

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 Colonial Title and Abstract Service, LLC.,)	CONSENT
Ref. No. 8015976 and Eugene J. Riesebeck,)	ORDER
Ref. No. 8015978)	

TO: Colonial Title and Abstract Service, LLC.,	Eugene J. Riesebeck
19 State Route 10 East	19 State Route 10 East
Suite 10	Suite 10
Succasunna, NJ 07876	Succasunna, NJ 07876

This matter, having been opened to the Commissioner of Banking and Insurance (“Commissioner”), State of New Jersey, upon information that Colonial Title and Abstract Service, LLC. (“Colonial Title”), currently licensed as a resident business entity insurance producer pursuant to N.J.S.A. 17:22A-32b, and Colonial Title’s designated responsible licensed producer Eugene J. Riesebeck (“Riesebeck”), currently licensed as a resident individual insurance producer and designated to be responsible for Colonial’s compliance with the insurance laws, rules, and regulations of this State pursuant to N.J.S.A. 17:22A-32a and N.J.S.A. 17:22A-32b(2), have violated various provisions of the insurance laws of the State of New Jersey; and

WHEREAS, Colonial Title and Riesebeck (collectively known as “Respondents”) are subject to the provisions of New Jersey Insurance Producer Licensing Act of 2001, N.J.S.A. 17:22A-26 et seq.; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a (2) an insurance producer shall not violate any insurance laws, or violate any 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 (8), an insurance producer shall not use coercive, or dishonest practices, or demonstrate incompetence, untrustworthiness or financial irresponsibility in the conduct of insurance business in this State; and

WHEREAS, pursuant to N.J.S.A. 17:46B-34, no title insurance company shall pay, allow or give, or offer to pay, allow or give, directly or indirectly, any commission or part of its fee or charge or any other consideration as an inducement or compensation for the placing or procuring of any order for title insurance; and

WHEREAS, pursuant to N.J.S.A. 17:46B-35a, no title insurance company shall pay, allow or give, or offer to pay, allow or give, directly or indirectly, as an inducement to insure, or after insurance has been affected, any rebate, discount, abatement, credit or reduction of premium or special favor, advantage, or other benefit to accrue thereon or any valuable consideration or inducement whatever, not specified or provided for in the policy; and

IT APPEARING, that beginning in March 2012 and ending in July 2014, Respondent Colonial Title began the "Partnering with Homebuyer's Program," which paid homebuyers an advertising fee in the form of a credit on their title insurance invoice for those who agreed to display a sign in a window or on the lawn of their new home, advertising that they purchased their title insurance policy through Colonial Title, in violation of N.J.S.A. 17:46B-34, N.J.S.A. 17:46B-35a, and N.J.S.A. 17:22A-40a (2) and (8); and

IT FURTHER APPEARING, that cause does exist under N.J.S.A. 17:22A-40a and N.J.S.A. 17:22A-45c, to impose a fine; and

IT FURTHER APPEARING, that Respondents, having waived their right to a hearing on the aforementioned violations and consented to the payment of a fine in the amount of \$1,500.00; and

IT FURTHER APPEARING, that this matter should be resolved upon the consent of the parties without resort to a formal hearing on the aforementioned violations; and

NOW, THEREFORE, IT IS on this 9th day of October, 2014

ORDERED AND AGREED, that Respondent pay a fine in the amount of \$1,500.00 to the Department of Banking and Insurance; 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, with a payment of \$1,500.00 due and payable immediately upon execution of this Consent Order by Respondents; and


IT IS FURTHER ORDERED AND AGREED, that the signed Consent Order together with the fine payment of \$1,500.00 shall be remitted to:

New Jersey Department of Banking and Insurance
Attention: Virgil Downtin – Chief of Investigations
9th Floor, Consumer Protection Services, Enforcement
P. O. Box 329
Trenton, New Jersey 08625

IT IS FURTHER ORDERED AND AGREED, that in the event full payment of the fine is not made in accordance with this Order, the Commissioner may exercise any and all remedies available by law, including but not limited to recovery of any unpaid penalties in summary proceedings, in accordance with the penalty enforcement law N.J.S.A. 2A:58-10 et seq.; and

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

IT IS FURTHER ORDERED AND AGREED, that Respondents shall cease and desist from engaging in the conduct that gave rise to this Consent Order and hereafter shall comply in all respects with the New Jersey insurance laws and regulations.




Peter L. Hart
Acting Director of Insurance

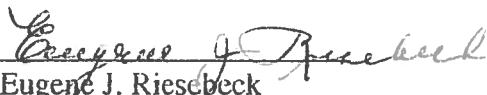
Consented to as to
Form and Content

Colonial Title and Abstract Service, LLC.

By: 
Colonial Title and Abstract Service, LLC.


BY: _____
Title: President

10/16/14
Date


Eugene J. Riesbeck
Individually

10/16/14
Date