this Settlement Agreement.
7. This Settlement Agreement shall become effective when signed and attested to by Hallmart and the Department.

NORTH CAROLINA DEPARTMENT OF INSURANCE

By: 

Angela Ford
Senior Deputy Commissioner
Agent Services Division

Date: 7-27-05

**THE HALLMART AGENCY, INC.
PREMIUM FINANCE COMPANY**

By: 

Robert C. Stokes
President

Date: 7-18-05