

NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

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SEP 23 2021

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE
COMMISSIONER OF INSURANCE

IN THE MATTER OF:

THE LICENSURE OF
MATTHEW HILLER
(NPN 0008280943),

Respondent.

CONSENT ORDER AND FINAL
AGENCY DECISION

Docket Number: 2059

CHECK NO. [REDACTED]
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PROCESSOR

THIS MATTER came before the undersigned Hearing Officer appointed by the Commissioner of Insurance pursuant to N.C. Gen. Stat. §58-2-55 for consideration of the proposed Consent Order agreed upon by the North Carolina Department of Insurance ("Department") and Matthew Hiller ("Respondent").

The undersigned Hearing Officer, with the consent of the parties, makes the following Findings of Fact and Conclusions of Law:

1. Respondent holds a resident producer's license issued by the Department in 2004 with authority for Life, Accident & Health or Sickness, Property and Casualty lines of insurance and a Medicare Supplement Long-Term Care insurance license issued by the Department in 2010. Both of these licenses were issued pursuant to Article 33 of Chapter 58 of the North Carolina General Statutes.

2. Respondent also holds an insurance broker license issued by the Department, which is not at issue in this proceeding.

3. Prior to applying for his 2004 and 2010 licenses, Respondent was convicted of Misdemeanor Possession of Marijuana in 2001.

4. Respondent answered "No" to the following question on his 2004 license application: "Have you ever been convicted of, or are you currently charged with, committing a crime, whether or not adjudication was withheld?"

5. Respondent answered "No" to the following question on his 2010 license application: "Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?"

6. N.C. Gen. Stat. § 58-33-46(a)(1) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew any license issued under Article 33 of Chapter 58 of the North Carolina General Statutes for providing materially incorrect, misleading, incomplete, or materially untrue information in the license application.

7. Respondent violated N.C. Gen. Stat. § 58-33-46(a)(1) by giving materially incorrect and incomplete answers regarding his criminal record as set forth above on his 2004 and 2010 license applications.

8. Respondent's violation of N.C. Gen. Stat. § 58-33-46(a)(1), as set forth above, subjects Respondent's 2004 and 2010 licenses to possible suspension or

revocation and subjects Respondent to a possible civil penalty under N.C. Gen. Stat. § 58-2-70.

9. Respondent's violation of N.C. Gen. Stat. § 58-33-46(a)(1), as set forth above, does not merit suspension or revocation of Respondent's 2004 or 2010 licenses and Respondent should instead be required to pay a civil monetary penalty of \$500.00.

IT IS, THEREFORE, BY CONSENT, ORDERED AS FOLLOWS:

1. Respondent shall pay a civil monetary penalty in the amount of \$500.00 to the North Carolina Department of Insurance by a certified check or official bank check. The check shall be delivered to the Department no later than September 15, 2021. The civil monetary 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 the public schools.

2. Respondent shall sign this Consent Order and return the Consent Order to counsel for the Department no later than September 15, 2021.


3. Respondent shall comply with all provisions of Chapter 58 of the North Carolina General Statutes and Title 11 of the North Carolina Administrative Code that are applicable to Respondent.

4. Except as to the acts or practices expressly addressed in this contested case proceeding, this Consent Order does not in any way affect the Department's disciplinary power in any future examinations of Respondent, or regarding any future complaints involving Respondent.

5. This Agreement, when finalized, will be a public record and is not confidential. The Department is free to disclose the contents of this Agreement to third parties upon request or pursuant to any law or policy providing for such disclosure.

6. If a state or federal regulator other than the N.C. Department of Insurance has issued an occupational or professional license to Respondent, that regulator may require Respondent to report this administrative action to it. The N.C. Department of Insurance cannot provide legal advice as to the specific reporting requirements of other state or federal regulators.

This 29 day of September, 2021.


Tyler Radtke
Hearing Officer
N.C. Department of Insurance

[See next page for signatures of the parties]

WE CONSENT:

NORTH CAROLINA DEPARTMENT OF INSURANCE


By:



Angela Hatchell
Deputy Commissioner

Date:

9/23/2021



Matthew Hiller

Date: September 3, 2021