

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

23C-365N



CONSENT ORDER NO. 23-50341-51

In the Matter of)	CONSENT ORDER
Ivan Orellana)	
18 Summit Road)	
Elizabeth, NJ 07208)	
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, Ivan Orellana, currently residing at 18 Summit Road, Elizabeth, New Jersey, may have violated the provisions of N.J.S.A. 17:33A-4; and

WHEREAS, Respondent, Ivan Orellana, knowingly provided false and misleading information on a Statement of No Loss submitted to the Progressive Insurance Company dated January 4, 2023. Specifically, Mr. Orellana indicated that he was not involved in any accidents between December 24, 2022 and January 4, 2023 at 9:21 AM, when in fact, he was involved in a loss with the policy vehicle on January 4, 2023 at 9:05 AM; and

WHEREAS, Respondent, Ivan Orellana, knowingly provided false and misleading information on an Auto Property Damage claim with the Progressive Insurance Company. Specifically, Mr. Orellana stated that a crash occurred on January 4, 2023 at around 11:00 AM, when in fact, the accident occurred earlier that same day before he re-instated the insurance coverage; 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 \$3,500.00, and surcharge in the amount of \$175.00, the total amount of \$3,675.00 being due immediately by certified check, bank check or money order made payable to the "Acting 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 28th day of December 2023

ORDERED AND AGREED as follows:

1. Pursuant to N.J.S.A. 17:33A-5(c), civil administrative penalty of \$3,500.00 is imposed on Respondent, Ivan Orellana.
2. 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 \$175.00, 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 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.).

JUSTIN ZIMMERMAN
ACTING COMMISSIONER
DEPARTMENT OF BANKING AND INSURANCE

By: Richard Better
RICHARD BESSER
ASSISTANT COMMISSIONER
BUREAU OF FRAUD DETERRENCE

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

Ivan Orellana
Ivan Orellana, Respondent

Dated: 12/15/23