

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	
)	CONSENT ORDER
Toni Carithers,)	
NPN 15908560,)	CASE NO. AG-13-444
)	
Respondent.)	

TO: Toni Carithers, TZ Insurance Solutions, LLC, 10101 David Taylor Drive, Suite 250, Charlotte, NC 28262-2372

Insurance Commissioner Adam Hamm (“Commissioner”) has determined as follows:

1. As a result of information obtained by the North Dakota Insurance Department (“Department”) regarding the conduct of Toni Carithers, NPN 15908560, (“Respondent”), the Commissioner has considered scheduling a formal hearing to determine whether Respondent’s conduct as alleged constitutes a basis for imposition of a civil penalty or any other action the Commissioner deems necessary. As more fully described below, Respondent’s conduct is alleged to be in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1.

2. N.D.C.C. § 26.1-26-15 requires that an applicant for a license must be deemed by the Commissioner to be competent, trustworthy, financially responsible, and of good personal and business reputation.

3. N.D.C.C. § 26.1-26-45.1 states:

26.1-26-45.1. Reporting of actions.

1. An insurance producer shall report to the commissioner any administrative action taken against the insurance producer's license in another jurisdiction or by another governmental agency in this state within thirty days of the final disposition of the matter. This report must include a copy of the order, consent to order, or other relevant legal documents.
2. Within thirty days after a criminal conviction, an insurance producer shall report to the commissioner any criminal conviction of the insurance producer taken in any jurisdiction. The report must include a copy of the initial complaint, the order issued by the court, and any other relevant legal documents.

4. According to information obtained by the Department, on or about January 17, 2013, Virginia revoked Respondent's nonresident producer license for failure to report a criminal conviction from 2008. Respondent failed to report the Virginia action to the Department within 30 days. Respondent's failure to report the Virginia administrative action within 30 days to the Department is a violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1.

5. According to information obtained by the Department, on or about May 28, 2013, Washington revoked Respondent's nonresident producer license for failure to report the Virginia administrative action. Respondent failed to report the Washington action to the Department within 30 days. Respondent's failure to report the Virginia administrative action within 30 days to the Department is a violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1.

6. Respondent acknowledges that at the time of signing the Consent to Entry of Order, she was aware of or had been advised of the right to a hearing in this matter,

to consult an attorney, to present argument to the Commissioner, to appeal from any adverse determination after a hearing, and Respondent expressly waives those rights.

7. Respondent has agreed to informal disposition of this matter, without a hearing, as provided under N.D.C.C. § 28-32-22.

8. For purposes of resolving this matter without further administrative proceedings, Respondent has agreed to enter into the following order.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Respondent agrees to pay a fine in the amount of \$200 payable by money order, cashier's check, or credit card to the North Dakota Insurance Department within 20 days of the effective date of this Order.

2. The use of this Consent Order for competitive purposes by an insurance agent or agency holding a license in the State of North Dakota, or by any company holding a Certificate of Authority, or by anyone on their behalf, may be deemed unfair competition and be grounds for suspension or revocation of said license or authority.

DATED at Bismarck, North Dakota, this 22nd day of January, 2014.



Adam Hamm
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Toni Carithers**, states that she has read the foregoing Consent Order, that she knows and fully understands its contents and effect; that she has been advised of the right to a hearing in this matter, the right to be represented by

legal counsel, the right to present evidence and arguments to the Commissioner, and the right to appeal from an adverse determination after hearing; and that by the signing of this Consent to Entry of Order he waives those rights in their entirety, and consents to entry of this Order by the Commissioner. It is further expressly understood that this Order constitutes the entire settlement agreement between the parties, there being no other promises or agreements, either expressed or implied.

DATED this 18th day of January, 2013. 2014

Toni E. Carithers
Toni Carithers

Subscribed and sworn to before me this 18th day of January, 2013. 2014

Angela R Wood / Angela R Wood
Notary Public

County of Cabarrus
State of North Carolina

My commission expires: August 07, 2017

