

NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA)
COUNTY OF WAKE)

BEFORE THE COMMISSIONER OF
INSURANCE

87328

IN THE MATTER OF THE)
LICENSURE OF)
WARREN R. HUNTER)
LICENSE NO. 0010013760)

VOLUNTARY SETTLEMENT
AGREEMENT

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NOW COME, Warren R. Hunter (hereinafter "Mr. Hunter") 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, Mr. Hunter holds an active license as a surety bail bondsman issued by the Department; and

WHEREAS, pursuant to N.C. Gen. Stat. § 58-71-80(a)(7), the Commissioner may deny, suspend, revoke, or refuse to renew any license under Article 71 of Chapter 58 of the North Carolina General Statutes for failure to comply with or violation of the provisions of Article 71 of Chapter 58 of the North Carolina General Statutes or of any order, rule or regulation of the Commissioner; and

WHEREAS, N.C. Gen. Stat. § 58-71-80(a)(4) provides as grounds for the Commissioner to deny, suspend, revoke or refuse to renew any license under Article 71 of Chapter 58 of the General Statutes of North Carolina any misappropriation, conversion, or unlawful withholding of moneys belonging to insurers or others and received in the conduct of business under a surety bail bondsman license; and

WHEREAS, a Department investigation revealed that Mr. Hunter received \$650.00 from Marcus Harris on November 19, 2010 presumably to provide a bail bond for the release of Mr. Harris from jail when he did not possess appropriate powers to act as a surety bail bondsman, and converted such funds to his own use in violation of N.C. Gen. Stat. § 58-71-80(a)(4); and

WHEREAS, N.C. Gen. Stat. § 58-71-80(a)(8) provides that when in the judgment of the Commissioner, the licensee has in the conduct of the licensee's affairs under the license,

demonstrated incompetency, financial irresponsibility, or untrustworthiness; or that if the licensee is no longer in good faith carrying on the bail bond business, he may deny, suspend, revoke or refuse to renew the license of such licensee; and

WHEREAS, by fraudulently representing to Mr. Harris that he had powers of attorney from the surety company to accomplish the bail for Mr. Harris, and accepting the premium for such bail and converting the money to his own use, Mr. Hunter has demonstrated untrustworthiness in the conduct of his bail bond business in violation of N.C. Gen. Stat. § 58-71-80(a)(8); and

WHEREAS, Mr. Hunter admits to the violations set out herein; and

WHEREAS, Hunter's violations of N.C. Gen. Stat. § 58-71-80(a)(4) and 58-71-80(a)(8) demonstrate a failure to comply with and/or a violation of the provisions of Article 71 of Chapter 58 of the North Carolina General Statutes for which Mr. Hunter's surety bondsman license could be revoked, suspended or not renewed pursuant to N.C. Gen Stat. § 58-71-80(a)(7); and

WHEREAS, in lieu of an administrative hearing on the matters stated herein, Mr. Hunter 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 Mr. Hunter; and

WHEREAS, pursuant to N.C. Gen. Stat. § 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 consideration of the promises and agreements set out herein, the Department and Mr. Hunter hereby agree to the following:

1. Immediately upon his signing of this document, Mr. Hunter shall pay a **civil penalty of \$500.00** 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." Mr. Hunter shall send the civil penalty by certified mail, return receipt requested, to the Department simultaneously with the return of this Agreement, signed by Mr. Hunter. The civil penalty and the signed Agreement must be received by the Department no later than **June 6, 2011**. 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 the public schools.

2. Mr. Hunter shall obey all laws and regulations applicable to all licenses issued to him.

3. Mr. Hunter enters into this Agreement freely and voluntarily and with knowledge of his right to have an administrative hearing on this matter. Mr. Hunter 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 Mr. Hunter, or in any other cases or complaints involving Mr. Hunter.

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


6. 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 to third parties upon request or pursuant to any law or policy providing for such disclosure. The Department routinely provides copies of voluntary settlement agreements to all companies that have appointed the licensee.

7. This Settlement Agreement shall become effective when signed by Mr. Hunter and the Department.

This the 22nd day of December, 2011.

By 
Warren R. Hunter
License No. 0010013760

North Carolina Department of Insurance

By: 
Angela Ford
Senior Deputy Commissioner