

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

21C-173N



**CONSENT ORDER NO. 21-52839-04**

In the Matter of	)	<b>CONSENT ORDER</b>
Nayeli Garcia	)	
128 3 <sup>rd</sup> St., Apt. #1	)	
Passaic, NJ 07055	)	
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, Nayeli Garcia, currently residing at 128 3<sup>rd</sup> Street, Apt. #1, Passaic, New Jersey, may have violated the provisions of N.J.S.A. 17:33A-4; and

WHEREAS, Respondent, Nayeli Garcia, knowingly concealed relevant information from Progressive Group of Insurance Companies on an automobile policy application. Specifically, Ms. Garcia obtained an automobile insurance policy on August 5, 2021 at 4:24 PM and failed to disclose that the vehicle had just been involved in an accident; and

WHEREAS, Respondent, Nayeli Garcia, knowingly provided false and misleading information to Progressive Insurance Group of Insurance Companies on August 8, 2021, in support of an automobile property damage claim. Specifically, Ms. Garcia reported that her vehicle had been involved in an accident on August 5, 2021 at 6:00 PM, when in fact, the accident occurred prior to policy inception; 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 she 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 \$3,000.00, and surcharge in the amount of \$150.00, the total amount of \$3,150.00 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 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 6 day of May, 2023,

ORDERED AND AGREED as follows:

25TH  
RB

May  
23

2023  
RB

1. Pursuant to N.J.S.A. 17:33A-5(c), civil administrative penalty of \$3,000.00 is imposed on Respondent, Nayeli Garcia.
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 \$150.00, 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 Chief of Investigations, Bureau of Fraud Deterrence.

4. Respondent consents to the entry of this final administrative order. Respondent understands 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:58-1 et seq.).

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:

Nayeli Garcia  
Nayeli Garcia, Respondent

Dated: 5/6/23