ORDER NO. E26-08 ~~E24-~~

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

Proceedings by the Commissioner of Banking and Insurance, State of New Jersey, to fine and revoke the insurance producer license of Jahvon J. Thompson, Reference No. 1675910.	)	**FINAL ORDER**

TO: Jahvon Thompson
1115 NW 129th St.
North Miami, Florida 33168

This matter, having been opened by the Commissioner of Banking and Insurance ("Commissioner"), upon information that Jahvon J. Thompson ("Respondent"), State of New Jersey, may have violated various provisions of the insurance laws of the State of New Jersey; and

WHEREAS, Respondent was formerly licensed as a non-resident insurance producer in the State of New Jersey, pursuant to N.J.S.A. 17:22A-32(a), until his license expired effective July 31, 2022; and

WHEREAS, Respondent is subject to the provisions of the New Jersey Insurance Producer Licensing Act of 2001, N.J.S.A. 17:22A-26 to -48 ("Producer Act"); and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(d), the Commissioner shall retain the authority to enforce the provisions of and impose any penalty or remedy authorized by the Producer Act and Title 17 of the Revised Statutes or Title 17B of the New Jersey Statutes against any person who is under investigation for or charged with a violation of the Producer Act or Title

17 of the Revised Statutes or Title 17B of the New Jersey Statutes even if the person's license or registration has been surrendered or has lapsed by operation of law; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a), the Commissioner may place on probation, suspend, revoke or refuse to issue or renew an insurance producer's license or may levy a civil penalty in accordance with N.J.S.A. 17:22A-40(c), or may take any combination of actions, for any one or more of the violations listed in N.J.S.A. 17:22A-40(a)(1) through (19); and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a)(2), an insurance producer shall not violate any insurance law, regulation, subpoena, or order of the Commissioner or of another state's insurance regulator; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a)(9), an insurance producer shall not have an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory;

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a)(18), an insurance producer shall not fail to notify the Commissioner within 30 days of the suspension or revocation of any insurance license or authority by a state, other than this State, or the initiation of formal disciplinary proceedings in a state, other than this State, affecting the producer's insurance license, or fail to supply any documentation the Commissioner may request in connection therewith; and

WHEREAS, pursuant to N.J.S.A. 17:22A-47(a), an insurance producer shall report to the Commissioner any administrative action taken against the insurance producer in another jurisdiction or by another governmental agency in this State within 30 days of the final disposition of the matter. This report shall include a copy of the order, consent order or other relevant legal documents; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(c), any person violating any provision of the Producer Act shall be liable to a penalty not exceeding $5,000.00 for the first offense and not exceeding $10,000.00 for each subsequent offense; moreover, the Commissioner may order restitution of moneys owed any person and reimbursement of costs of investigation and prosecution; and

WHEREAS, the Commissioner issued Order to Show Cause E24-42 on July 31, 2024, alleging violations of New Jersey insurance laws by Respondent as set forth in the following Counts:

COUNT 1

IT APPEARING, that on or about November 7, 2019, the Iowa Insurance Division commenced an enforcement action against Respondent's insurance producer license in Iowa for committing the following unlawful acts: (1) misleading a consumer into believing that the consumer was purchasing a health plan that would provide insurance coverage for preexisting conditions, prescriptions and mental health service needs, when in fact it did not, and thereby also misrepresenting the benefits and limitations of the insurance policies; and (2) using fraudulent and dishonest practices and demonstrating incompetence and untrustworthiness; and

IT FURTHER APPEARING, that on January 28, 2020, the Iowa Insurance Division issued an order revoking Respondent's insurance producer license in Iowa for the above-refenced unlawful acts and assessing a penalty of $1,000 and costs of $935; and

IT FURTHER APPEARING, that Respondent failed to notify the Commissioner of the enforcement action and of the revocation of his insurance producer license in Iowa; and

IT FURTHER APPEARING that by having an insurance producer license revoked in Iowa, Respondent violated N.J.S.A. 17:22A-40(a)(2) and (a)(9); and

IT FURTHER APPEARING that by failing to notify the Commissioner of the enforcement action and of the revocation of his insurance producer license in Iowa, Respondent violated N.J.S.A. 17:22A-40(a)(18) and N.J.S.A. 17:22A-47(a); and

COUNT 2

IT FURTHER APPEARING, that on or about December 28, 2020, Respondent surrendered his insurance producer license in North Carolina to the North Carolina Department of Insurance and agreed not to re-apply for another license for a period of five years; and

IT FURTHER APPEARING, that Respondent failed to notify the Commissioner of the surrender of his North Carolina insurance producer license and his agreement not to re-apply for another license; and

IT FURTHER APPEARING that by failing to notify the Commissioner of the surrender of his insurance producer license in North Carolina and his agreement not to re-apply for another license, Respondent violated N.J.S.A. 17:22A-40(a)(18) and N.J.S.A. 17:22A-47(a); and

COUNT 3

IT FURTHER APPEARING, that on or about February 5, 2021, Respondent surrendered for cause his insurance producer license in Ohio to the Ohio Department of Insurance for "providing incorrect/untrue information in a licensing application" and having an "action on another insurance license"; and

