

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 revoke the	)	ORDER TO SHOW CAUSE
insurance producer license, Reference No. 8914201,	)	
and the real estate salesperson license, Reference No.	)	
8838350, of Argentina Ramirez	)	
_____	)	

TO: Argentina Ramirez  
60 Grand Avenue  
Edison, New Jersey 08837

This matter, having been opened by the Commissioner of Banking and Insurance (“Commissioner”), upon information that Argentina Ramirez (“Respondent”), State of New Jersey, may have violated various provisions of the insurance laws and real estate laws of the State of New Jersey; and

WHEREAS, Respondent is currently licensed as a resident insurance producer pursuant to N.J.S.A. 17:22A-32(a); and

WHEREAS, Respondent is currently licensed as a real estate salesperson pursuant to N.J.S.A. 45:15-1; 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 (“Producer Act”), the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 (“Fraud Act”), and the Real Estate Licensing Law, N.J.S.A. 45:15-1 to -29.5; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a), the Commissioner may place on probation, suspend, revoke or refuse to issue or renew an insurance producer's license or may levy a civil penalty in accordance with N.J.S.A. 17:22A-40(c), or may take any combination of actions, for any one or more of the violations listed in N.J.S.A. 17:22A-40(a)(1) through (19); and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(a)(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-40(a)(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-40(a)(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. 17:22A-40(a)(16), an insurance producer shall not commit any fraudulent act; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40(c), any person violating any provision of the Producer Act shall be liable to a penalty not exceeding \$5,000.00 for the first offense and not exceeding \$10,000.00 for each subsequent offense; moreover, the Commissioner may order restitution of moneys owed any person and reimbursement of costs of investigation and prosecution; and

WHEREAS, pursuant to N.J.S.A. 17:33A-4(a)(4)(b), a person violates the Fraud Act if he or she prepares or makes 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, pursuant to N.J.S.A. 17:33A-5(a) and 5(c), violations of the Fraud Act subject the violator to a civil and administrative penalty of not more than \$5,000.00 for the first violation, \$10,000.00 for the second violation and \$15,000.00 for each subsequent violation; moreover, the Commissioner may issue a final order assessing restitution and costs of prosecution, including attorneys' fees; and

WHEREAS, pursuant to N.J.S.A. 17:33A-5.1, any person who is found in any legal proceeding to have committed insurance fraud shall be subject to a surcharge in the amount of \$1,000.00; and

WHEREAS, pursuant to N.J.S.A. 45:15-17(a), a real estate salesperson shall not make any false promises or any substantial misrepresentation; and

WHEREAS, pursuant to N.J.S.A. 45:15-17(e), a real estate salesperson shall not engage in any conduct which demonstrates unworthiness, incompetency, bad faith or dishonesty; and

WHEREAS, pursuant to N.J.S.A. 45:15-17(l), a real estate salesperson shall not engage in any other conduct, whether of the same or a different character than specified in N.J.S.A. 45:15-17, which constitutes fraud or dishonest dealing; and

WHEREAS, pursuant to N.J.S.A. 45:15-17, the Real Estate Commission may place on probation, suspend for a period less than the unexpired portion of the license period, or may revoke any license issued under the Real Estate Licensing Law, or the right of licensure when such person is no longer the holder of a license at the time of hearing, or may impose, in addition or as an alternative to such probation, revocation or suspension, a penalty of not more than \$5,000 for the first violation, and a penalty of not more than \$10,000 for any subsequent violation; and

## ALLEGATIONS COMMON TO ALL COUNTS

IT APPEARING, that on or about August 17, 2016, Respondent was appointed with Farmers Insurance (“Farmers”) as an agency producer; and

IT FURTHER APPEARING from May 11 to May 20, 2018, Respondent fabricated at least twenty-nine (29) renter’s insurance applications to achieve her production goals and qualify for certain work benefits at Farmers; and

IT FURTHER APPEARING that in the insurance applications, Respondent used her former clients’ personal information, without their knowledge or authorization; and

IT FURTHER APPEARING that Respondent submitted the fabricated insurance applications to Farmers, falsely representing to Farmers that the applications were genuine applications submitted with consumers’ knowledge and authorization; and

IT FURTHER APPEARING that based on Respondent’s false representations to Farmers that the applications were genuine, Farmer issued at least twenty-nine (29) renter’s insurance policies; and

IT FURTHER APPEARING that Farmers paid Respondent \$1,666.00 in commissions for the fictitious insurance policies; and

