ORDER NO. E26- 71

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 Underwriting Enterprises, Inc., and to fine, suspend and/or revoke the insurance producer license of John B. Uhr, Reference No. 8021766.	)))))))	**ORDER TO SHOW CAUSE**

TO: John B. Uhr
217 Greylock Parkway
Apt. C1
Belleville, NJ 07109-2814

Underwriting Enterprises, Inc.
c/o John B. Uhr
217 Greylock Parkway
Apt. C1
Belleville, NJ 07109-2814

THIS MATTER, having been opened by the Commissioner of Banking and Insurance, State of New Jersey ("Commissioner"), upon information that John B. Uhr ("Uhr") and Underwriting Enterprises, Inc. ("UEI") (collectively, "Respondents") may have violated various provisions of the insurance laws of the State of New Jersey; and

WHEREAS, Uhr is currently licensed as a resident insurance producer in the State of New Jersey pursuant to N.J.S.A. 17:22A-32(a); and

WHEREAS, UEI is a business entity created by Uhr and incorporated in the State of New Jersey on June 10, 2013 that engaged in the business of insurance, but was never licensed to act as an insurance producer in the State of New Jersey pursuant to N.J.S.A. 17:22A-32(b); and

WHEREAS, Respondents are 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"), the Producer Licensing regulations, N.J.A.C. 11:17-1.1 to -2.17 ("Producer Regulations"), and the regulations governing Insurance Producer Standards of Conduct, N.J.A.C. 11:17A-1.1 to 11:17D-2.8; 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)(3), an insurance producer shall not obtain or attempt to obtain a license through misrepresentation or fraud; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a)(8), an insurance producer shall not use fraudulent, coercive or dishonest practices, or demonstrate incompetence, untrustworthiness or financial irresponsibility in the conduct of insurance business in this State or elsewhere; 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 another state, province, district or territory; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a)(15), an insurance producer shall not intentionally withhold material information or make a material misstatement in an application for a license; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a)(16), an insurance producer shall not commit any fraudulent act; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a)(17), an insurance producer shall not knowingly facilitate or assist another person in violating any insurance laws; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a)(18), an insurance producer shall notify the

Commissioner within 30 days of his conviction of any crime, indictment, or the filing of any formal criminal charges; and

WHEREAS, pursuant to N.J.S.A. 17:22A-28, an "Insurance producer" means a person required to be licensed under the laws of this State to sell, solicit or negotiate insurance; and

WHEREAS, pursuant to N.J.S.A. 17:22A-32(b), a business entity acting as an insurance producer shall obtain an insurance producer license; and

WHEREAS, pursuant to N.J.S.A. 17:22A-33(f), licensees shall inform the Commissioner by any means acceptable to the Commissioner of a change of address within 30 days of the change; 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-47(b), within 30 days of the initial pretrial hearing date, an insurance producer shall report to the Commissioner any criminal prosecution of the producer taken in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing and any other relevant legal documents; and

WHEREAS, pursuant to N.J.A.C. 11:17A-l.3(a), except as provided in N.J.A.C. 11:17B-2.l(b) or (e), no person shall act as an insurance producer or maintain or operate any office in this State for the transaction of the business of an insurance producer, or receive any commission, brokerage fee, compensation or other consideration for services rendered as an insurance producer, without first obtaining a license from the Commissioner granting authority for the kind of

insurance transacted; and

WHEREAS, pursuant to N.J.A.C. 11:17A-1.3(b), unless otherwise specifically provided by the Producer Act, any person who solicits, negotiates or sells contracts of insurance in New Jersey shall be considered to be transacting the business of insurance in New Jersey so as to require licensure as an insurance producer; and

WHEREAS, pursuant to N.J.A.C. 11:17A-1.3(c), engaging in a single act or transaction of the business of an insurance producer, or holding oneself out to the public or an insurance producer as being so engaged, shall be sufficient proof of engaging in the business of an insurance producer as to require licensure pursuant to N.J.S.A. 17:22A-26 et seq.; and

WHEREAS, pursuant to N.J.A.C. 11:17A-1.3(d), no licensed insurance producer shall permit or allow any unlicensed person to transact the business of an insurance producer; and

WHEREAS, pursuant to N.J.A.C. 11:17A-1.4(a), no person shall solicit, negotiate or sell an insurance contract unless he or she is a licensed producer; and

