

IN THE MATTER OF:

Proceedings by the Commissioner of Banking
and Insurance, State of New Jersey, to fine and
suspend the insurance producer license of
Argentina Ramirez, Reference No. 8914201

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CONSENT ORDER

TO: Argentina Ramirez
60 Grand Avenue
Edison, New Jersey 08837

This matter, having been opened by the Commissioner of the Department of Banking and Insurance (“Commissioner”), and by the Real Estate Commission in the Department of Banking and Insurance, State of New Jersey, upon information that Argentina Ramirez (“Respondent”) may have violated various provisions of the insurance laws and real estate laws of the State of New Jersey; and

WHEREAS, Respondent is currently licensed as a resident insurance producer pursuant to N.J.S.A. 17:22A-32(a); and

WHEREAS, Respondent was licensed as a real estate salesperson, Reference No. 8838350, pursuant to N.J.S.A. 45:15-1, until her license expired on June 30, 2023; and

WHEREAS, Respondent is subject to the provisions of the New Jersey Insurance Producer Licensing Act of 2001, N.J.S.A. 17:22A-26 to -48 (“Producer Act”), the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 (“Fraud Act”), and the Real Estate Licensing Law, N.J.S.A. 45:15-1 to -29.5; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a), the Commissioner may place on probation, suspend, revoke or refuse to issue or renew an insurance producer’s license or may levy a civil

penalty in accordance with N.J.S.A. 17:22A-40(c), or may take any combination of actions, for any one or more of the violations listed in N.J.S.A. 17:22A-40(a)(1) through (19); and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a)(2), an insurance producer shall not violate any insurance law, regulation, subpoena, or order of the Commissioner or of another state's insurance regulator; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a)(5), an insurance producer shall not intentionally misrepresent the terms of an actual or proposed insurance contract, policy or application for insurance; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a)(8), an insurance producer shall not use fraudulent, coercive or dishonest practices, or demonstrate incompetence, untrustworthiness, or financial irresponsibility in the conduct of insurance business in this State or elsewhere; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a)(16), an insurance producer shall not commit any fraudulent act; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(c), any person violating any provision of the Producer Act shall be liable to a penalty not exceeding \$5,000.00 for the first offense and not exceeding \$10,000.00 for each subsequent offense; moreover, the Commissioner may order restitution of moneys owed any person and reimbursement of costs of investigation and prosecution; and

WHEREAS, pursuant to N.J.S.A. 17:33A-4(a)(4)(b), a person violates the Fraud Act if he or she prepares or makes any written or oral statement, intended to be presented to any insurance company or producer for the purpose of obtaining an insurance policy, knowing that the statement contains any false or misleading information concerning any fact or thing material to an insurance application or contract; and

WHEREAS, pursuant to N.J.S.A. 17:33A-5(a) and 5(c), violations of the Fraud Act subject the violator to a civil and administrative penalty of not more than \$5,000.00 for the first violation, \$10,000.00 for the second violation and \$15,000.00 for each subsequent violation; moreover, the Commissioner may issue a final order assessing restitution and costs of prosecution, including attorneys' fees; and

WHEREAS, pursuant to N.J.S.A. 17:33A-5.1, any person who is found in any legal proceeding to have committed insurance fraud shall be subject to a surcharge in the amount of \$1,000.00; and

WHEREAS, pursuant to N.J.S.A. 45:15-17(a), a real estate salesperson shall not make any false promises or any substantial misrepresentation; and

WHEREAS, pursuant to N.J.S.A. 45:15-17(e), a real estate salesperson shall not engage in any conduct which demonstrates unworthiness, incompetency, bad faith or dishonesty; and

WHEREAS, pursuant to N.J.S.A. 45:15-17(l), a real estate salesperson shall not engage in any other conduct, whether of the same or a different character than specified in N.J.S.A. 45:15-17, which constitutes fraud or dishonest dealing; and

WHEREAS, pursuant to N.J.S.A. 45:15-17, the Real Estate Commission may place on probation, suspend for a period less than the unexpired portion of the license period, or may revoke any license issued under the Real Estate Licensing Law, or the right of licensure when such person is no longer the holder of a license at the time of hearing, or may impose, in addition or as an alternative to such probation, revocation or suspension, a penalty of not more than \$5,000 for the first violation, and a penalty of not more than \$10,000 for any subsequent violation; and

WHEREAS, on June 9, 2022, the Commissioner issued Order to Show Cause E22-49, alleging the following:

ALLEGATIONS COMMON TO ALL COUNTS

IT APPEARING, that on or about August 17, 2016, Respondent was appointed with Farmers Insurance ("Farmers") as an agency producer; and

IT FURTHER APPEARING from May 11 to May 20, 2018, Respondent fabricated at least twenty-nine (29) renter's insurance applications to achieve her production goals and qualify for certain work benefits at Farmers; and

IT FURTHER APPEARING that in the insurance applications, Respondent used her former clients' personal information, without their knowledge or authorization; and

IT FURTHER APPEARING that Respondent submitted the fabricated insurance applications to Farmers, falsely representing to Farmers that the applications were genuine applications submitted with consumers' knowledge and authorization; and

IT FURTHER APPEARING that based on Respondent's false representations to Farmers that the applications were genuine, Farmer issued at least twenty-nine (29) renter's insurance policies; and

IT FURTHER APPEARING that Farmers paid Respondent \$1,666.00 in commissions for the fictitious insurance policies; and

IT FURTHER APPEARING that the fictitious insurance policies were later cancelled for non-payment of monthly premiums; and

IT FURTHER APPEARING that in June 2018, Farmers confronted Respondent about the fictitious applications, and Respondent admitted that the insurance applications were not authorized by the consumers; and

IT FURTHER APPEARING that on January 7, 2019, Farmers terminated Respondent's appointment with Farmers; and

COUNT 1 (Producer Act violations)

IT FURTHER APPEARING that by fabricating at least twenty-nine (29) renter's insurance applications and later submitting them to Farmers for binding, Respondent violated N.J.S.A. 17:22A-40(a)(2), (5), (8), and (16); and

IT FURTHER APPEARING that each act of fabricating an insurance application and later submitting it to Farmers for binding constitutes a separate violation of the Producer Act; and

COUNT 2
(Fraud Act violations)

IT FURTHER APPEARING that by falsely representing to Farmers when submitting at least twenty-nine (29) fabricated insurance applications that the applications were genuine and that they were authorized by consumers, when in fact they were not, Respondent violated N.J.S.A. 17:33A-4(a)(4)(b); and

IT FURTHER APPEARING that each act of submitting a fabricated insurance application to Farmers constitutes a separate violation of the Fraud Act; and

COUNT 3
(Real Estate Licensing Act violations)

IT FURTHER APPEARING that by fabricating at least twenty-nine (29) renter's insurance applications and later submitting them to Farmers for binding, Respondent violated N.J.S.A. 45:15-17(a), (e), and (l); and

IT FURTHER APPEARING that each act of fabricating an insurance application and later submitting it to Farmers for binding constitutes a separate violation of the Real Estate Licensing Act; and

WHEREAS, Respondent was given notice of the aforesaid allegations and an opportunity to contest them at a hearing; and

WHEREAS, on July 20, 2022, Respondent requested a hearing, and this matter was transmitted to the Office of Administrative Law as a contested matter; and

WHEREAS, Respondent admits and takes responsibility for the aforementioned violations of law; and

WHEREAS, this matter should be resolved upon the consent of all parties without resort to a formal hearing; and

WHEREAS, Respondent has waived her right to a hearing; and

WHEREAS, good cause exists to impose a civil penalty in this matter; and
NOW, THEREFORE, IT IS on this 10th day of April 2024,

IT IS ORDERED AND AGREED that, pursuant to N.J.S.A. 17:22A-40(a), Respondent's insurance producer license is **SUSPENDED** for a period of three months from the date of this Order; and

IT IS FURTHER ORDERED AND AGREED that, for a period of five years from the date of this Order, Respondent shall not apply to the Real Estate Commission to renew or reinstate her expired real estate salesperson license, Reference No. 8838350, and shall not apply for a new license; and

IT IS ORDERED AND AGREED that simultaneously with execution of this Consent Order by Respondent, she shall pay a civil penalty in the amount of \$15,000.00 by certified check, official bank check, or money order made payable to the "State of New Jersey," which shall be sent to counsel for the Department; and


IT IS FURTHER ORDERED AND AGREED that Respondent shall cease and desist from engaging in the conduct that gave rise to this Consent Order; and

IT IS FURTHER ORDERED AND AGREED that the terms of the Consent Order relating to Respondent's real estate salesperson license were approved by the Real Estate Commission at a regular meeting on April 9, 2024; and

IT IS FURTHER ORDERED AND AGREED that the provisions of this Consent Order represent a final agency decision and constitute final resolution of the violations contained herein.



Justin Zimmerman
Acting Commissioner

CONSENTED TO AS TO FORM, CONTENT AND ENTRY:



Argentina Ramirez
(Respondent)

Date: 3/7/24



Matthew Caminiti, Esq.
Duane Morris LLP
(Counsel for Respondent)

Date: 3/6/2024

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY
Counsel for NJDOBI



By: Garen Gazaryan
Deputy Attorney General

Date: 3/28/2024