

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



CONSENT ORDER NO. 21-53970-30

In the Matter of)	CONSENT ORDER
Garrett Wagner, Sr.)	
8 Chestnut Hill Drive)	
Toms River, NJ 08755)	
and		
Garrett Wagner Construction LLC)	
8 Chestnut Hill Drive)	
Toms River, NJ 08755)	
Respondents.)	

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 Respondents, Garrett Wagner, Sr. and Garrett Wagner Construction LLC, conducting business at 8 Chestnut Hill Drive, Toms River, New Jersey 08755, may have violated the provisions of N.J.S.A. 17:33A-4; and

WHEREAS, Respondents, Garrett Wagner, Sr. and Garrett Wagner Construction LLC, jointly and severally, did knowingly provide false and misleading information to a third-party business by presenting two fraudulent Certificate of Insurance documents dated July 12, 2021 and October 15, 2021, in order to secure employment; and

WHEREAS, the above conduct constitutes multiple violations 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 subsequent offense; and

WHEREAS, Respondents have been informed that they have 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, Respondents understand these rights and have voluntarily waived the right to notice and to a formal legal proceeding in this matter; and

WHEREAS, Respondents consent to pay, jointly and severally, a civil administrative penalty in the amount of \$2,000.00, and surcharge in the amount of \$100.00 against Garrett Wagner, Sr., Individually, and surcharge in the amount of \$100.00 against Garrett Wagner Construction LLC, Individually, the total amount of \$2,200.00 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, Michelle Moffett, Bureau of Fraud Deterrence, Department of Banking and Insurance, Five Executive Campus, Suite 205, Cherry Hill, New Jersey 08002; 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 Respondents 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 14th day of February, 2023,

ORDERED AND AGREED as follows:

1. Pursuant to N.J.S.A. 17:33A-5(c), civil administrative penalty of \$2,000.00 is imposed on Respondents, Garrett Wagner, Sr. and Garrett Wagner Construction LLC, jointly and severally.
2. Pursuant to N.J.S.A. 17:33A-5.1, Respondents shall each pay to the Commissioner, Department of Banking and Insurance, a surcharge equal to five (5%) percent

of the settlement amount, which is \$100.00 each, such amount to be in addition to the civil administrative penalty.

3. Respondents consent to the entry of this final administrative order.

Respondents understand 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:58-10 et seq.).

4. This Consent Order shall not be binding until it is signed by the Chief of Investigations, Bureau of Fraud Deterrence.

5. This Consent Order may be used against Respondents in any civil or administrative proceeding related to a violation of N.J.S.A. 17:33A-1 et seq., including a license suspension or revocation proceeding.

6. Pursuant to N.J.S.A. 17:33A-10(c), a copy of this Consent Order shall be provided to the appropriate licensing authority.

MARLENE CARIDE
COMMISSIONER
DEPARTMENT OF BANKING AND INSURANCE

By: Richard Besser
RICHARD BESSER
CHIEF OF INVESTIGATIONS
BUREAU OF FRAUD DETERRENCE

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

Garrett Wagner Sr.
Garrett Wagner, Sr., Respondent

2/4/23
Dated:

Garrett Wagner Jr.
Garrett Wagner Construction LLC, Respondent
By: Garrett Wagner, Jr.

2/6/23
Dated: