

N. C. DEPARTMENT OF INSURANCE AGENT SERVICES DIVISION  
RALEIGH, NORTH CAROLINA

RECEIVED IN AGENT SERVICES  
A.S. - N.C.D.O.I.

AUG - 4 2022

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

BEFORE THE COMMISSIONER  
OF INSURANCE

CHECK NO. [REDACTED]  
CHECK AMT. \$500<sup>00</sup> \$1,000<sup>00</sup>  
PROCESSOR

IN THE MATTER OF THE LICENSURE  
OF MARISSA SCHULZ  
LICENSE NO. 0019715842

VOLUNTARY SETTLEMENT  
AGREEMENT

NOW COME, Marissa Schultz (hereinafter "Ms. Schultz") and the Agent Services Division of the N.C. Department of Insurance (hereinafter "Agent Services Division"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (hereinafter "this Agreement").

WHEREAS, the Agent Services Division has the authority and responsibility for enforcement of the insurance laws of this State, and for regulating and licensing insurance agencies and agents; and

WHEREAS, Ms. Schultz currently holds a resident producer's license with authority for Property and Casualty lines of insurance issued by the Agent Services Division; and

WHEREAS, N. C. Gen. Stat. § 58-33-46 (a) (5) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew any license issued under Article 33 of Chapter 58 of the General Statutes of North Carolina for intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance; and

WHEREAS, N. C. Gen. Stat. § 58-33-46 (a) (7) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew any license issued under Article 33 of Chapter 58 of the General Statutes of North Carolina for having admitted or been found to have committed any insurance unfair trade practice or fraud; and

WHEREAS, N. C. Gen. Stat. § 58-33-46 (a) (8) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew any license issued under Article 33 of Chapter 58 of the General Statutes of North Carolina for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this State or elsewhere; and

WHEREAS, N. C. Gen. Stat. § 58-33-46 (a) (10) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew any license issued under Article 33 of Chapter 58 of the General Statutes of North Carolina for forging another's name to an application for insurance or to any document related to an insurance transaction; and

**WHEREAS**, Ms. Schultz issued fifty-seven (57) policies of varying lines of insurance on behalf of fifteen (15) individuals without their knowledge or permission in an effort to obtain a bonus offered by her agency; and

**WHEREAS**, N. C. Gen. Stat. § 58-33-46 (a) (3) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew any license issued under Article 33 of Chapter 58 of the General Statutes of North Carolina for obtaining or attempting to obtain a license through misrepresentation or fraud; and

**WHEREAS**, by issuing policies for fifty-seven (57) persons without their knowledge and permission, Ms. Schultz violated the provisions of N. C. Gen. Stats. §§ 58-33-46 (a) (5) (7) (8) and (10); and

**WHEREAS**, North Carolina General Statute § 58-33-46(a)(2) provides that the Commissioner may place on probation, suspend, revoke, or refuse to issue or renew any license issued under Article 58 of the General Statutes of North Carolina for violating any insurance law of this or any other state, violating any administrative rule, subpoena, or order of the Commissioner or of another state's regulator; and

**WHEREAS**, N. C. Gen. Stat. § 58-2-70 provides that whenever the Commissioner has reason to believe that any person has violated any law that would subject the license or certification of that person to suspension or revocation, the Commissioner is authorized, in lieu of a hearing, to negotiate a mutually acceptable agreement as to the status of the person's license or certificate or to any civil penalty or restitution; and

**WHEREAS**, Ms. Schultz has agreed to settle, compromise, and resolve the matters referenced in this Agreement on behalf of herself, and the Agent Services Division has agreed not to pursue additional civil ramifications, including penalties, sanctions, remedies, or restitution based on these matters against Ms. Schultz; and

**NOW, THEREFORE**, in exchange for the consideration and promises and agreements set out herein, Ms. Schultz and the Agent Services Division hereby agree to the following:

1. Immediately upon the signing of this Agreement, Ms. Schultz shall pay a civil penalty of **\$1,500.00** to the Agent Services Division. The form of payment shall be by 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. Schultz shall remit the civil penalty by certified mail, return receipt requested, to the Agent Services Division along with a copy of this signed Agreement. The civil penalty and the signed Agreement must be received by the Agent Services Division no later than **August 03, 2022**. 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 public schools.
2. This Agreement does not in any way affect the Agent Services Division's disciplinary power in any future examination of Ms. Schultz or in any other complaints involving Ms. Schultz.



3. Ms. Schultz enters into this Agreement, on behalf of herself, freely and voluntarily and with the knowledge of her right to have an administrative hearing on this matter. Ms. Schultz understands she may consult with an attorney prior to entering into this Agreement.
4. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Ms. Schultz understands that N.C.G.S. § 58-33-46(a)(2) provides that a producer's license may be revoked for violating an Order of the Commissioner.
5. This Agreement, when finalized, will be a public record and will **not** be held confidential by the Agent Services Division. Following the execution of this Agreement, all licenses issued by the Agent Services Division to Ms. Schultz shall reflect that Regulatory Action has been taken against her. The Agent Services Division is free to disclose the contents of this Agreement with third parties upon request or pursuant to any law or policy providing for such disclosure. The Agent Services Division, upon request, routinely provides a copy of the voluntary settlement agreement to all companies that have appointed the licensee.
6. The parties have read and understand this Agreement and agree to abide by the terms and conditions stated herein.
7. Be aware that if a state or federal regulator other than the Agent Services Division has issued an occupational or professional license to you, that regulator may require you to report this administrative action to it. The Agent Services Division cannot give you legal advice as to the specific reporting requirements of other state or federal regulators.

**N.C. Department of Insurance  
Agent Services Division**

  
By: Marissa Schultz  
License No. 0019715842

  
By: Angela Hatchell  
Deputy Commissioner

Date: 7-22-22

Date: 8/4/2022