WHEREAS, pursuant to N.J.A.C. 11:17A-4.8, an insurance producer shall reply, in writing, to any inquiry of the Department of Banking and Insurance ("Department") relative to the business of insurance within the time requested in said inquiry, or no later than 15 calendar days from the date the inquiry was made or mailed in cases where no response time is given; and

WHEREAS, pursuant to N.J.A.C. 11:17-2.8(a), no resident licensed individual producer shall conduct insurance business under a name other than his or her legal name unless the name has been filed with and approved by the Department; and

WHEREAS, pursuant to N.J.A.C. 11:17-2.8(c), no resident business entity shall conduct insurance business unless the business name has been filed with and approved by the Department; and

WHEREAS, pursuant to N.J.A.C. 11:17-2.8(f)(1), all licensees shall provide the Department with a complete and current business mailing address, and, if different, a street or location address, phone number and, if applicable, email address. Individual licensees shall also provide the Department with a complete and current residence address, phone number and, if applicable, email address; and

WHEREAS, pursuant to N.J.A.C. 11:17-2.8(f)(2), all licensees shall provide in the format prescribed by the Department notification of any change of business mailing or location address, residence address, phone numbers and email addresses within 30 days of the change; 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 for violating the Producer Act; and

WHEREAS, pursuant to N.J.S.A. 17:22A-45(c), any person violating the Producer Act is subject to a penalty of up to $5,000.00 for the first offense and up to $10,000.00 for each subsequent offense; additionally, the Commissioner may order restitution of moneys owed any person and reimbursement of costs of the investigation and prosecution; and

COUNT 1

IT APPEARING, that Uhr was licensed on February 25, 2005 as an insurance producer in the State of Louisiana, and subsequently surrendered his Louisiana insurance producer's license on December 2, 2014; and

IT FURTHER APPEARING, that a 2014 investigation by the Louisiana Department of Insurance ("LDI"), the Louisiana Workforce Commission, and the Louisiana Attorney General's Office, determined that Uhr issued fraudulent certificates of insurance for workers' compensation

and other policies, forged policyholder's names in conjunction with these fraudulent policies, and failed to remit $24,000 in premium received; and

IT FURTHER APPEARING, that on or about October 20, 2015, Uhr was arrested by law enforcement in Louisiana for felony theft; and

IT FURTHER APPEARING, that on May 17, 2016, a Pretrial Hearing was held in Louisiana involving the arrest and felony theft charges; and

IT FURTHER APPEARING, that on October 20, 2016, the LDI issued a "Notice of Violation and Commissioner's Action" that revoked Uhr's insurance producer license pursuant to the investigation, and fined Uhr the amount of $1,000; and

IT FURTHER APPEARING, that on April 5, 2017, Uhr was accepted into a pretrial diversion program ("PTI") in Louisiana on the felony theft charges; and

IT FURTHER APPEARING, that on October 11, 2017, the LDI issued a Cease and Desist Order against Uhr for soliciting insurance in that state without a valid insurance producer license, and fined Uhr the amount of $1,000; and

IT FURTHER APPEARING, that by having an insurance producer license revoked in Louisiana, and by soliciting insurance in that state without a valid insurance producer license, Uhr violated N.J.S.A. 17:22A-40(a)(2), (8) and (9); and

COUNT 2

IT FURTHER APPEARING, that Uhr failed to notify the Commissioner of his October 2015 arrest for felony theft, the May 17, 2016 Pretrial Hearing, his acceptance into PTI on April 5, 2017, the October 20, 2016 revocation of his insurance producer license and fine by the LDI, and the October 11, 2017 administrative action and fine by the LDI, in violation of N.J.S.A. 17:22A-40(a)(2), (8) and (18) and N.J.S.A. 17:22A-47(a) and (b); and

COUNT 3

IT FURTHER APPEARING, that at all relevant times, UEI engaged in the business of insurance without a license to act as an insurance producer in violation of N.J.S.A. 17:22A-32(b); and

IT FURTHER APPEARING, that at all relevant times, Uhr was a New Jersey licensed insurance producer that was the registered agent for, and owned and controlled, UEI, and was individually responsible for all insurance related conduct of UEI; and

IT FURTHER APPEARING, Uhr was paid $27,696.35 in insurance commissions through UEI in six payments by A Biz Action Insure Me Agency between July 1, 2016 and November 30, 2016; and

IT FURTHER APPEARING, that Uhr sold, solicited, negotiated, and/or conducted insurance business through UEI without obtaining proper licensure for his business, in violation of N.J.S.A. 17:22A-40(a)(2), (8), (16) and (17); N.J.A.C. 11:17A-1.3(a), (b), (c) and (d); N.J.A.C. 11:17A-1.4(a); and N.J.A.C. 11:17-2.8(a) and (c); and

COUNT 4

IT FURTHER APPEARING, that Uhr completed and submitted to the Department applications to renew his insurance producer license in which he falsely answered "NO" to a question on the applications which asked: “2. Have you been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony, which has not been previously reported to this insurance department?"; and

IT FURTHER APPEARING, that contrary to his responses to Question No. 2 in his renewal applications, Uhr had been charged with committing felony theft in Louisiana and had been accepted into PTI; and

IT FURTHER APPEARING, that by submitting false answers and incorrect information to the Department in his applications to renew his insurance license, Uhr violated N.J.S.A. 17:22A-40(a)(2), (3), (8), (15) and (16); and

COUNT 5

IT FURTHER APPEARING, that Uhr failed to cooperate and respond to inquiries made by the Department, including regarding UEI's business activity, in violation of N.J.S.A. 17:22A-40(a)(2) and (8); and N.J.A.C. 11:17A-4.8; and

COUNT 6

IT FURTHER APPEARING, that Uhr failed to provide and/or update the Department with his accurate residential and business addresses, in violation of N.J.S.A. 17:22A-33(f), N.J.S.A. 17:22A-40(a)(2) and N.J.A.C. 11:17-2.8(f)(1) and (2).

NOW, THEREFORE, IT IS on this 22nd day of May , 2026

ORDERED, that Uhr appear and show cause why his New Jersey insurance producer license should not be suspended or revoked pursuant to N.J.S.A. 17:22A-40(a); and

IT IS FURTHER ORDERED, that Respondents appear and show cause why the Commissioner should not assess a civil penalty of up to $5,000 for the first violation and up to $10,000 for each subsequent violation of the Producer Act, and order Respondents to pay restitution of moneys owed to any person pursuant to N.J.S.A. 17:22A-45(c); and

IT IS FURTHER ORDERED, that Respondents appear and show cause why, in addition to any other penalty, they should not be required to reimburse the Department of Banking and Insurance for the costs of the investigation and prosecution as authorized by N.J.S.A. 17:22A-45(c); and

IT IS PROVIDED, that Respondents have the right to request an administrative hearing, to be represented by counsel or other qualified representative, at their own expense, to take testimony, to call or cross-examine witnesses, to have subpoenas issued, and to present evidence or argument if a hearing is requested; and

IT IS FURTHER PROVIDED, that unless a request for a hearing is received within twenty (20) days of the service of this Order to Show Cause, the right to a hearing in this matter shall be deemed to have been waived by Respondents, and the Commissioner shall dispose of this matter in accordance with law. A hearing may be requested by mailing the request to Matthew Gervasio, Supervisor of Investigations, Department of Banking and Insurance, P.O. Box 329, Trenton, New Jersey 08625, or by faxing the hearing request to the Department at (609) 292-5337. A copy of the request for a hearing shall also be sent to Jeffrey S. Posta, Deputy Attorney General, Banking and Insurance Section, 25 Market Street, P.O. Box 117, Trenton, New Jersey 08625-0117. The request shall contain the following:

(a) Respondents' full name, address and daytime telephone number;

(b) A statement referring to each charge alleged in this Order to Show Cause and identifying any defense intended to be asserted in response to each charge. Where the defense relies on facts not contained in the Order to Show Cause, those specific facts must be stated;

(c) A specific admission or denial of each fact alleged in this Order to Show Cause. Where Respondents have no specific knowledge regarding a fact alleged in the Order to Show Cause, a statement to that effect must be contained in the hearing request. Allegations of this Order to Show Cause not answered in the manner set forth above shall be deemed to have been admitted; and

(d) A statement requesting a hearing.

Susan Ochs
Commissioner