

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 revoke)
and fine the insurance producer license of Delia)
R. Lliguicota, Reference No. 1541449

CONSENT
ORDER

To: Delia R. Lliguicota
11 Cleveland Street
Belleville, NJ 07019

This matter, having been opened by the Commissioner of Banking and Insurance ("Commissioner"), State of New Jersey, upon information that Delia R. Lliguicota ("Respondent"), currently licensed as a resident individual insurance producer, pursuant to N.J.S.A. 17:22A-32a, may have violated provisions of the insurance laws of the State of New Jersey; 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 ("the Producer Act"), the regulations governing the Insurance Producer Standards of Conduct, N.J.A.C. 11:17A-1.1 to N.J.A.C. 11:17D-2.8 and the New Jersey Insurance Fraud Prevention Act N.J.S.A. 17:33A-1 to -30 ("Fraud Act"); and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a, the Commissioner may place on probation, suspend, revoke or refuse to renew an insurance producer's license, and may levy a civil penalty, for a violation of the Producer Act; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a(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-40a(7) an insurance producer having admitted

or been found to have committed any insurance unfair trade practice or fraud; 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.S.A. 17:22A-40a(16) an insurance producer shall not commit any fraudulent act; and

WHEREAS, pursuant to N.J.S.A. 17:33A-4a(1) no person shall present or cause to be presented any written or oral statement as part of, or in support of or in opposition, to a claim for payment or other benefit pursuant to an insurance policy or the "Unsatisfied Claim and Judgment Fund Law" P.L. 1952, c. 174 (C39:6-61 et seq.), knowing that the statement contains any false or misleading information concerning any fact or thing material to the claim; and

WHEREAS, Respondent knowingly provided false and misleading statements on July 8, July 11 and July 14, 2018 in connection with an auto damage claim submitted to the Citizens United Reciprocal Exchange. Specifically Respondent stated that her vehicle was damaged after swerving to avoid a dog, when in fact she struck a vehicle and fled the scene; and

WHEREAS, the Respondent:

- 1) Has admitted responsibility for the aforementioned violations;
- 2) Has cooperated with the investigation conducted by the Department;

WHEREAS, cause does exist under N.J.S.A. 17:22A-40a, N.J.S.A. 17:22A-45c and N.J.S.A. 17:33A-5 to impose a fine; and

WHEREAS, Respondent has waived her right to a hearing on the aforementioned violations and consented to the revocation of her resident insurance producer license, payment of a fine in the total amount of five thousand dollars (\$5,000.00), two thousand five hundred dollars

(\$2,500.00) for violations of the Producer Act and two thousand five hundred dollars (\$2,500.00) for violations of the Fraud Act; and

WHEREAS, this matter should be resolved upon the consent of the Parties without resort to a formal hearing;

NOW, THEREFORE, IT IS on this 1 day of December, 2021

ORDERED AND AGREED, that pursuant to N.J.S.A. 17:22A-40a the Respondent consents to the revocation of her resident insurance producer license, Reference 1541449, and said license shall be immediately returned to the Department upon execution of this Consent Order; and

IT IS FURTHER ORDERED AND AGREED, that the Respondent will pay civil penalties of \$2,500.00 for violations of the Producer Act and \$2,500.00 for violations of the Fraud Act; and

IT IS FURTHER ORDERED AND AGREED, that said fine shall be paid by certified check, cashier's check, money order or electronic funds transfer made payable to the "State of New Jersey, General Treasury," with an initial payment of \$500.00 due and payable immediately upon execution of this Consent Order by Respondent and eighteen (18) subsequent monthly payments of \$250.00 due and payable on or before the 25th day of each month thereafter; and

IT IS FURTHER ORDERED AND AGREED, that the signed Consent order, together with the Respondent's resident insurance producer license and the initial civil penalty payment of \$500.00 and each subsequent monthly payment shall be remitted to:

New Jersey Department of Banking and Insurance
Attention: Virgil Downtin- Chief of Investigations
9th Floor, Consumer Protection Services, Enforcement
P.O. Box 329
Trenton, New Jersey 08625

IT IS FURTHER ORDERED AND AGREED, that pursuant to N.J.A.C. 11:17D-2.7, Respondent is barred from applying for an insurance producer license for a period of five years from the date of the Commissioner's issuance of this Consent Order; and

IT IS FURTHER ORDERED AND AGREED, that in the event full payment of the civil penalty is not made in accordance with this Order, 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 to 12; and

IT IS FURTHER ORDERED AND AGREED, that the civil penalties in 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 is not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding;

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.



Marlene Caride
Commissioner

Consented to as to Form,
Entry and Content



Della R. Lliguicota

Date:

9/25/21