

STATE OF ARIZONA
Department of Insurance and Financial Institutions
FILED February 10, 2025 by MK

STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

POINDEXTER, CARLYLE TAYLOR

(National Producer No. 2458419)

and

SURETY ONE INC

(National Producer No. 16794524)

Respondents.

No. 24A-075-INS

CONSENT ORDER

The Arizona Department of Insurance and Financial Institutions (“Department”) has received evidence that **Carlyle Taylor Poindexter** (“**Poindexter**”) and **Surety One Inc** (“**Surety One**”), collectively “**Respondents**,” violated provisions of Title 20, Arizona Revised Statutes (“A.R.S.”). Respondents wish to resolve this matter without the commencement of formal proceedings, admit the following Findings of Fact are true, and consent to the entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Poindexter was at all material times licensed as an Arizona non-resident insurance producer, National Producer Number 2458419, with a line of authority in casualty insurance. The Department first licensed Poindexter on November 22, 2002. Respondent’s license is scheduled to expire on November 30, 2026.

1 2. Poindexter’s addresses of record with the Department are 404 Avda. De La
2 Constitucion 708, San Juan, Puerto Rico 00901-2245 (business and mailing) and
3 cpoindexter@suretyone.com (email).

4 3. Surety One is currently licensed as an Arizona non-resident insurance
5 producer, National Producer Number 16794524, with lines of authority in casualty and
6 property insurance. The Department first licensed Surety One on May 3, 2021. Surety
7 One’s license is scheduled to expire on May 31, 2025.

8 4. Surety One’s addresses of record with the Department are: 404 Avenida De
9 La Constitucion, #708, San Juan, Puerto Rico, 00901; P.O. Box 37284, Raleigh, North
10 Carolina 27627 (mailing); and underwriting@suretyone.com (email).

11 5. Poindexter was the Designated Responsible Licensed Producer of Surety One
12 until August 26, 2024.

13 6. On or about December 23, 2021, the Department received a letter from
14 Travelers Casualty & Surety Company (“Travelers”) notifying the Department that
15 “Travelers and its affiliates have terminated ... appointments for Carlyle Poindexter” due to
16 the Texas Department of Insurance’s (“TDI”) revocation of Respondents’ producer licenses.

17 7. The Department commenced an investigation into this matter. The
18 Department’s investigation determined the following:

19 a) On or about October 8, 2020, the TDI issued an Order revoking Respondents’
20 Texas general lines agent licenses with property and casualty qualifications. The
21 TDI found, among other findings, the following: i) Respondents willfully violated
22 a law; ii) Respondents misappropriated or converted to own use money that

1 belonged to an insured; iii) Respondents engaged in fraudulent or dishonest acts or
2 practices; iv) Respondents were not charging fees in compliance with Texas
3 Insurance Code; v) Respondents failed to obtain documented acknowledgment
4 and disclosure for received compensation.

5 b) On or about January 5, 2021, Poindexter notified several states in which he
6 held an insurance producer license of the TDI action by uploading a copy of the
7 TDI action in the National Insurance Producer Registry Attachment Warehouse
8 and selecting the states to be notified of this action. At that time, Poindexter failed
9 to select Arizona and properly notify the Department of the TDI action.

10 c) On or about April 30, 2021, Surety One submitted a license application with
11 the Department.

12 d) In the application, under Background Questions, Surety One answered "Yes"
13 to the following questions:

14 2: Has the business entity or any owner, partner, officer or
15 director of the business entity, or manager or member of a
16 limited liability company, ever been named or involved as a
17 party in an administrative proceeding, including a FINRA
18 sanction or arbitration proceeding regarding any professional or
19 occupational license, or registration?

20 7: In response to a "yes" answer to one or more of the
21 Background Questions for this application, are you submitting
22 document(s) to the NAIC/NIPR Attachments Warehouse?

23 7A: If you answer yes: Will you be associating (linking)
24 previously filed documents from the NAIC/NIPR Attachments
25 Warehouse to this application? **Note: If you have previously
26 submitted documents to the Attachments Warehouse that are
27 intended to be filed with this application, you must go to the
28 Attachments Warehouse and associate (link) the supporting
29 document(s) to this application based upon the particular**

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background question number you have answered yes to on this application. You will receive information in a follow-up page at the end of the application process, providing a link to the Attachment Warehouse instructions.

f) On or about January 25, 2024, the Florida Department of Financial Services, Division of Insurance Agent and Agency Services (“FLDOI”) issued Consent Orders against Respondents. Respondents agreed to surrender their Florida insurance licenses with “the same force and effect as a revocation” and not to apply to the FLDOI for another license within two (2) years of the effective date of voluntary surrender.

g) On or about March 1, 2024, the Utah Insurance Department issued a Surrender in Lieu of Administrative Action against Poindexter. Poindexter agreed to voluntarily surrender his Utah insurance license and not to apply for a new Utah insurance license for five (5) years from the date of the surrender.

h) On or about July 30, 2024, the California Department of Insurance issued a Special Notice of Defense by which Poindexter agreed to surrender his California license and licensing rights to act as an insurance producer.

i) On or about July 31, 2024, the Ohio Department of Insurance issued a Surrender for Cause against Poindexter’s Ohio insurance producer license in lieu of revocation or suspension order due to an “[a]ction on another insurance license.”

