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NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

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STATE OF NORTH CAROLINA)
COUNTY OF WAKE)

BEFORE THE COMMISSIONER OF
INSURANCE

IN THE MATTER OF THE LICENSURE)
OF)
RONALD ROBERSON)
LICENSE NO. 0008392494)

VOLUNTARY SETTLEMENT
AGREEMENT

NOW COME, Ronald Roberson (hereinafter "Mr. Roberson") 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, Mr. Roberson holds active licenses as a surety bail bondsman and a professional bail 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 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 North Carolina General Statutes or of any order, rule or regulation of the Commissioner; and

WHEREAS, N.C. Gen. Stat. § 58-71-165(a) and (c) require that each professional bondsman to file with the Commissioner a written report in the form prescribed regarding all bail bonds on which the bondsman is liable as of the first of each month, and that such reports be filed on or before the fifteenth day of the month; and

WHEREAS, N.C. Gen. Stat. Sec. 58-70-165(d) provides that any person who knowingly and willfully falsifies the monthly report required to be filed by professional bail bondsmen is guilty of a Class I felony; and

WHEREAS, a Department investigation revealed that Mr. Roberson did not submit his August 2012 monthly report in a timely manner as required by N.C. Gen. Stat. § 58-71-165; and

WHEREAS, such investigation also revealed that Mr. Roberson's May 2012 monthly report, he reported a bond written on Mr. Maxwell Lord in the amount of \$1000.00 when such bond was in actuality written for the amount of \$5000.00, which appears to be a willful and knowing falsification of the report;

and

WHEREAS, the bond written on Mr. Lord was not included in Mr. Roberson's June 2012 monthly report as required by statute, which should have been included since Mr. Lord was not surrendered until July 2, 2012; and

WHEREAS, Mr. Roberson bonded Mr. Lord out again on September 22, 2012, and such was not included in his September 2012 monthly report as required by statute; and

WHEREAS, 11 NCAC 13.0515 provides that whenever a fee is received by a bail bondsman, a receipt shall be furnished to the defendant, and that all copies of receipts issued shall be kept by the bail bondsman; and

WHEREAS, Mr. Roberson did not write a receipt for the \$500.00 premium paid by Mr. Lord on May 6, 2012 in violation of 11 NCAC 13.0515; and

WHEREAS, Mr. Roberson admits to the violations set out herein; and

WHEREAS, Mr. Roberson's violations of N.C. Gen. Stat. § 58-71-165 and 11 NCAC 13.0515 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 Mr. Roberson's professional bail bondsman license could be revoked, suspended or not renewed pursuant to N.C. Gen. Stat. § 58-71-80(a)(7); and

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

1. Immediately upon his signing of this document, Mr. Roberson shall pay a **civil penalty of \$600.00** 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." Mr. Roberson shall send the civil penalty by certified mail, return receipt requested, to the Department simultaneously with the return of this Agreement, signed by Mr. Roberson. The civil penalty and the signed Agreement must be received by the Department no later than **March 29, 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. Mr. Roberson shall obey all laws and regulations applicable to all licenses issued to him.

3. Mr. Roberson enters into this Agreement freely and voluntarily and with knowledge of his right to have an administrative hearing on this matter. Mr. Roberson understands that he 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 Mr. Roberson, or in any other cases or complaints involving Mr. Roberson.


5. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Mr. Roberson 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. 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.

7. This Settlement Agreement shall become effective when signed by Mr. Roberson and the Department.

This the 12th day of March, 2013.

North Carolina Department of Insurance

By: 
Ronald Roberson
License No. 0008392494

By: 
Angela Ford
Senior Deputy Commissioner

3-20-13