IT FURTHER APPEARING, that Respondent failed to notify the Commissioner of the surrender for cause of his insurance producer license in Ohio; and

IT FURTHER APPEARING that by failing to notify the Commissioner of the surrender for cause of his insurance producer license in Ohio, Respondent violated N.J.S.A. 17:22A-40(a)(18) and N.J.S.A. 17:22A-47(a); and

IT FURTHER APPEARING, that as set forth in the certification of service of Garen Gazaryan, Deputy Attorney General, attached hereto as Exhibit A, Respondent was given notice of the aforesaid charges and an opportunity to contest the charges at a hearing pursuant to Order to Show Cause E24-42, which was duly served on Respondent by certified mail, return receipt requested, and regular mail, and neither was returned as undeliverable; and

IT FURTHER APPEARING, that mailing of the Order to Show Cause by regular and certified mail to Respondent constitutes lawful service, pursuant to N.J.A.C. 11:17D-2.1(a)(3); and

IT FURTHER APPEARING, that Respondent failed to provide a written response to the charges contained in Order to Show Cause E24-42 within twenty days as provided by N.J.A.C. 11:17D-2.1(d)(1), and therefore waived his right to a hearing to contest these charges and the charges are deemed admitted, pursuant to N.J.A.C. 11:17D-2.1(b)(1);

IT FURTHER APPEARING, in Kimmelman v. Henkels & McCoy, Inc., 108 N.J. 123, 137-139 (1987), the Supreme Court established seven factors to be considered in determining the imposition of civil fines in administrative proceedings ("Kimmelman factors"); and

IT FURTHER APPEARING, the seven Kimmelman factors are as follows: (l) the good or bad faith of the defendant; (2) defendant's ability to pay a civil fine; (3) the amount of profits obtained from the illegal activity; (4) the injury to the public; (5) the duration of the misconduct; (6) the existence of criminal or treble damages actions; and (7) the past violations of defendant; and

IT FURTHER APPEARING, the Kimmelman factors apply to this matter as follows: (1) Respondent showed bad faith by failing to notify the Department of the revocation of his insurance license in Iowa and of the surrender of his insurance license in North Carolina and Ohio; (2) Respondent has not provided any evidence of his inability to pay a civil fine; (3) Respondent did not obtain profits from his violations; (4) there is injury to the public from the Department not being properly aware and able to respond to the discipline of Respondents' licenses in other states; (5) Respondent's violations occurred from November 7, 2019 to February 5, 2021; (6) there are no criminal or treble damages actions resulting from Respondent's misconduct; and (7) Respondent had no past violations with the Department; and

NOW, THEREFORE, IT IS on this 20th day of January, 2026;

ORDERED, that the charges contained in the Order to Show Cause E24-42 are deemed admitted by Respondent, pursuant to N.J.A.C. 11:17D-2.1(b)(1); and

IT IS FURTHER ORDERED, that pursuant to N.J.S.A. 17:22A-40, and N.J.A.C. 11:17D-2.1(b)(2), the expired non-resident insurance producer license of Respondent is hereby **REVOKED** effective upon the execution of this Final Order; and

IT IS FURTHER ORDERED, that pursuant to N.J.S.A. 17:22A-45(c), Respondent shall pay a civil penalty in the total amount of $4,500.00 to the Commissioner, as follows: for the violation stated in Count 1 of the OTSC - $2,500.00, for the violation stated in Count 2 of the OTSC - $1,000.00, and for the violation stated in Count 3 of the OTSC - $1,000.00; and

IT IS FURTHER ORDERED, that pursuant to N.J.S.A. 17:22A-45(c) and N.J.A.C. 11:1-32.4(b)(2), Respondent shall reimburse the Department of Banking and Insurance, Division of Insurance Enforcement, for the costs associated with the investigation and prosecution of this matter, as evidenced by the Certification of Costs by Investigator Drew Gowen, attached as Exhibit B, totaling $412.50. The Commissioner has reviewed the investigative costs application and finds the amount of time to be reasonable; and

IT IS FURTHER ORDERED, that Respondent shall pay the above penalties and costs totaling $4,612.50 to the Commissioner of Banking and Insurance, State of New Jersey, P.O. Box 329, Trenton, New Jersey 08625, Attention: Eugene Shannon, Supervisor of Investigations, by certified check, cashier's check or money order made payable to the "State of New Jersey, General Treasury," within ten days from the date of service of this Order; and

IT IS FURTHER ORDERED, that in the event full payment of the penalty and costs is not made, the Commissioner may exercise any and all remedies available by law, including but not

limited to recovery of any unpaid penalties, in accordance with the Penalty Enforcement Law, N.J.S.A. 2A:58-10 to -12; and

IT IS FURTHER ORDERED, that the civil penalty in this Final Order is 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 is not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding; and

IT IS FURTHER ORDERED, that the provisions of this Final Order represent a final agency decision and constitute a final resolution of the allegations contained in Order to Show Cause No. E24-42.

Justin Zimmerman
Commissioner