

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



CONSENT ORDER NO. 12-53642-35

In the Matter of)	CONSENT ORDER
Gilberto Lozada-Arellano)	
270 Baldwin Rd., Apt. # H-16)	
Parsippany, NJ 07054)	
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, Gilberto Lozada-Arellano, currently residing at 270 Baldwin Road, Apt. # H-16, Parsippany, New Jersey, may have violated the provisions of N.J.S.A. 17:33A-4, and

WHEREAS, Respondent, Gilberto Lozada-Arellano, conspired with Cesar Cebezas on March 16, 2010 to conceal from the High Point Safety & Insurance Company (Plymouth Rock Assurance) that Gilberto Lozada-Arellano was the true owner and principal operator of a 2001 Dodge Caravan and principally garaged the vehicle at a location other than the policy address, 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 \$1,500.00, and surcharge in the amount of \$75.00, the total amount of \$1,575.00 being due immediately by certified check, bank check or money order made payable to the "Commissioner, Department of Banking and Insurance". This signed order and the payment shall be returned to

Managing Investigator, Ronald Dellanno, Bureau of Fraud Deterrence, Department of Banking and Insurance, One Apollo Dr., Whippany, NJ 07981; 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;

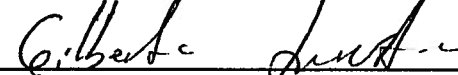
NOW, THEREFORE, IT IS ON THIS 16th day of July, 2014, ORDERED AND AGREED as follows:

1. Pursuant to N.J.S.A. 17:33A-5(c), civil administrative penalty of \$1,500.00 is imposed on Respondent, Gilberto Lozada-Arellano.
2. Pursuant to N.J.S.A. 17:33A-5.1, Respondent shall pay to the Commissioner, Department of Banking and Insurance, a surcharge equal to five (5%) percent of the settlement amount, which is \$75.00, 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 shall 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.).

KENNETH E. KOBYLowski
COMMISSIONER
DEPARTMENT OF BANKING AND INSURANCE

By: 
GARY HEUER
ASSISTANT COMMISSIONER
BUREAU OF FRAUD DETERRENCE

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


Gilberto Lozada-Arellano, Respondent

Dated: 7/8/14