

**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
BRIETTA L. MELVIN
LICENSE NO. 0018142431**

**VOLUNTARY SETTLEMENT
AGREEMENT**

NOW COME. Brietta L. Melvin (hereinafter "Ms. Melvin") 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 the insurance laws of this State, and for regulating and licensing bail bondsmen; and

WHEREAS, Ms. Melvin is currently licensed by the Department as a surety bail bondsman and insurance producer; 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 N.C. General Statutes or of any order, rule or regulation of the Commissioner; and

WHEREAS, pursuant to N.C. Gen. Stat. § 58-71-80(a)(3), 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 material misstatement, misrepresentation or fraud in obtaining the license; and

WHEREAS, Ms. Melvin, on her August 30, 2020 license renewal application answered "No" to Question 1(b) thereon: "Are you currently charged with committing a crime (Felony, Misdemeanor and Traffic Charges) which has not been previously reported to the NCDOT?"; and

WHEREAS, Ms. Melvin was charged in Cumberland County, NC on May 27, 2018 of Driving While Impaired, with her case not being resolved until September 30, 2020; and

WHEREAS, Ms. Melvin's violation of N.C. Gen. Stat. § 58-71-80 (a) (3) demonstrate a failure to comply with and/or violations of the provisions of Article 71 of Chapter 58 of the North Carolina General Statutes for which Ms. Melvin's surety bail bondsman's license could be suspended or revoked; and

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

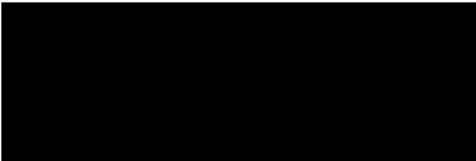
WHEREAS, pursuant to N.C. Gen. Stat. § 58-2-70(g), the Commissioner of Insurance and the Department have the express authority to negotiate a mutually acceptable agreement with any person as to the status of the person's license or certificate or as to any civil penalty or restitution; and

NOW, THEREFORE, in consideration of the promises and agreements set out herein, the Department and Ms. Melvin hereby agree to the following:

1. As set forth above, Ms. Melvin shall remit a **civil penalty in the amount of \$750.00** to the Department. The form of payment shall be in the form of 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." Ms. Melvin shall send the civil penalty by certified mail, return receipt requested or delivered in person, to the Department simultaneously with the return of this Agreement, signed by Ms. Melvin. The civil penalty and the signed Agreement must be received by the Department no later than **December 08, 2020**. 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. Ms. Melvin shall obey all laws and regulations applicable to all licenses issued to her.
3. Ms. Melvin enters into this Agreement freely and voluntarily and with knowledge of her right to have an administrative hearing on this matter. Ms. Melvin 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 Ms. Melvin, or in any other cases or complaints involving Ms. Melvin.

5. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Ms. Melvin understands that N. C. Gen. Stat. § 58-71-80(a)(7) provides that a surety bail 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. 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, upon request, 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 Ms. Melvin and the Department.

N.C. Department of Insurance



By: Brietta L. Melvin
License No. 0018142431



Marty A. Sumner (Dec 23, 2020 10:14 EST)

By: Marty Sumner
Senior Deputy Commissioner

Date: 12/21/2020

Date: Dec 23, 2020