

NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA)	BEFORE THE
COUNTY OF WAKE)	COMMISSIONER OF INSURANCE
)	
)	
IN THE MATTER OF:)	ORDER AND
)	FINAL AGENCY DECISION
THE LICENSURE OF)	
SONIA LOVINA PENNERMAN))	
NPN # 7624300)	Docket Number: 1940
)	
Respondent.)	
)	

This matter was heard on Tuesday, November 12, 2019, 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 the Albemarle Building, located at 325 North Salisbury Street, Raleigh, Wake County, North Carolina. Assistant Attorney General Rebecca Lem represented the North Carolina Department of Insurance, Agent Services Division (hereinafter "Petitioner" or "ASD"). Respondent Sonia Lovina Pennerman (hereinafter, "Respondent") did not appear.

Due to the Petitioner's failure to appear at the hearing, pursuant to 11 NCAC 01.0423(a)(1), the allegations of the Notice of Hearing and attached Petition for Administrative Hearing may be taken as true or deemed to be proved without further evidence.

Based on the allegations set forth in the Notice of Hearing in this matter, the undersigned Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Notice of Administrative Hearing was properly served on Petitioner pursuant to N.C. Gen. Stat. §58-2-69(d), and the Notice of Administrative Hearing and attached Petition and the Affidavit of Service were admitted into evidence as administrative exhibits.

2. Respondent is a resident of Florida.

3. The Department has the authority and responsibility for the enforcement of insurance laws of this State and for regulating and licensing insurance agents. Respondent holds a nonresident producer license in the area of Accident & Health or Sickness and a nonresident Medicare Supplement Long-Term Care license first issued by the Department on or about October 16, 2012. Respondent's National Producer Number is 7624300.
4. On or about May 22, 2018 the Illinois Department of Insurance denied Respondent's insurance license application based on her failure to disclose several previous administrative actions on her license application.
5. Respondent did not report the May 22, 2018 Illinois administrative action to the Department within thirty (30) days.
6. On or about June 6, 2018 the Louisiana Department of Insurance revoked Respondent's insurance license based on her providing incorrect, misleading, incomplete or materially false information on her license or renewal application, and violation of the insurance laws.
7. Respondent did not report the June 6, 2018 the Louisiana administrative action to the Department within thirty (30) days.

CONCLUSIONS OF LAW

1. This matter is properly before the Commissioner, and the Commissioner has jurisdiction over the parties and the subject matter pursuant to Chapter 58 of the North Carolina General Statutes.
2. The Notice of Administrative Hearing was properly served on Petitioner pursuant to N.C. Gen. Stat. §58-2-69(d).
3. Pursuant to 11 NCAC 01.0423(a)(1), as sanction for Petitioner's failure to appear at the hearing, the allegations of the Notice of Hearing may be taken as true or deemed to be proved without further evidence.
4. Respondent's failure to report the May 22, 2018 Illinois administrative action to the Department within thirty (30) days is a violation of N.C. Gen. Stat. 58-33-32(k).
5. Respondent's failure to report the June 6, 2018 Louisiana administrative action to the Department within thirty (30) days is a violation of N.C. Gen. Stat. 58-33-32(k).


6. N.C.G.S. § 58-33-46(a)(2) allows the Commissioner to suspend, revoke, or refuse to renew any license issued under this Article for violating any insurance law of this or any other state. Respondent's licenses are subject to suspension or revocation under N.C.G.S. § 58-33-46(a)(2) for failing to report the Indiana and South Dakota administrative actions to the Department in violation of N.C.G.S. § 58-33-32(k).

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

ORDER

It is ordered that Respondent's licenses issued by the North Carolina Department of Insurance are hereby REVOKED effective as of the date of the signing of this order.

This the 14th day of November, 2019.


Meghan Cook, Hearing Officer
N.C. Department of Insurance
1201 Mail Service Center
Raleigh, NC 27699-1201

APPEAL RIGHTS

This is a Final Agency Decision issued under the authority of N.C. Gen. Stat. § 150B, Article 3A.

Under the provisions of N.C. Gen. Stat. § 150B-45, any party wishing to appeal a final decision of the North Carolina Department of Insurance must file a Petition for Judicial Review in the Superior Court of the county where the person aggrieved by the administrative decision resides, or in the case of a person residing outside the State, the county where the contested case which resulted in the final decision was filed. The appealing party must file the petition within 30 days after being served with a written copy of the Order and Final Agency Decision. In conformity with 11. NCAC 01.0413 and N.C. Gen. Stat. § 1 A-1, Rule 5, this Order and Final Agency Decision was served on the parties on the date it was placed in the mail as indicated by the date on the Certificate of Service attached to this Order and Final Agency Decision. N.C. Gen. Stat. § 150B-46 describes the contents of the Petition, including explicitly stating what exceptions are taken to the decision or procedure and what relief the petitioner seeks, and requires service of the Petition by personal service or by certified mail upon all who were parties of record to the administrative proceedings. The mailing address to be used for service on the Department of Insurance is: A. John Hoomani, General Counsel, 1201 Mail Service Center, Raleigh, NC 27699-1201.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Order and Final Agency Decision by a certified U.S. Postal Service mail, return receipt requested, first class postage prepaid, addressed as follows:

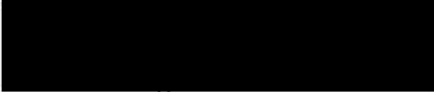
Sonia Lovina Pennerman
2807 N 23rd Ave.
Hollywood, FL 33020-1615

Certified Mail Tracking Number: 70191120000089734169

Sonia Lovina Pennerman
6104 SW 37TH St
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Miramar, FL 33023-5139

Certified Mail Tracking Number: 70190530000073199668

This the 14th day of November, 2019.


Mary Faulkner
Paralegal
N.C. Department of Insurance
1201 Mail Service Center
Raleigh, NC 27699-1201