

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



CONSENT ORDER NO. 18-51440-41

In the Matter of)
Arthudella Pettiford)
13 Augusta Street)
Wrightstown, NJ 08562)
Respondent.)

CONSENT ORDER

THIS MATTER having been opened by the Bureau of Fraud Deterrence, Department of Banking and Insurance of the State of New Jersey, upon information indicating that Respondent, Arthudella Pettiford ("Pettiford"), currently residing at 13 Augusta Street, Wrightstown, New Jersey, may have violated the provisions of N.J.S.A. 17:33A-4, and

WHEREAS, Pettiford knowingly provided false and misleading information to Aflac Insurance Company ("Aflac") in support of a disability insurance claim. Specifically, Pettiford submitted fraudulent and forged disability claim forms to Aflac in support of her claim; and

WHEREAS, Pettiford admits the above conduct and that it constitutes a violation of N.J.S.A. 17:33A-1 to -30 ("Fraud Act"), specifically 17:33A-4(a)(1), and any future violation of the Fraud Act, shall be considered to be a second offense; and

WHEREAS, Pettiford has been informed that she 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, Pettiford understands these rights and has voluntarily waived the right to notice and to a formal legal proceeding in this matter, and~~

WHEREAS, Pettiford consents to pay a civil administrative penalty and surcharge in the amount of \$5,750.00 ("Settlement Amount") being due as follows:

1. \$750.00 shall be paid immediately upon execution of this Consent Order; and
2. \$156.25 installments shall be paid on the first of each month for 32 months, beginning May 1, 2020 until the remaining \$5,000.00 has been paid in full; and

WHEREAS, in the event of the failure by Pettiford to pay any Settlement Amount installment payment when due, the entire Settlement Amount shall be immediately due and payable, upon written notice by the Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner"); and

WHEREAS, all payments made towards the Settlement Amount shall be made by certified check, bank check, or money order made payable to the "Commissioner, Department of Banking and Insurance"; and

WHEREAS, Pettiford shall also pay restitution totaling \$1,946.66 to Aflac in accordance with the instructions set forth below;

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 the consent of ~~the parties and that Pettiford 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 25th day of March, 2020,

ORDERED AND AGREED as follows:

1. Pursuant to N.J.S.A. 17:33A-5(c), a civil administrative penalty of \$5,000.00 is imposed on Pettiford by the Commissioner;
2. Pursuant to N.J.S.A. 17:33A-5.1, Pettiford shall pay to the Commissioner a surcharge equal to five (5%) percent of the settlement amount, which is \$250.00, such amount to be in addition to the civil administrative penalty;
3. Pursuant to N.J.S.A. 17:33A-5(b), Pettiford shall pay to the Commissioner reasonable attorneys' fees of \$500.00, such amount to be in addition to the civil administrative penalty;
4. Pursuant to N.J.S.A. 17:33A-26, Pettiford shall pay to Aflac \$1,946.66 in restitution, such amount to be separate and apart from, and in addition to, the amounts paid to the Commissioner as set forth above;
5. Pettiford consents to the entry and terms of this final administrative order. Pettiford understands that this final administrative order may be docketed with the Clerk of the Superior Court pursuant to N.J.S.A. 2A:58-10, and be provided to any appropriate licensing authority; and

6. The penalties set forth in this Consent Order are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and 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~~

7. Pettiford shall remit payment of the Settlement Amount ordered above as follows:

a. \$750.00 as an initial down payment, due immediately upon execution of this Consent Order. Payment shall be made by certified check, bank check, or money order, made payable to the "Commissioner, New Jersey Department of Banking and Insurance." This signed Consent Order and initial down payment shall be returned to:

Brian R. Fitzgerald, Deputy Attorney General
Division of Law
25 Market Street
P.O. Box 117
Trenton, NJ 08625-0117; and

b. \$156.25 per month for 32 months, beginning May 1, 2019 until the remaining balance of \$5,000.00 has been paid off. Payment shall be made by certified check, bank check, or money order, made payable to the "Commissioner, New Jersey Department of Banking and Insurance."

The monthly payments shall be remitted to:

Commissioner
New Jersey Department of Banking and Insurance
Attn: Rose McGill, Fraud Collections
20 West State Street
P.O. Box 324
Trenton, NJ 08625

8. Pettiford shall remit payment of restitution to Aflac in the amount of \$1,946.66, which shall be paid to Aflac by certified check, bank check, or money order, made payable to

"Aflac." The restitution payment shall be remitted to:

~~Aflac~~
Attn: Special Investigations Unit
P.O. Box 5288
Columbus, GA 31906

MARLENE CARIDE
COMMISSIONER
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:**

Dated: 3/25/2020

Arthudella Pettiford
Arthudella Pettiford, Respondent, *pro se*

Dated: 5/5/2020

GURBIR S. GREWAL
ATTORNEY GENERAL OF NEW JERSEY
Brian R. Fitzgerald
By: Brian R. Fitzgerald
Deputy Attorney General
Attorney for the New Jersey Department
of Banking and Insurance