24C-263C

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

CONSENT ORDER NO. 23-53044-04

In the Matter of	)	**CONSENT ORDER**
Chris Schmitz	)	
2A Lake Avenue	)	
Helmetta, New Jersey 08828	)	
Respondent.	)	

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, Chris Schmitz, currently residing at 2A Lake Avenue, Helmetta, New Jersey 08828, may have violated the provisions of N.J.S.A. 17:33A-4; and

WHEREAS, Respondent, Chris Schmitz, knowingly provided materially false and misleading information to the Progressive Group of Insurance Companies when pursuing an automobile damage claim. Specifically, Respondent made multiple windshield damage claims on two separate dates (June 21, 2023 and June 28, 2023) when, in fact, the damage occurred prior to the insured adding glass coverage to his policy on June 22, 2023. Furthermore, in a statement to the carrier on June 20, 2023, the insured was asked if his insured vehicle had any prior glass damage which the insured denied. It was determined that the insured filed a glass claim for the same insured vehicle with Progressive Group of Insurance Companies on February 25, 2023 for a date of loss of September 1, 2022; and

WHEREAS, the above conduct constitutes a violation of N.J.S.A. 17:33A-1 et seq., and any future violation of N.J.S.A. 17:33A-1 et seq., shall be considered to be a second 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 et seq.), 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 consents to pay a civil administrative penalty in the amount of $2,500.00, and surcharge in the amount of $125.00, the total amount of $2,625.00 being due immediately by certified check, bank check or money order made payable to the "Acting Commissioner, Department of Banking and Insurance". This signed order and the payment shall be returned to Managing Investigator, Michael I. Palumbo, Bureau of Fraud Deterrence, Department of Banking and Insurance, PO Box 326, Trenton, New Jersey 08625; 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 the 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 23rd day of July, 2024,

ORDERED AND AGREED as follows:

1. Pursuant to N.J.S.A. 17:33A-5(c), civil administrative penalty of $2,500.00 is imposed on Respondent, Chris Schmitz.

2. Pursuant to N.J.S.A. 17:33A-5.1, Respondent shall pay to the Acting Commissioner, Department of Banking and Insurance, a surcharge equal to five (5%) percent of the settlement amount, which is $125.00, such amount to be in addition to the civil administrative penalty.

3. This Consent Order shall not be binding until it is signed by the Assistant Commissioner, Bureau of Fraud Deterrence.

4. Respondent consents to the entry of this final administrative order. Respondent understands that this final administrative order may be docketed with the Clerk of the Superior Court as provided in the Penalty Enforcement Law (N.J.S.A. 2A:58-1 et seq.).

JUSTIN ZIMMERMAN
ACTING COMMISSIONER
DEPARTMENT OF BANKING AND INSURANCE

By: ______________________
RICHARD BESSER
ASSISTANT COMMISSIONER
BUREAU OF FRAUD DETERRENCE

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

____
Chris Schmitz, Respondent

Dated: 7/13/24