CONCLUSIONS OF LAW

- 8. The Director has jurisdiction over this matter.
- 9. Respondents’ conduct, as described above, constitutes a violation of Title 20

1 or any rule, subpoena or order of the Director. A.R.S. § 20-295(A)(2).

2 10. Respondents' conduct, as described above, constitutes providing incomplete
3 information in the license application. A.R.S. § 20-295(A)(1).

4 11. Respondents' conduct, as described above, constitutes having an insurance
5 producer license, or its equivalent, denied, suspended or revoked in any state, province,
6 district or territory. A.R.S. § 20-295(A)(9).

7 12. Respondents' conduct, as described above, constitutes failure to report an
8 administrative action in another jurisdiction within thirty (30) days of the final disposition
9 of the matter. A.R.S. § 20-301(A).

10 13. Grounds exist for the Director to suspend, revoke, or refuse to renew
11 Respondents' insurance producer licenses pursuant to A.R.S. § 20-295(A).

12 **ORDER**

13 **IT IS HEREBY ORDERED THAT:**

14 1. Carlyle Taylor Poindexter's Arizona non-resident insurance producer license,
15 number 16794524, is surrendered effective immediately.

16 2. Carlyle Taylor Poindexter shall not apply for an Arizona insurance producer
17 license for twelve (12) months following the issuance of this Order.

18 3. Surety One Inc's Arizona non-resident insurance producer license, number
19 2458419, is surrendered effective immediately.

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4. Surety One Inc shall not apply for an Arizona insurance producer license for twelve (12) months following the issuance of this Order

Effective this 10th day of February, 2025.

Barbara D. Richardson

Barbara D. Richardson, Director
Arizona Department of Insurance and Financial Institutions

CONSENT TO ORDER

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1. Respondents acknowledge that they have been served with a copy of the foregoing Consent Order in the above-referenced matter, have read it, are aware of their right to an administrative hearing in this matter and have knowingly and voluntarily waived that right.

2. Respondents accept the personal and subject matter jurisdiction of the Department over them in this matter.

3. Respondents acknowledge that no promise of any kind or nature has been made to induce them to sign the Consent to Order and they have done so knowingly and voluntarily.


4. Respondents acknowledge and agree that the acceptance of this Consent to Order by the Director is solely to settle this matter and does not preclude the Department from instituting other proceedings as may be appropriate now or in the future. Furthermore, and notwithstanding any language in this Consent Order, this Consent Order does not preclude in any way any other state agency or officer or political subdivision of this state from instituting proceedings, investigating claims, or taking legal action as may be appropriate now or in the future relating to this matter or other matters concerning Respondent, including but not limited to violations of Arizona’s Consumer Fraud Act. Respondents acknowledge that, other than with respect to the Department, this Consent Order makes no representations, implied or otherwise, about the views or intended actions of any other state agency or officer or political subdivision of the state relating to this matter or other matters concerning Respondents.

1 5. Respondents waive all rights to seek an administrative or judicial review or
2 otherwise to challenge or contest the validity of this Consent Order and its accompanying
3 parts before any court of competent jurisdiction.

4 6. Respondents acknowledge that this Consent Order is an administrative action
5 that the Department will report to the National Association of Insurance Commissioners
6 (NAIC). Respondents further acknowledge that they must report this administrative action
7 to any and all states in which Respondents hold an insurance license and must disclose this
8 administrative action on any license application.


9 7. Gabriel Palerm Martinez represents that he is the current Designated
10 Responsible Licensed Producer of Surety One Inc and is authorized to sign this Consent
11 Order on behalf of Surety One Inc.

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13 31 JAN, 25
DATE



CARLYLE TAYLOR POINDEXTER
(NATIONAL PRODUCER NO. 2458419)

14
15 31 January, '25
DATE



SURETY ONE INC
(NATIONAL PRODUCER NO. 16794524)
By: Sagrario Marcelino, President

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1 **COPY** of the foregoing delivered via email
this 10th day of February, 2025, to:

2 Carlyle Taylor Poindexter
3 404 Ave De La Constitucion, Apt 708
San Juan, PR 00901-2245
4 Andrew.McNichol@kutakrock.com
cc: cpoindexter@suretyone.com
5 Respondent

6 Surety One Inc
P.O. Box 37284
7 Raleigh, NC 27627
underwriting@suretyone.com
8 Respondent

9 **COPY** of the foregoing delivered/emailed same date, to:

10 Alena Caravetta, Regulatory Legal Affairs Officer
Ana Starcevic, Project Specialist
11 Catherine O’Neil, Consumer Regulatory Affairs Officer
Steven Fromholtz, Division Manager, Licensing
12 Linda Lutz, Legal Assistant, Licensing
Aqueelah Currie, Supervisor, Licensing
13 Wendy Greenwood, Chief Investigator
Arizona Department of Insurance and Financial Institutions
14 100 North 15th Avenue, Suite 261
Phoenix, Arizona 85007-2630

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16 *Mayra Kariem*

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