IT FURTHER APPEARING that the fictitious insurance policies were later cancelled for non-payment of monthly premiums; and

IT FURTHER APPEARING that in June 2018, Farmers confronted Respondent about the fictitious applications, and Respondent admitted that the insurance applications were not authorized by the consumers; and

IT FURTHER APPEARING that on January 7, 2019, Farmers terminated Respondent’s appointment with Farmers; and

**COUNT 1**  
**(Producer Act violations)**

IT FURTHER APPEARING that by fabricating at least twenty-nine (29) renter's insurance applications and later submitting them to Farmers for binding, Respondent violated N.J.S.A. 17:22A-40(a)(2), (5), (8), and (16); and

IT FURTHER APPEARING that each act of fabricating an insurance application and later submitting it to Farmers for binding constitutes a separate violation of the Producer Act; and

**COUNT 2**  
**(Fraud Act violations)**

IT FURTHER APPEARING that by falsely representing to Farmers when submitting at least twenty-nine (29) fabricated insurance applications that the applications were genuine and that they were authorized by consumers, when in fact they were not, Respondent violated N.J.S.A. 17:33A-4(a)(4)(b); and

IT FURTHER APPEARING that each act of submitting a fabricated insurance application to Farmers constitutes a separate violation of the Fraud Act; and

**COUNT 3**  
**(Real Estate Licensing Act violations)**

IT FURTHER APPEARING that by fabricating at least twenty-nine (29) renter's insurance applications and later submitting them to Farmers for binding, Respondent violated N.J.S.A. 45:15-17(a), (e), and (l); and

IT FURTHER APPEARING that each act of fabricating an insurance application and later submitting it to Farmers for binding constitutes a separate violation of the Real Estate Licensing Act; and

NOW, THEREFORE, IT IS on this 9 day of June , 2022

ORDERED, that Respondent appear and show cause why her New Jersey insurance producer license should not be suspended or revoked, pursuant to N.J.S.A. 17:22A-40; and

IT IS FURTHER ORDERED, that Respondent appear and show cause why the Commissioner should not assess a civil penalty of not more than \$5,000.00 for the first violation and \$10,000.00 for each subsequent violation of the Producer Act and order restitution of moneys owed to any person, pursuant to the provisions of N.J.S.A. 17:22A-40(c); and

IT IS FURTHER ORDERED, that Respondent appear and show cause why, in addition to any other penalty, she should not be required to reimburse the Department for the costs of the investigation and prosecution as authorized by N.J.S.A. 17:22A-40(c); and

IT IS FURTHER ORDERED, that Respondent appear and show cause why her real estate salesperson license should not be suspended or revoked by the Real Estate Commission, pursuant to N.J.S.A. 45:15-17; and

IT IS FURTHER ORDERED, that Respondent appear and show cause why she should not be fined up to \$5,000.00 for the first violation, and up to \$10,000.00 for each subsequent violation of the Real Estate Licensing Law, pursuant to N.J.S.A. 45:15-17; and

IT IS FURTHER ORDERED, that Respondent appear and show cause why the Commissioner should not assess a penalty of not more than \$5,000.00 for the first violation, \$10,000.00 for the second violation, and \$15,000.00 for each subsequent violation of the Fraud Act and order restitution, pursuant to N.J.S.A. 17:33A-5(c); and

IT IS FURTHER ORDERED, that Respondent appear and show cause why the Commissioner should not assess costs of prosecution, including attorneys' fees, pursuant to N.J.S.A. 17:33A-5(c); and

IT IS FURTHER ORDERED, that Respondent appear and show cause why the Commissioner should not assess a surcharge in the amount of \$1,000.00 against Respondent, pursuant to N.J.S.A. 17:33A-5.1; and

IT IS PROVIDED, that Respondent has the right to request an administrative hearing, to be represented by counsel or other qualified representative, at her 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 Respondent and the Commissioner shall dispose of this matter in accordance with law. A hearing may be requested by mailing the request to Virgil Downtin, Chief of Investigations, Department of Banking and Insurance, P.O. Box 329, Trenton, New Jersey 08625. A copy of the request for a hearing shall also be sent to Deputy Attorney General Garen Gazaryan at P.O. Box 117, Trenton, New Jersey 08625 or by electronic mail to [garen.gazaryan@law.njoag.gov](mailto:garen.gazaryan@law.njoag.gov). The request shall contain the following:

- A. Respondent's full 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 the Respondent has no specific knowledge regarding a fact alleged in the 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.



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Marlene Caride  
Commissioner