

**NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA**

~~RECEIVED IN AGENT SERVICES
A.S. - N.C.D.O.I.
APR 18 2016~~

**STATE OF NORTH CAROLINA
COUNTY OF WAKE**

~~RECEIVED IN AGENT SERVICES
A.S. - N.C.D.O.I.
APR 18 2016
CHECK NO. [REDACTED]
CHECK AMT. 250.00
PROCESSOR [REDACTED]~~

**BEFORE THE COMMISSIONER
OF INSURANCE**

**IN THE MATTER OF THE LICENSURE
OF MARK SILVA
NPN No. 16553857**

**VOLUNTARY SETTLEMENT
AGREEMENT**

108144

NOW COME Mark Silva (hereinafter "Mr. Silva") 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 insurance agents; and

WHEREAS, Mr. Silva is a Michigan resident with an active license issued by the Department in the area of Title Insurance and his National Producer Number is 16553857; and

WHEREAS, on or about July 15, 2015 Mr. Silva received regulatory action in the form of a Consent Agreement by the Ohio Department of Insurance concerning his failure to timely file a required 2014 Annual Statement; and

WHEREAS, Mr. Silva did not report the aforementioned July 15, 2015 Ohio regulatory action to the Department until November 23, 2015; and

WHEREAS, Mr. Silva's failure to report the July 15, 2015 Ohio regulatory action to the Department within thirty (30) days is a violation N.C.G.S. § 58-33-32(k) for which his license could be revoked; and

WHEREAS, Mr. Silva 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. Silva; and

WHEREAS, pursuant to N.C.G.S. § 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

WHEREAS, the parties to this Agreement mutually wish to resolve this matter by consent before

the Department initiates an administrative hearing concerning this matter; and

WHEREAS, the parties to this Agreement have reached a mutually agreeable resolution of this matter as set out in this Agreement;

NOW, THEREFORE, in exchange for, and in consideration of the promises and agreements set out herein, the Department and Mr. Silva hereby agree to the following:

1. Mr. Silva agrees to pay a civil penalty of **two hundred and fifty dollars (\$250.00)** to the Department. The civil penalty must be in the form of a check, cashier's check or money order, and must be received by the Department contemporaneously with the executed Voluntary Settlement Agreement, signed by Mr. Silva, no later than **April 11, 2016**.
2. Mr. Silva enters into this Agreement freely and voluntarily and with knowledge of his right to have an administrative hearing on this matter. Mr. Silva understands that he may consult with an attorney prior to entering into this Agreement.
3. This Agreement does not in any way affect the Department's disciplinary power in any future examinations of Mr. Silva or in any other complaints involving Mr. Silva.
4. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Mr. Silva understands that N.C.G.S. 58-33-46(a)(2) provides that his licenses may be revoked for violating an Order of the Commissioner.
5. Mr. Silva has read and understands this Agreement and agrees to abide by the terms and conditions stated herein.
6. This 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 with 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 the NAIC and all companies that have appointed the licensee.
7. This Voluntary Settlement Agreement shall become effective when signed and attested to by Mr. Silva and the Department.

This the ^{26th}~~15th~~ day of April, 2016.

NORTH CAROLINA DEPARTMENT OF
INSURANCE

[Redacted Signature]

Mark Silva

By: [Redacted Signature]

4-26-16

Angela Bord
Senior Deputy Commissioner

