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NORTH CAROLINA DEPARTMENT OF INSURANCE 08
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA
COUNTY OF WAKE

AGENT SERVICES
DIVISION
BEFORE THE COMMISSIONER
OF INSURANCE

IN THE MATTER OF THE LICENSURE
OF BOBBY JENKINS

VOLUNTARY SETTLEMENT
AGREEMENT

NOW COME Bobby Jenkins (hereinafter "Jenkins") 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, Jenkins holds active licenses both as a professional bondsman and as a surety 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 for failure to comply with or violation of the provisions of Article 71 or any order, rule or regulation of the Commissioner; and

WHEREAS, pursuant to N.C. Gen. Stat. § 58-71- 80(a)(8), the Commissioner may deny, suspend, revoke or refuse to renew any license 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 the licensee is no longer in good faith carrying on the bail bond business; or that the licensee is guilty of rebating, or offering to rebate, or offering to divide the premiums received for the bond; and

WHEREAS, pursuant to N.C. Gen. Stat. § 58-71- 80(a)(14), the Commissioner may deny, suspend, revoke or refuse to renew any license when in the judgment of the Commissioner, the licensee has knowingly aided or abetted others to evade or violate the provisions of Chapter 58, Article 71; and

WHEREAS, pursuant to 11 NCAC 13.0515, whenever a fee is received by a bail bondsman, a receipt shall be furnished to the defendant; and

WHEREAS, on or about August 19, 2005 Jenkins and the Department entered into a voluntary settlement agreement which included the provision that Jenkins obey all laws and regulations applicable to a licensed bondsman; and

WHEREAS, in violation of N.C. Gen. Stat. §§ 58-71-80(a)(8) and 58-71-80(a)(14), Jenkins received \$3,000.00 in premium on a bond for Maria De La Cruz in the amount of \$100,000.00, written by Roland Loftin; and

WHEREAS, in violation of 11 NCAC 13.0515 and N.C. Gen. Stat. § 58-71-80(a)(7), Jenkins did not furnish a receipt to the defendant for the \$3,000.00 in premium he received on a bond for Maria De La Cruz in the amount of \$100,000.00, written by Roland Loftin; and

WHEREAS, Jenkins admits to the above violations; and

WHEREAS, in lieu of an administrative hearing on the matters stated herein, Jenkins 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 Jenkins; 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 Jenkins hereby agree to the following:

1. Jenkins has paid a **civil penalty of \$2,000.00** to the Department. 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. The signed Agreement must be received by the Department no later than **April 18, 2007**.
3. Jenkins shall obey all laws and regulations applicable to all licenses issued to him.
4. Jenkins enters into this Agreement freely and voluntarily and with knowledge of his right to have an administrative hearing on this matter. Jenkins understands that he may consult with an attorney prior to entering into this Agreement.
5. This Agreement does not in any way affect the Department's disciplinary power in any future follow-up examinations of Jenkins, or in any other cases or complaints involving Jenkins.
6. The parties to this Agreement agree that this Agreement shall have the full force

and effect of an Order of the Commissioner. Jenkins 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.


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 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.

8. This Settlement Agreement shall become effective when signed by Jenkins and the Department.

This the 10th day of APR, 2007.

By: 
Bobby Jenkins

North Carolina Department of Insurance

By:  5-11-07
Angela Ford
Senior Deputy Commissioner