

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE

AGENCY DOCKET NO.: OTSC #E22-04

IN THE MATTER OF:

Proceedings by the Commissioner of Banking
and Insurance, State of New Jersey, to fine,
suspend and/or revoke the insurance license of
Anka Bojic, Reference No. 9951347.

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**ORDER VACATING
FINAL ORDER NO. E22-24**

This matter comes before the Commissioner of the Department of Banking and Insurance (“Commissioner”) pursuant to the authority of N.J.S.A. 52:14B-1 to -31, N.J.S.A. 17:1-15, the New Jersey Producer Licensing Act of 2001, N.J.S.A. 17:22A-26 to -48 (“Producer Act”), the New Jersey Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 (“Fraud Act”), and all powers expressed or implied therein.

IT APPEARING that on January 24, 2022, the Department of Banking and Insurance (“Department”) issued Order to Show Cause No. E22-04 (“OTSC”) alleging that Anka Bojic (“Respondent”) may have violated various provisions of the insurance laws of the State of New Jersey; and

IT FURTHER APPEARING that on January 26, 2022, the OTSC was mailed to the Respondent via regular and certified mail to the Respondent’s last known address at 11 Kent Avenue, Wayne, New Jersey 07470; and

IT FURTHER APPEARING that the regular mailing of the OTSC was not returned and

the return receipt was signed by the Respondent on January 28, 2022; and

IT FURTHER APPEARING that OTSC and cover letter clearly provided that a hearing request must be made in writing; and

IT FURTHER APPEARING that on February 11, 2022, the Respondent telephoned the Department regarding the OTSC and orally requested a hearing but was advised to make the request in writing; and

IT FURTHER APPEARING that on March 16, 2022, a letter was sent to the Respondent, via regular and certified mail, stating that, if she did not respond in writing to the OTSC within ten (10) days from the date of the letter, the allegations in the OTSC would be deemed admitted and the matter would proceed to a Final Order disposing of the matters on the papers and without further proceedings; and

IT FURTHER APPEARING that the regular mailing of the letter was not returned and the return receipt was signed by the Respondent on March 23, 2022; and

IT FURTHER APPEARING that no written response was received by the Respondent within ten (10) days from the date of the aforementioned letter; and

IT FURTHER APPEARING that Final Order E22-24 was issued on March 30, 2022; and

IT FURTHER APPEARING that on April 4, 2022, the Respondent faxed a letter to the Department requesting a hearing; and

IT FURTHER APPEARING that even though Bojic failed to request a hearing in writing in a timely manner, the Final Order will nonetheless be vacated to provide the Respondent the opportunity to contest the allegations; and

IT FURTHER APPEARING that the Department filed a motion to vacate Final Order E22-24 on April 8, 2022;

THEREFORE, IT IS on this 10 day of May, 2022, ORDERED that the Department's motion to vacate Final Order E22-24 is granted. While the Respondent did not respond to the OTSC within 20 days in writing pursuant to N.J.A.C. 11:17D-2.1(d), she responded in writing to the Department's letter of March 16, 2022 within twelve days of receipt. Although she did not strictly adhere to the time frames in the OTSC and the Department's letter of March 16, 2022, she substantially complied with them. Vacating Final Order E22-24 does not prejudice the Department and it is noted that the Department, not the Respondent, requested vacation of Final Order E22-24. Pursuant to N.J.A.C. 1:1-3, in order to achieve just results, fairness in administration, to avoid injustice, and to avoid undue expenses, Final Order E22-24 is hereby vacated, and the OTSC and answer shall be transmitted to the OAL as a contested case for a hearing.



Marlene Caride
Commissioner

jd Bojic vaca order/orders