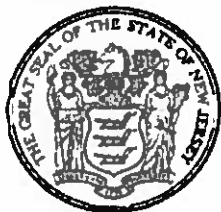


STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE
BUREAU OF FRAUD DETERRENCE



CONSENT ORDER 14-50149-03

In the Matter of:)
Luis Figueroa) CONSENT ORDER
488 20th Avenue)
Paterson, NJ 07513)
Respondent.)

THIS MATTER having been opened by the Bureau of Fraud Deterrence, Department of Banking and Insurance, State of New Jersey, upon information indicating that Respondent Luis Figueroa, currently residing at 488 20th Avenue, Paterson, NJ 07513, may have violated the provisions of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act"); and

WHEREAS, on November 4, 2013, Respondent Luis Figueroa ("Respondent") falsely reported to Drive New Jersey Insurance Company ("Drive New Jersey") that his insured vehicle was stolen, when in fact, it was not stolen, in support of an insurance claim Respondent submitted to Drive New Jersey; and

WHEREAS, Respondent admits that the above conduct constitutes a violation of the Fraud Act, N.J.S.A. 17:33A-4, and any future violation of the Fraud Act by Respondent shall be considered to be a second offense or subsequent offense; and

WHEREAS, Respondent has been informed that he has a right to notice and to request a hearing, in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 to -31, on the violation alleged herein before a civil and administrative penalty is imposed; and

WHEREAS, Respondent understands these rights and has voluntarily waived the right to notice and to a formal legal proceeding in this matter; and

WHEREAS, Respondent Luis Figueroa consents to pay a civil administrative penalty in the amount of \$3,650.00, consisting of \$3,000.00 in civil penalties, pursuant to N.J.S.A. 17:33A-5c; attorneys' fees of \$500.00, pursuant to N.J.S.A. 17:33A-5c; and a statutory fraud surcharge in the amount of \$150.00, pursuant to N.J.S.A. 17:33A-5.1; and

WHEREAS, the penalties of this Consent Order are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and the protection of the public health, safety and welfare, and are not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding; and

IT FURTHER APPEARING, that the matter is suitable for resolution upon consent of the parties and that Respondent and the Bureau of Fraud Deterrence desire to terminate this matter without further hearing or litigation, and for further good cause appearing:

NOW, THEREFORE, IT IS ON THIS 10TH day of Sept, 2018,

ORDERED AND AGREED as follows:

1. A civil administrative penalty of \$3,650.00 is imposed on Respondent Luis Figueroa. This amount consists of \$3,000.00 in civil penalties, pursuant to N.J.S.A. 17:33A-5c; attorneys' fees of \$500.00, pursuant to N.J.S.A. 17:33A-5c; and a statutory fraud surcharge in the amount of \$150.00, pursuant to N.J.S.A. 17:33A-5.1; and

2. Respondent Luis Figueroa shall remit payment of the civil administrative penalty of \$3,650.00 ordered above as follows:

- Upon execution of this Consent Order, but no later than August 20, 2018, Respondent shall remit to the attorney for the Commissioner a payment in the amount of \$1,150.00 by certified check, bank check, or money order made payable to the “**Commissioner, New Jersey Department of Banking and Insurance**” and sent to:

Daniel Pierre, Deputy Attorney General
Employment Counseling and Labor Section
R.J. Hughes Justice Complex
25 Market Street
P.O. Box 112
Trenton, N.J. 08625-0112; and

- Beginning October 1, 2018, and continuing thereafter on the first day of each consecutive month for ten months until July 1, 2019, Respondent shall pay the amount of \$250.00 by certified check, bank check or money order made payable to the “**Commissioner, New Jersey Department of Banking and Insurance**” and sent to:

Rose McGill, Fraud Collections
N.J. Department of Banking and Insurance
20 West State Street
P.O. Box 325
Trenton, NJ 08625

and

3. This Consent Order shall not be binding until it is signed by the Chief of Investigations, Bureau of Fraud Deterrence; and

4. Respondent consents to the entry of this final administrative order. Respondent understands that this final administrative order shall be docketed with the Clerk of the Superior Court as provided in the Penalty Enforcement Law, N.J.S.A. 2A:58-10 to -12; and

MARLENE CARIDE
COMMISSIONER OF THE NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE

By: Richard Besser
Richard Besser
Chief of Investigations
Bureau of Fraud Deterrence

CONSENTED TO AS TO FORM, CONTENT AND ENTRY OF ORDER:

Luis Figueroa
Luis Figueroa, Respondent

Dated: 8/20/18

Charles C. Festa III
Charles C. Festa III, Esq.,
Attorney for Respondent

Dated: 8/20/18

Dated: 9/5/18

Daniel Pierre
Daniel Pierre, Deputy Attorney General
Attorney for New Jersey Department of
Banking and Insurance