STATE OF NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

Proceedings by the Commissioner of Banking)	
and Insurance, State of New Jersey, to fine and)	CONSENT ORDER
revoke the insurance license of,)	
Jesus Tolentino, Reference No. 1597792	Ś	

To:

Jesus Tolentino 642 Hallmark Dr Unit 4 Glen Burnie, MD 21061-4768

This matter, having been opened by the Commissioner of Banking and Insurance ("Commissioner"), State of New Jersey, upon information that Jesus Tolentino ("Respondent"), formerly licensed as a resident insurance producer, pursuant to N.J.S.A. 17:22A-32a, may have violated various provisions of the insurance laws of the State of New Jersey; 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 (the "Producer Act") and the New

Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 (the "Fraud Act"); and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a, the Commissioner may place on probation, suspend, revoke, or refuse to renew an insurance producer's license, and may levy a civil penalty for a violation of the Producer Act; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a(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-40a(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-40a(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. 17:33A-4(a)(4)(b), no person shall prepare or make 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, between August 11 and August 21, 2019, the Respondent submitted three applications for Individual Life Insurance policies, in which the resident addresses of the three applicants were inaccurate, in violation of N.J.S.A. 17:22A-40 (2), (7) and (8) and N.J.S.A. 17:33A-4a(4)(b); and

IT FURTHER APPEARING, that the Respondent:

- 1) Has admitted responsibility for the aforementioned violations; and
- Has cooperated with the investigation conducted by the Department; and WHEREAS, cause does exist under N.J.S.A. 17:22A-40, N.J.S.A. 17:22A-45c, and N.J.S.A. 17:33A-5c to impose a fine; and

WHEREAS, the Respondent has waived the right to a hearing on the aforementioned violations and consents to the revocation of his insurance producer license, Reference Number 1597792, payment of a fine in the amount of two thousand dollars (\$2,000.00) for violations of the Producer Act and payment of a fine in the amount of five thousand dollars (\$5,000.00) for violations of the Fraud Act: and

WHEREAS, pursuant to N.J.S.A. 17:33A-5.1, Respondent shall pay a statutory insurance surcharge of \$250.00; and

WHEREAS, this matter should be resolved upon the consent of the Parties without resort to a formal hearing; NOW, THEREFORE, IT IS on this 7 day of July

ORDERED AND AGREED, that the Respondent's resident insurance producer license, Reference Number 1597792, is revoked pursuant to N.J.S.A. 17:22A-40a, and said license shall be immediately returned to the Department upon execution of this Consent Order by the Respondent; and

IT IS FURTHER ORDERED AND AGREED, that the Respondent pay a fine totaling \$7,250.00 to the Department; and

IT IS FURTHER ORDERED AND AGREED, that said fine shall be paid by certified check, cashier's check or money order made payable to the "State of New Jersey, General Treasury," which shall be paid upon execution of this Consent Order by Respondent; and

IT IS FURTHER ORDERED AND AGREED that the signed Consent Order, together with the respondent's resident producer license and fine payment of \$7,250.00, shall be remitted to:

> New Jersey Department of Banking and Insurance Attention: Matthew Gervasio-Supervising Investigator

9th Floor, Consumer Protection Services, Enforcement P. O. Box 329 Trenton, New Jersey 08625-329

and;

IT IS FURTHER ORDERED AND AGREED, that pursuant to N.J.A.C. 11:17D-2.7, Respondent is barred from applying for an insurance producer license for a period of five years from the date of the commissioner's issuance of this Consent Order and shall comply with N.J.A.C. 11:17E-1.3 should be seek to be employed in the business of insurance in this State; and

IT IS FURTHER ORDERED AND AGREED, that pursuant to N.J.S.A. 17:33A-5a(2), Respondent shall pay Mutual of Omaha restitution in the total amount of \$5,896.48 following the receipt of the signed order. Respondent shall deliver such payment to Mutual of Omaha at the previously provided address. Respondent shall provide proof to the Department of Banking and Insurance of payment of this restitution; and

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

Justin Zimmerman Commissioner

Consented to as to Form, Entry and Content:

By:

Jesus Tolentino

Date: