

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

23C-363N



CONSENT ORDER NO. 23-50334-47

In the Matter of)	CONSENT ORDER
Kim Ann Boritza)	
17 Witte Rd.)	
Hewitt, NJ 07421)	
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, Kim Ann Boritza, currently residing at 17 Witte Road, Hewitt, New Jersey, may have violated the provisions of N.J.S.A. 17:33A-4; and

WHEREAS, Respondent, Kim Ann Boritza, knowingly prepared and provided false and misleading statements on a Pet Insurance claim submitted to the Embrace Pet Insurance Company dated August 29, 2022. Ms. Boritza fabricated the dollar amount of the services rendered on four (4) separate altered invoices for veterinary treatments for her pet "Zoey", and collected monies that she was not entitled to; 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 "Acting Commissioner, Department of Banking and Insurance" and acknowledges restitution in the amount of \$1,361.20 payable to Embrace Pet Insurance Company LLC, 4530 Richmond Road, Cleveland, Ohio 44128. 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;

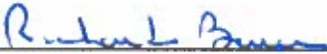
NOW, THEREFORE, IT IS ON THIS 8th day of November 2023,

ORDERED AND AGREED as follows:

1. Pursuant to N.J.S.A. 17:33A-5(c), civil administrative penalty of \$3,000.00 is imposed on Respondent, Kim Ann Boritza.
2. Respondent is bound to pay restitution in the amount of \$1,361.20 to Embrace Pet Insurance Company LLC.
3. Pursuant to N.J.S.A. 17:33A-5.1, Respondent shall pay to the Acting 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.
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:58-10 et seq.).

5. This Consent Order shall not be binding until it is signed by the Assistant Commissioner, Bureau of Fraud Deterrence.

JUSTIN ZIMMERMAN
ACTING COMMISSIONER
DEPARTMENT OF BANKING AND INSURANCE

By: 
RICHARD BESSER
ASSISTANT COMMISSIONER
BUREAU OF FRAUD DETERRENCE

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


Kim Ann Boritza, Respondent

Dated: 9/18/23