

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) CONSENT
Daniel A. Carnicella, Reference No. 0114090) ORDER

TO: Daniel A. Carnicella
652 Bloomfield Avenue
Nutley, NJ 07110

This matter, having been opened by the Commissioner of Banking and Insurance (“Commissioner”), State of New Jersey, upon information that Daniel A. Carnicella (“Respondent”), currently licensed as a resident insurance producer, pursuant to N.J.S.A. 17:22A-32, may have violated a provision 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 (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.A.C. 11:17-2.7(a) and (e), no resident licensed individual producer shall conduct insurance business under a name other than his or her legal name unless the name has been filed with and approved by the New Jersey Department of Banking and Insurance ("Department"); and

WHEREAS, pursuant to N.J.A.C. 11:17A-1.4a, no person shall solicit, negotiate or sell an insurance contract in New Jersey unless he or she is a licensed insurance producer; and

WHEREAS, on or about May 31, 2013, the Department conditionally approved the entity name of "DC Financial Group, Inc." pending the submission and approval of an organizational producer license application within 90 days of said name approval; and

WHEREAS, the Respondent solicited insurance via the internet under the organizational name of "DC Financial Group" without securing an organizational producer license within the aforementioned 90 day approval time period, in violation of N.J.S.A. 17:22A-40a (2), and (8), N.J.A.C. 11:17-2.7(a) and (e) and N.J.A.C. 11:17A-1.4a; and

WHEREAS, Respondent:

- 1) Has cooperated with the investigation conducted by the Department; and
 - 2) Has asserted that the violations cited in this Consent Order were not willful;
- and

WHEREAS, 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

WHEREAS, that the Respondent has waived his right to a hearing on the
aforementioned violations and consented to the payment of a fine in the amount of
\$1,000.00; and

WHEREAS, 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 15 day of July 2015

ORDERED and AGREED, that the Respondent pay a fine in the amount of
\$1,000.00 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, in the amount of \$1,000.00 due and payable immediately upon the
execution of this Consent Order by the Respondent; and


IT IS FURTHER ORDERED AND AGREED, that the signed Consent Order
together with the payment of \$1,000.00 shall be remitted to:

New Jersey Department of Banking and Insurance
Attention: Virgil Downtin, Chief of Investigations
9th Floor, Consumer Protection Services, Enforcement Unit
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

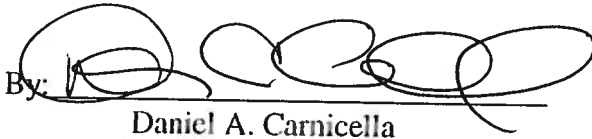
IT IS FURTHER ORDERED AND AGREED, that the provisions of this Consent Order represent a final agency decision and constitute a final resolution of the violations contained herein; and

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. Hart
Director of Insurance

Consented to as to
Form, Content and Entry

By: 

Daniel A. Carnicella

~~6/16/15~~ 6/16/15
Dated

County of Essex
Sworn + Subscribed before me
this 16th of June 2015.

