

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)
 Steven Baglivo and Paramount Public) **ORDER TO SHOW CAUSE**
 Adjusters, LLC, and to fine, suspend, and/or)
 revoke the public adjuster license of Matthew)
 Charles Plietz, Reference No. 1302172.)
 _____)

TO: Paramount Public Adjusters, LLC
c/o Steven Baglivo
4348 SW 74th Avenue
Miami Florida, 33155

Steven Baglivo
4348 SW 74th Avenue
Miami Florida, 33155

Matthew Charles Plietz
690 SW 1st Court
Miami, Florida 33130

THIS MATTER, having been opened by the Commissioner of Banking and Insurance (“Commissioner”), State of New Jersey, upon information that Paramount Public Adjusters, LLC (“Paramount”), Steven Baglivo (“Baglivo”) and Matthew Charles Plietz (“Plietz”) (collectively, “Respondents”), may have violated various provisions of the insurance laws of the State of New Jersey; and

WHEREAS, Paramount is a limited liability corporation formed in the State of Florida in or about September 2009, and was registered to do business as foreign corporation in the State of New Jersey in or about September 2012, but was never licensed as a business entity Public Adjuster in this state; and

WHEREAS, at all relevant times, Baglivo was the sole member, owner and operator of Paramount, but was never licensed as a Public Adjuster in the State of New Jersey; and

WHEREAS, Plietz is licensed as a Public Adjuster in the State of Florida, and on April 15, 2011, was licensed as a non-resident Public Adjuster in the State of New Jersey pursuant to N.J.S.A. 17:22B-3, until his New Jersey license expired on or about March 31, 2019; and

WHEREAS, Respondents are subject to the provisions of the New Jersey Public Adjusters' Licensing Act, N.J.S.A. 17:22B-1 to -20 ("Public Adjusters' Act") and the regulations promulgated thereunder, N.J.A.C. 11:1-37.1 to -37.19; and

WHEREAS, pursuant to N.J.S.A. 17:22B-3(a), no individual, firm, association or corporation shall act as an adjuster in this State unless authorized to do so by virtue of a license issued or renewed pursuant to this act; and

WHEREAS, pursuant to N.J.S.A. 17:22B-3(b), no adjuster shall act on behalf of an insured unless licensed as a public adjuster; and

WHEREAS, pursuant to N.J.S.A. 17:22B-14(a), the Commissioner may suspend or revoke any adjuster's license if, after notice and opportunity for a hearing, the Commissioner determines that (1) the licensee has violated any provision of the insurance law, including any rules promulgated by the Commissioner, or has violated any law in the course of his or its dealings as an adjuster, or determines that the licensee has, among other things: (3) committed a

fraudulent or dishonest act; or (4) demonstrated a lack of integrity, bad faith, dishonesty, financial irresponsibility, or untrustworthiness to act as a public adjuster; and

WHEREAS, pursuant to N.J.A.C. 11:1-37.2, “Public adjuster” or “adjuster” means any individual, firm, association or corporation, who, or which, for money, commission or any other thing of value, acts or aids in any manner on behalf of an insured in negotiating for, or effecting, the settlement of claims for loss or damage caused by, or resulting from, any accident, incident or occurrence covered under a property insurance policy, including but not limited to, a flood, transit, inland marine or ocean marine policy; or who, or which, advertises for, or solicits employment as an adjuster of those claims. It shall also mean any individual, who, for money, commission or any other thing of value, solicits or adjusts those claims, in whole or in part, on behalf of any public adjuster; and

WHEREAS, pursuant to N.J.A.C. 11:1-37.3, no person shall act as a public adjuster in New Jersey on behalf of an insured unless licensed pursuant to the law; and

WHEREAS, pursuant to N.J.A.C. 11:1-37.14(a), Commissioner may deny, suspend, revoke, or refuse to renew a public adjuster’s license based on any violation of the Public Adjusters’ Act or the regulations promulgated thereunder, or for the commission or omission of any act by a public adjuster which demonstrates that the licensee is not competent or trustworthy to act as a public adjuster, or where the licensee has, among other things: (1) Violated any provision of this State's insurance laws; (3) Committed a fraudulent or dishonest act; or (4) Demonstrated a lack of integrity, incompetency, bad faith, dishonesty, financial irresponsibility, or untrustworthiness to act as a public adjuster; and

WHEREAS, pursuant to N.J.S.A. 17:22B-17, violations of the Public Adjusters’ Act subject the violator to a civil and administrative penalty of up to \$2,500.00 for the first offense

and up to \$5,000.00 for each subsequent offense and, additionally, the Commissioner may order restitution of moneys owed any person and reimbursement of costs of the investigation and prosecution; and

WHEREAS, pursuant to N.J.A.C. 11:1-37.14(b), violations of the Public Adjuster Licensing regulations subject the violator to a civil and administrative penalty of up to \$2,500.00 for the first offense and up to \$5,000.00 for each subsequent offense; and

ALLEGATIONS COMMON TO ALL COUNTS

IT APPEARING, that at all relevant times, Baglivo was the sole member, officer and operator of Paramount and therefore personally responsible for any and all insurance related activities undertaken by Paramount in the State of New Jersey; and

IT FURTHER APPEARING, that between November 2009 and April 2016, Plietz was employed by Paramount to perform services as a public adjuster in the states of Florida and New Jersey; and

IT FURTHER APPEARING, that from 2012 to 2016, Paramount maintained a business address at 8005 Atlantic Avenue, Margate, New Jersey 08402, and Respondents actively solicited work as public adjusters in the State of New Jersey, and promoted and marketed Paramount as being duly licensed by the State of New Jersey as a public adjuster; and

COUNT ONE
(As to Baglivo and Paramount)

IT FURTHER APPEARING, that in his capacity as the owner and representative of Paramount, Baglivo marketed and solicited work as a public adjuster in New Jersey and, on behalf of Paramount, executed 567 separate written contracts with New Jersey insureds to

perform public adjuster work, and earned income in excess of \$2 million under said contracts; and

IT FURTHER APPEARING, that while performing services under each of the 567 contracts, Baglivo and Paramount acted as “Public Adjusters” as defined by N.J.A.C. 11:1-37.2 in that they were engaged in acts and services on behalf of insureds that aided in the negotiation and/or settlement of claims under a property insurance policy; and

IT FURTHER APPEARING, that at the time said contracts were executed and performed, neither Baglivo nor Paramount were licensed in the State of New Jersey to act as public adjusters, in violation of N.J.S.A. 17:22B-3(a) and (b) and N.J.A.C. 11:1-37.3; and

IT FURTHER APPEARING, that each public adjuster contract executed by Baglivo and performed by Paramount constituted a separate violation of the Public Adjusters’ Act and the accompanying regulations, and therefore Baglivo and Paramount are jointly and severally liable for at least 567 violations thereof; and

COUNT TWO
(As to Plietz)

IT FURTHER APPEARING, that in connection with several of the 567 contracts executed by Paramount, Plietz personally marketed and solicited work as a public adjuster in New Jersey and, in his capacity as an employee and representative of Paramount, executed fourteen (14) separate written contracts to perform public adjuster work for New Jersey insureds between October 2012 and February 2015; and

IT FURTHER APPEARING, that in connection with the marketing and soliciting of said public adjuster work, Plietz falsely represented to New Jersey insureds that Paramount was a duly licensed public adjuster business entity in the State of New Jersey when, in fact, Paramount

was never licensed as a public adjuster in the State of New Jersey, in violation of N.J.S.A. 17:22B-14(a)(1), (3) and (4), and N.J.A.C. 11:1-37.14(a)(1), (3) and (4); and

NOW, THEREFORE, IT IS on this 12 day of April, 2021,

ORDERED, that pursuant to the provisions of N.J.S.A. 17:22B-14(a), Respondent Matthew Charles Plietz shall appear and show cause why his public adjuster license should not be revoked by the Commissioner; and

IT IS FURTHER ORDERED, that Respondents shall appear and show cause why the Commissioner should not assess civil penalties of up to \$2,500.00 for the first violation and up to \$5,000.00 for each subsequent violation, pursuant to the provisions of N.J.S.A. 17:22B-17 and the accompanying regulations due to their failure to comply with New Jersey's insurance laws and regulations; and

IT IS FURTHER ORDERED, that, pursuant to N.J.S.A. 17:22B-17 and the accompanying regulations, Respondents shall appear and show cause why they should not be subject to additional penalties, including restitution to their victims and reimbursement of the costs of investigation and prosecution by the Department of Banking and Insurance; and

IT IS PROVIDED that, Respondents have the right to request an administrative hearing, to be represented by counsel or other qualified representative, at their own expense, to take testimony, to call or cross-examine witnesses, to have subpoenas issued and to present evidence or argument if a hearing is requested; and

IT IS FURTHER PROVIDED that, unless a request for a hearing is received within twenty (20) days of the service of this Order to Show Cause, the right to a hearing in this matter shall be deemed to have been waived by Respondents and the Commissioner shall dispose of this matter in accordance with law. A hearing may be requested by mailing the request to Virgil

Dowtin, Chief of Investigations, New Jersey Department of Banking and Insurance, P.O. Box 329, Trenton, N.J. 08625 or by faxing the request to the Department at (609) 292-5337. A copy of the request for a hearing shall also be sent to Deputy Attorney General Dakar Ross at PO Box 117, Trenton, New Jersey 08625. The request shall contain:

- (A) Each Respondent's name, address, and daytime telephone number;
- (B) A statement referring to each charge alleged in this Order to Show Cause and identifying any defense intended to be asserted in response to each charge. Where the defense relies on facts not contained in the Order to Show Cause, those specific facts must be stated;
- (C) A specific admission or denial of each fact alleged in this Order to Show Cause. Where Respondent has no specific knowledge regarding a fact alleged in this Order to Show Cause, a statement to that effect must be contained in the hearing request. Allegations of this Order to Show Cause not answered in the manner set forth above shall be deemed to have been admitted; and
- (D) A statement requesting a hearing.



Marlene Caride
Commissioner