

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



CONSENT ORDER NO. 21-54154-04

In the Matter of)	CONSENT ORDER
Michael Kumesh)	
23 Oakland Road)	
Old Bridge, New Jersey 08857)	
and		
Corliss Yelitza Kumesh, dba, Bergen Tire Service)	
973 Bergen Avenue)	
Newark, New Jersey 07112)	
Respondents.)	

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 Respondents, Michael Kumesh and Corliss Yelitza Kumesh, dba, Bergen Tire Service , both conducting business at 973 Bergen Avenue, Newark, New Jersey 07112, may have violated the provisions of N.J.S.A. 17:33A-4; and

WHEREAS, Respondents, Michael Kumesh and Corliss Yelitza Kumesh, dba, Bergen Tire Service, knowingly provided false and misleading information to Progressive Group of Insurance Companies on the First Notice of Loss dated June 30, 2021. Specifically, Respondents filed a claim with Progressive Group of Insurance Companies stating that the business property sustained damage as a result of a motor vehicle accident occurring on June 30, 2021 when, in fact, the damage was preexisting to the June 30, 2021 loss; and

WHEREAS, the above conduct constitutes multiple violations 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 subsequent offense; and

WHEREAS, Respondents have been informed that they have 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, Respondents understand these rights and have voluntarily waived the right to notice and to a formal legal proceeding in this matter; and

WHEREAS, Respondents consent to pay, jointly and severally, a civil administrative penalty in the amount of \$1,500.00, and surcharge in the amount of \$75.00 against Michael Kumesh, Individually, and surcharge in the amount of \$75.00 against Corliss Yelitza Kumesh, dba, Bergen Tire Service, Individually, the total amount of \$1,650.00 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, Michael I. Palumbo, Bureau of Fraud Deterrence, Department of Banking and Insurance, PO Box 326, Trenton, New Jersey 08625; 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 Respondents 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 11th day of August, 2023

ORDERED AND AGREED as follows:

1. Pursuant to N.J.S.A. 17:33A-5(c), civil administrative penalty of \$1,500.00 is imposed on Respondents, Michael Kumesh and Corliss Yelitza Kumesh, dba, Bergen Tire Service, jointly and severally.

2. Pursuant to N.J.S.A. 17:33A-5.1, Respondents shall each pay to the Commissioner, Department of Banking and Insurance, a surcharge equal to five (5%) percent of the settlement amount, which is \$75.00 each, such amount to be in addition to the civil administrative penalty.

3. Respondents consent to the entry of this final administrative order. Respondents understand 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 Respondents 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:

Michael D. Kumesh
Michael Kumesh, Respondent

8/1/23
Dated:

Corliss Yelitza Kumesh
Corliss Yelitza Kumesh, dba,
Bergen Tire Service, Respondent
By: Corliss Yelitza Kumesh

8/1/23
Dated: