

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

Proceeding by the Commissioner of Banking)
and Insurance, State of New Jersey, to fine) CONSENT
John B. Anderson, Reference No. 0195631) ORDER

TO: John B. Anderson
19 Morford Place, Apt. # 2E
Red Bank, New Jersey 07701

This matter, having been opened by the Commissioner of Banking and Insurance (“Commissioner”), State of New Jersey, upon information that John B. Anderson, currently licensed as a resident insurance producer, (“Respondent”), pursuant to N.J.S.A. 17:22A-32, may have violated various provisions of the insurance laws of the State of New Jersey; and

WHEREAS, the Respondent is 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 (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; and

WHEREAS, pursuant to N.J.S.A. 17:22A-29, a person shall not sell, solicit or negotiate insurance in this State unless the person is licensed for that line of authority in accordance with this act; and

WHEREAS, pursuant to N.J.S.A. 17:22A-33(f), a licensee shall inform the Commissioner by any means acceptable to the commissioner of a change of address within 30 days of the change; and

WHEREAS, pursuant to N.J.A.C. 11:17A-1.3(a), no person shall act as an insurance producer or maintain or operate any office in this State for the transaction of the business of an insurance producer, or receive any commission, brokerage fee, compensation or other consideration for services rendered as an insurance producer, without first obtaining a license from the Commissioner granting authority for the kind of insurance transacted; and

WHEREAS, pursuant to N.J.A.C. 11:17A-4.8, an insurance producer shall reply, in writing, to any inquiry of the Department relative to the business of insurance within the time requested in said inquiry, or no later than 15 calendar days from the date the inquiry was made or mailed in cases where no response time is given; and

WHEREAS, pursuant to N.J.A.C. 11:17-2.7(f) 1, all licensees shall provide the Department with a complete and current business mailing address, and, if different, a street or location address, phone number and, if applicable, e-mail address. Individual licensees shall also provide the Department with a complete and current residence address, phone number and, if applicable, e-mail address; and

IT APPEARING, that the Respondent while an agent for UnitedHealth Care Insurance Company (UnitedHealth Care) sold two Medicare supplement health insurance plans and submitted the applications to UnitedHealth Care for two New Jersey customers, subsequent to the expiration of his producer license, in violation of N.J.S.A. 17:22A-29 and N.J.S.A. 17:22A-40a (2), (5) and (8); and N.J.A.C. 11:17A-1.3(a); and

IT FURTHER APPEARING, that the Respondent has failed to respond to the Department's inquiries concerning the referenced sales and information regarding his current home address, in violation of N.J.S.A. 17:22A-40(a) (2) and (8) and N.J.A.C. 11:17A-4.8; and

IT FURTHER APPEARING, that the Respondent has failed to report a change in his home address as required, in violation of N.J.S.A. 17:22A-40(a) (2) and (8) and N.J.S.A. 17:22A-33(f) and N.J.A.C. 11:17-2.7(f); and

IT FURTHER APPEARING, that the Respondent has asserted that the violations cited in this consent order were not willful; 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 the Respondent has waived his rights to a hearing on the aforementioned violation and consented to the payment of a fine in the amount of \$3,000.00; and

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

NOW, THEREFORE, IT IS on this 18th day of MARCH 2015

ORDERED AND AGREED, that the Respondent pay a fine in the amount of \$3,000.00 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, with an initial payment of \$100.00 due and payable immediately upon execution of this Consent Order by the Respondent and twenty nine additional payments of \$100.00, due and payable on the 30th day of each month thereafter; and

IT IS FURTHER ORDERED AND AGREED, that the signed Consent Order together with the initial fine payment of \$100.00 and each subsequent monthly installment payment shall be remitted to:

New Jersey Department of Banking and Insurance
Attention: Virgil Downtin, Chief of Investigations
20 West State Street
9th Floor, Consumer Protection Services, Enforcement
P O Box 329
Trenton, New Jersey 08625-0329

IT IS FURTHER ORDERED AND AGREED, that in the event full payment of the fine is not made, 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 represent a final agency decision and constitute a final resolution of the violations contained herein; and

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



Peter L. Hartt
Director of Insurance

Consented to as to
Form, Content and Entry:

By: _____
John B. Anderson

Date: 3-2-15