

**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
DOUGLAS LAZARO
(NPN #15643809)**

**ORDER AND FINAL AGENCY
DECISION
DOCKET NO. 1773**

This matter was heard on Thursday, October 15, 2015, by the undersigned Hearing Officer, as designated by the Commissioner of Insurance pursuant to N.C. Gen. Stat. § 58-2-55. The administrative hearing was held in Room #3099 of the Dobbs Building, located at 430 North Salisbury Street, Raleigh, Wake County, North Carolina. Assistant Attorney General LaShawn S. Piquant represented the Agent Services Division of the North Carolina Department of Insurance (hereinafter, "Agent Services"). Douglas Lazaro (hereinafter, "Respondent") was not present for the proceeding.

After careful consideration of the evidence and the arguments presented, and based on the record as a whole, the undersigned Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

Findings of Fact

1. This matter was initially noticed for hearing on August 20, 2015. The matter was continued to October 15, 2015 to ensure proper service of the notice on Respondent. An Amended Notice of Hearing was issued and properly served on Respondent by US Mail and FedEx. The notices were served on Respondent at the residential address provided to Agent Services: Douglas Lazaro, 37 Stonehurst Boulevard, Freehold NJ 07728.
2. On or about February 2, 2010, Respondent was issued his non-resident Accident & Health or Sickness insurance producer license by Agent Services. Respondent's license is currently active as of the date of the hearing.
3. Respondent is also currently licensed as an insurance producer by his resident state of New Jersey as of the date of the hearing. Respondent was previously licensed as an insurance producer in the states of Virginia, Delaware, Missouri and South Dakota.
4. On or about July 22, 2013, Respondent surrendered his producer license to the Virginia Department of Insurance in lieu of proceeding to an administrative hearing pursuant to allegations that Respondent misrepresented insurance products to consumers.

5. On or about February 10, 2014, the South Dakota Division of Insurance and Respondent entered into a Consent Order revoking Respondent's producer license issued in that state. Respondent signed the agreement on January 20, 2014 and the agreement become effective on February 10, 2014.
6. Respondent failed to report the administrative action involving his South Dakota insurance producer license to Agent Services.
7. On or about October 24, 2014, Missouri Department of Insurance and Respondent entered into a Voluntary Forfeiture Agreement referencing the administrative action taken in Virginia and South Dakota. In the agreement, Respondent admitted to intentionally misrepresenting the existence of the administrative action by regulatory agencies in Virginia and South Dakota on his application for licensure in Missouri. Pursuant to the agreement, Respondent was assessed a civil penalty in the amount of two hundred and fifty dollars (\$250.00).
8. Respondent failed to report the administrative action involving his Missouri insurance producer license to Agent Services.
9. On or about December 9, 2014, the Delaware Department of Insurance issued a Final Decision and Order regarding the insurance licenses of Respondent. Pursuant to the order, the agency found that Respondent violated Delaware insurance laws requiring timely reporting of adverse administrative action taken in another jurisdiction or by another government agency. The agency revoked Respondent's insurance license and assessed a fine in the amount of five hundred dollars (\$500.00).
10. Respondent failed to report the administrative action involving his Delaware insurance producer license to Agent Services.
11. North Carolina General Statutes § 58-33-32(k) provides that "a producer shall report to the Commissioner any administrative action taken against the producer in another state . . . within 30 days after the final disposition of the matter."
12. Respondent failed to timely report administrative action taken by the insurance licensing agencies in the states of South Dakota, Missouri, and Delaware to the Department within 30 days after the final disposition of the matter.
13. Respondent's failure to timely report administrative actions against his producer licensing in another state provide grounds for administrative action pursuant to N.C. Gen. Stat. §58-33-46(a)(2) which provides that the Commissioner may place on probation, suspend, revoke or refuse to renew any license for "violating the insurance laws of this or any other state, violating any administrative rule, subpoena, or order of the Commissioner or of another state's insurance regulator, or violating any rule of FINRA."

Conclusions of Law

1. This matter is properly before the North Carolina Commissioner of Insurance (hereinafter "Commissioner"), and the Commissioner has jurisdiction over the parties and the subject matter pursuant to N.C. Gen. Stat. §§ 58-33-46 and other applicable statutes and regulations.
2. The Notice of Hearing was properly served pursuant to Rule 4 of the North Carolina Rules of Civil Procedure and N.C. Gen. Stat. § 58-2-69.
3. Respondent's actions provide sufficient grounds for suspension, probation, revocation or nonrenewal of his licenses as set out in N.C. Gen. Stat. §§ 58-33-46 and 58-33-32.
4. Respondent is in violation of N.C. Gen. Stat. § 58-33-32(k) by failing to report administrative actions against the Respondent and his licenses in the states of Delaware, Missouri and South Dakota.
5. Respondent's violations of N.C. Gen. Stat. § 58-33-32(k) provide grounds for administrative action to be taken against his insurance license pursuant to N.C. Gen. Stat. § 58-33-46(a)(2) which states that the Commissioner may place on probation, suspend, revoke or refuse to renew any license for "violating any insurance laws of this or any other state, violating any administrative rule, subpoena, or order of the Commissioner or of another state's insurance regulator, or violating any rule of FINRA."
6. Respondent's insurance producer license should be revoked pursuant N.C. Gen. Stat. §§ 58-33-46 and 58-33-32(k).

Based on the foregoing Finding of Facts and Conclusions of Law, the Hearing Officer enters the following:

Order

The Respondent's insurance producer license is hereby revoked.

This the 27th day of October, 2015.



Stewart Johnson, Hearing Officer
N.C. Department of Insurance

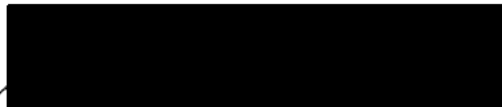
APPEAL RIGHTS: This Order may be appealed to Superior Court within 30 days of receipt, as set forth in the General Statutes of North Carolina.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing Order and Final Agency Decision by US mail, first class postage affixed and addressed as follows:

**Douglas Lazaro
37 Stonehurst Blvd
Freehold, NJ 07728**

This the 28th day of October, 2015.



LaShawn S. Piquant
Assistant Attorney General
N. C. Department of Justice
P.O. Box 629
Raleigh, N.C. 27602-0629
(919) 716-6610
lpiquant@ncdoj.gov