

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

23C-010N



CONSENT ORDER NO. 22-51125-04

In the Matter of) **CONSENT ORDER**
Byung Sun (Eric) Jin)
868 River Rd.)
Edgewater, NJ 07020)

and

K2 Auto Body)
868 River Rd.)
Edgewater, NJ 07020)
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, Byung Sun (Eric) Jin, and K2 Auto Body, both conducting business at 868 River Road, Edgewater, New Jersey, may have violated the provisions of N.J.S.A. 17:33A-4; and

WHEREAS, Respondents, Byung Sun (Eric) Jin, and K2 Auto Body, on March 24, 2022 knowingly conspired with another individual when providing false and misleading information to the Progressive Garden State Insurance Company in the pursuit of an auto property damage claim. Specifically, Mr. Jin and K2 Auto Body, reported the date of loss as

March 19, 2022, when in fact the loss occurred on or about February 24, 2022, which was prior to the policy inception; 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 \$2,500.00, and surcharge in the amount of \$125.00 against Byung Sun (Eric) Jin, Individually, and surcharge in the amount of \$125.00 against K2 Auto Body, Individually, the total amount of \$2,750.00 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 Drive, Whippany, New Jersey 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 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 28th day of February, 2023,

ORDERED AND AGREED as follows:

1. Pursuant to N.J.S.A. 17:33A-5(c), civil administrative penalty of \$2,500.00 is imposed on Respondents, Byung Sun (Eric) Jin, and K2 Auto Body, 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 \$125.00 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:

[Signature]
Byung Sun (Eric) Jin, Respondent

Dated:

2/23/23

[Signature]
K2 Auto Body, Respondent
By: Byung Sun (Eric) Jin

Dated:

2/23/23.