

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)	CONSENT
Leo Aloysius Yeager, Reference No. 1541898)	ORDER

TO: Leo Aloysius Yeager
38 West Woodland Avenue
Cape May Court House, NJ 08210

This matter, having been opened by the Commissioner of Banking and Insurance (“Commissioner”), State of New Jersey, upon information that Leo Aloysius Yeager (“Respondent”), currently licensed as a resident individual public adjuster, pursuant to N.J.S.A. 17:22B-5, may have violated various provisions of the public adjuster laws of the State of New Jersey; and

WHEREAS, the Respondent is subject to the provisions of Public Adjusters Licensing Act, N.J.S.A. 17:22B-1 et seq. (the “Public Adjusters Act”); and

WHEREAS, pursuant to N.J.S.A. 17:22B-14a(1) and N.J.A.C. 11:1-37.14(a) 1 and 2, a public adjuster shall not violate any provision of the insurance law, including any rules promulgated by the Commissioner, or violate any law in the course of his, or its, dealings as an adjuster; and

WHEREAS, pursuant to N.J.S.A. 17:22B-14a(4) and N.J.A.C. 11:1-37.14(a) 4 a public adjuster shall not demonstrate his, or its, incompetency, lack of integrity, bad faith, dishonesty, financial irresponsibility or untrustworthiness to act as an adjuster; and

WHEREAS, pursuant to N.J.A.C. 11:1-37.14(a) 16 a public adjuster shall not engage in the business of a public adjuster in New Jersey with an invalid or expired license; and

WHEREAS, pursuant to N.J.S.A. 17:22B-3a, no individual, firm, association or corporation shall act as a public adjuster in this State unless authorized to do so by virtue of a license issued or renewed pursuant to the Public Adjusters Act; and

WHEREAS, pursuant to N.J.S.A. 17:22B-3b, no adjuster shall act on behalf of an insured unless licensed as a public adjuster; and

WHEREAS, on February 29, 2016, the Respondent's New Jersey public adjuster license expired and remained inactive until it was renewed on May 31, 2016; and

WHEREAS, on April 18, 2016 the Respondent represented New Jersey resident JK for filing a damage claim with Farmers Mutual Fire Insurance Company during the time Respondent's adjuster license was inactive, in violation of N.J.S.A. 17:22B-3a and 3b, N.J.S.A. 17:22B-14a (1) and (4) and N.J.A.C. 11: 1-37.14 (a) 1, 2, 4, and 16; and

WHEREAS, the Respondent:

- 1) Has admitted responsibility for the aforementioned violations; and
- 2) Has cooperated with the investigation conducted by the New Jersey Department of Banking and Insurance ("Department"); and
- 3) Has asserted that the violations cited in this Consent Order were not willful;

and

WHEREAS, cause does exist under N.J.S.A. 17:22B-17 to impose a fine; and

WHEREAS, the Respondent has waived his right to a hearing on the aforementioned violations and consented to the payment of a fine in the amount of \$2,500.00; and

WHEREAS, this matter should be resolved upon the consent of the parties without resort to a formal hearing;

NOW, THEREFORE, IT IS on this ~~30th~~ ^{6th} day of ~~June~~ ^{July} 2017,

ORDERED AND AGREED, that the Respondent shall pay a fine in the amount of \$2,500.00; and

IT IS FURTHER ORDERED AND AGREED, that said fine shall be paid by certified check, cashier's check or money order made payable to the "State of New Jersey, General Treasury"; and

IT IS FURTHER ORDERED AND AGREED, that the signed Consent Order, together with the fine payment of \$2,500.00, shall be remitted to:

New Jersey Department of Banking and Insurance
ATTN: Virgil Downtin, Chief of Investigations
9th Floor, Consumer Protections Services, Enforcement Unit
P.O. Box 329
Trenton, New Jersey 08625-0329

and

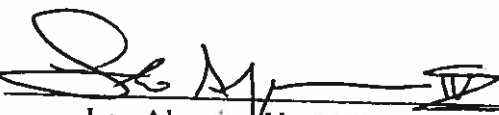
IT IS FURTHER ORDERED AND AGREED, that in the event full payment of the fine is not made, the Commissioner may exercise any and all remedies available by law, including but not limited to, recovery of any unpaid penalties in summary proceedings, in accordance with the penalty enforcement law, N.J.S.A. 2A:58-10 et seq.; and

IT IS FURTHER ORDERED AND AGREED, that the provisions of this Consent Order represent a final agency decision and constitute a final resolution of the violations contained herein; and

IT IS FURTHER ORDERED AND AGREED, that the Respondent shall cease and desist from engaging in the conduct that gave rise to this Consent Order.


Peter L. Hart
Director of Insurance

Consented to as to
Form, Content and Entry:

By: 
Leo Aloysius Yeager

Date: 6/30/17