

NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA)
COUNTY OF WAKE)
IN THE MATTER OF THE)
LICENSURE OF)
SHYKKEITHIA Q. SHARPE)
BEFORE THE COMMISSIONER OF)
INSURANCE)
VOLUNTARY SETTLEMENT)
AGREEMENT)

NOW COME, Shykeithia Q. Sharpe (hereinafter "Ms. Sharpe") 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. Sharpe has applied for licensure as a surety bail bondsman by the Department on September 26, 2017; 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, N.C. Gen. Stat. § 58-71-80(a)(3) provides that the Commissioner may deny, place on probation, suspend, revoke, or refuse to renew any license for material misrepresentation or fraud in obtaining the license; and N.C. Gen. Stat. § 58-71-80(a)(6) further provides that the Commissioner may deny a license for conviction of a crime involving dishonesty, breach of trust or moral turpitude; and

WHEREAS, Ms. Sharpe, on her license application answered "No" to Question 3 thereon; "Have you ever been convicted, or are you currently charged with, committing a crime, whether or not adjudication was withheld?"; and

WHEREAS, court records obtained indicated that on or about February 14, 2014 Ms. Sharpe was found guilty of one count of the Misdemeanor, Assault Inflict Serious Injury, and Communicating Threats (Nash County File #: 12CR 053176, which convictions have since been expunged from Ms. Sharpe's criminal record (Ms. Sharpe was seventeen at the time of the convictions); and

WHEREAS, Ms. Sharpe's violation of N.C. Gen. Stat. § 58-71-80 (a) (3) demonstrates 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. Sharpe's application for a surety bail bondsman's license could be denied 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. Sharpe 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. Sharpe; 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. Sharpe hereby agree to the following:

1. Immediately upon her signing of this document, Ms. Sharpe shall pay a civil penalty of 500.00 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. Sharpe shall send the civil penalty by certified mail, return receipt requested, to the Department simultaneously with the return of this Agreement, signed by Ms. Sharpe. The civil penalty and the signed Agreement must be received by the Department no later than July 6, 2018. 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. Upon receipt of this signed document and remittance of the civil penalty, the Department will issue Ms. Sharpe a surety bail bondsman's license; and

3. Ms. Sharpe shall obey all laws and regulations applicable to all licenses issued to her.

4. Ms. Sharpe enters into this Agreement freely and voluntarily and with knowledge

of her right to have an administrative hearing on this matter. Ms. Sharpe understands that she may consult with an attorney prior to entering into this Agreement.

5. This Agreement does not in any way affect the Department's disciplinary power in any future follow-up examinations of Ms. Sharpe, or in any other cases or complaints involving Ms. Sharpe.

6. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Ms. Sharpe 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.

7. 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 routinely provides copies of voluntary settlement agreements to all companies that have appointed the licensee.

8. This Settlement Agreement shall become effective when signed by Ms. Sharpe and the Department.

N.C. Department of Insurance



By: Marty Summer
Deputy Commissioner

Date:

6/06/18



By: Shykethia Q. Sharpe
Applicant

Date:

5/31/18