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OCT 19 2012

NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

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RECEIVED
OCT 19 2012
AGENT SERVICES DIVISION
N.C. DEPT OF INSURANCE

955-14

STATE OF NORTH CAROLINA)
COUNTY OF WAKE)

BEFORE THE COMMISSIONER OF
INSURANCE

IN THE MATTER OF THE)
LICENSURE OF BENITA W. SCOTT)
LICENSE NO. 0006140641)

VOLUNTARY SETTLEMENT
AGREEMENT

NOW COME, Benita W. Scott (hereinafter "Ms. Scott") and the North Carolina Department of Insurance (hereinafter "Department"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (hereinafter "this Agreement"):

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[Redacted]
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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, Ms. Scott 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, requires 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, a Department investigation revealed that Ms. Scott did not submit required written monthly reports in a timely manner for the months of September, October, November and December of 2011, and January, March and April of 2012; and

WHEREAS, Ms. Scott admits to the violations set out herein; and

WHEREAS, Ms. Scott's violations of N.C. Gen. Stat. § 58-71-165 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 Ms. Scott'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, Ms. Scott 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. Scott; 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. Scott hereby agree to the following:

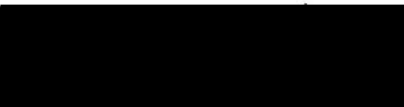
1. Immediately upon his signing of this document, Ms. Scott shall pay a **civil penalty of \$700.00** to the Department. The form of payment shall be in the form of a certified check, cashier's check or money order. The check or money order for the payment of this civil penalty shall be payable to the "North Carolina Department of Insurance." Ms. Scott shall send the civil penalty by certified mail, return receipt requested, to the Department simultaneously with the return of this Agreement, signed by Ms. Scott. The civil penalty and the signed Agreement must be received by the Department no later than **October 19, 2012**. 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. Scott shall obey all laws and regulations applicable to all licenses issued to him.
3. Ms. Scott enters into this Agreement freely and voluntarily and with knowledge of her right to have an administrative hearing on this matter. Ms. Scott 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. Scott, or in any other cases or complaints involving Ms. Scott.
5. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Ms. Scott 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 Ms. Scott and the Department.

This the 19 day of Oct, 2012

North Carolina Department of Insurance

By: 
Benita W. Scott
License No. 0006140641

By: 
Angela Ford
Senior Deputy Commissioner

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