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NORTH CAROLINA DEPARTMENT OF INSURANCE
 RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA) BEFORE THE COMMISSIONER
 COUNTY OF WAKE) OF INSURANCE
)
 IN THE MATTER OF THE LICENSURE) VOLUNTARY SETTLEMENT
 OF NICOLE R. LOPEZ) AGREEMENT
 (NPN # 13029191))

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

WHEREAS, pursuant to N.C. Gen Stat. § 58-71-95(5), collateral security accepted by a bondsman from a principal or from anyone on behalf of a principal shall be returned within 72 hours after the final termination of liability on the bond; and

WHEREAS, Lopez failed to return to Sue Williams \$1,000.00 accepted as collateral security for a bond written for Kenneth Cummings within 72 hours after the final termination of liability on the bond on February 16, 2012.

WHEREAS, Lopez's violation of N.C. Gen. Stat. § 58-71-95(5) demonstrates 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 Lopez's surety bail bondsman license could be revoked pursuant to N.C. Gen Stat. § 58-71-80(a)(7); and

WHEREAS, Lopez admits to the foregoing violations; and

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

1. Immediately upon her signing of this document, Lopez shall pay a **civil penalty of \$250.00** to the Department. The form of payment shall be in a certified check, cashier's 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." Lopez shall send the civil penalty by certified mail, return receipt requested, to the Department simultaneously with the return of this Agreement, signed by Lopez. The civil penalty and the signed Agreement must be received by the Department no later than **March 4, 2013**. 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. Lopez shall obey all laws and regulations applicable to all licenses issued to her.
3. Lopez enters into this Agreement freely and voluntarily and with knowledge of her right to have an administrative hearing on this matter. Lopez understands that she 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 Lopez, or in any other cases or complaints involving Lopez.
5. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Lopez 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.
6. The parties have read and understand this Agreement and agree to abide by the terms and conditions stated herein.
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 Lopez and the Department.

This the 15 day of March, 2013.

North Carolina Department of Insurance

By: [REDACTED]

Nicole R. Lopez
(NPN # 13029191)

13029191

By: [REDACTED]

Angela Ford
Senior Deputy Commissioner

3-27-13

