

**STATE OF NEW JERSEY  
DEPARTMENT OF BANKING AND INSURANCE  
BUREAU OF FRAUD DETERRENCE**



**CONSENT ORDER NO. 20-51119-35**

In the Matter of	)	<b>CONSENT ORDER</b>
Mary A. Carnahan	)	
959 Terrace Boulevard	)	
Ewing, NJ 08618	)	
Respondent.	)	

THIS MATTER having been opened by the Bureau of Fraud Deterrence, Department of Banking and Insurance of the State of New Jersey, upon information indicating that Respondent, Mary A. Carnahan, currently residing at 959 Terrace Boulevard, Ewing, NJ 08618, may have violated the provisions of N.J.S.A. 17:33A-4; and

WHEREAS, Respondent, Mary A. Carnahan, did knowingly make a material misrepresentation to Progressive Garden State Insurance Company on November 5, 2019 at 8:20pm by stating that no loss had occurred during the lapse period of her policy when, in fact, she was involved in a motor vehicle accident earlier that day, prior to the reinstatement of her policy. This misrepresentation resulted in a third-party claim being filed; and

WHEREAS, the above conduct constitutes a violation of N.J.S.A. 17:33A-1 et seq., and any future violation of N.J.S.A. 17:33A-1 et seq., shall be considered to be a second offense; and

WHEREAS, Respondent has been informed that she has a right to notice and to request a hearing, in accordance with the Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq.), on the violation alleged herein before a civil and administrative penalty is imposed; and

WHEREAS, Respondent understands these rights and has voluntarily waived the right to notice and to a formal legal proceeding in this matter; and

WHEREAS, Respondent consents to pay a civil administrative penalty in the amount of \$2,500.00, and surcharge in the amount of \$125.00, the total amount of \$2,625.00 being due immediately by certified check, bank check or money order made payable to the "Commissioner, Department of Banking and Insurance". This signed order and the payment shall be returned to Managing Investigator, Michelle Moffett, Bureau of Fraud Deterrence, Department of Banking and Insurance, Five Executive Campus, Suite 205, Cherry Hill, New Jersey 08002; and

WHEREAS, the penalties of this Consent Order are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and the protection of the public health, safety and welfare, and are not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding; and

IT FURTHER APPEARING that the matter is suitable for resolution upon the consent of the parties and that Respondent and the Bureau of Fraud Deterrence desire to terminate this matter without further hearing or litigation, and for further good cause appearing;

NOW, THEREFORE, IT IS ON THIS 1st day of December 2020

ORDERED AND AGREED as follows:

1. Pursuant to N.J.S.A. 17:33A-5(c), civil administrative penalty of \$2,500.00 is imposed on Respondent, Mary A. Carnahan.
2. Pursuant to N.J.S.A. 17:33A-5.1, Respondent shall pay to the Commissioner, Department of Banking and Insurance, a surcharge equal to five (5%) percent of the settlement amount, which is \$125.00, such amount to be in addition to the civil administrative penalty.
3. Respondent consents to the entry of this final administrative order. Respondent understands that this final administrative order may be docketed with the Clerk of the Superior Court as provided in the Penalty Enforcement Law (N.J.S.A. 2A:58-10 et seq.).
4. This Consent Order shall not be binding until it is signed by the Chief of Investigations, Bureau of Fraud Deterrence.

5. This Consent Order may be used against Respondent in any civil or administrative proceeding related to a violation of N.J.S.A. 17:33A-1 et seq., including a license suspension or revocation proceeding.

6. Pursuant to N.J.S.A. 17:33A-10(c), a copy of this Consent Order shall be provided to the appropriate licensing authority.

MARLENE CARIDE  
COMMISSIONER  
DEPARTMENT OF BANKING AND INSURANCE

By: Richard Besser  
RICHARD BESSER  
CHIEF OF INVESTIGATIONS  
BUREAU OF FRAUD DETERRENCE

CONSENTED TO AS TO FORM, CONTENT  
AND ENTRY OF ORDER:

Mary A. Carnahan  
Mary A. Carnahan, Respondent

Dated: 11/05/2020

Please deposit the check on Dec. 1, 2020  
that is when I receive my pension check.

Thank you  
Mary A. Carnahan