

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   | ) | CONSENT |
| Sunshine Adjustment, Reference No. 1560249    | ) | ORDER   |
| and Michael P. Gavlick, Reference No. 8305476 | ) |         |

|                            |                            |
|----------------------------|----------------------------|
| TO: Sunshine Adjustment    | Michael P. Gavlick         |
| 1149 Ridgegrove Drive West | 1149 Ridgegrove Drive West |
| Palm Harbor, FL 34683      | Palm Harbor, FL 34683      |

This matter, having been opened by the Commissioner of Banking and Insurance (“Commissioner”), State of New Jersey, upon information that Sunshine Adjustment, a nonresident public adjuster, and Michael P. Gavlick (“Gavlick”), a nonresident public adjuster, currently licensed as public adjusters pursuant to N.J.S.A. 17:22B-5 may have violated the public adjusters’ laws of the State of New Jersey; and

WHEREAS, Sunshine Adjustment and Gavlick (collectively “Respondents”) are subject to the provisions of the Public Adjusters’ Licensing Act of 1994, N.J.S.A. 17:22B-1et seq.; and

WHEREAS, pursuant to N.J.S.A. 17:22B-14a (1) and (4) and N.J.A.C. 11:1-37.14(a) 1, 2, 4 and 17, the Commissioner may suspend or revoke the license of a public adjuster or impose a fine if the licensee has violated any insurance law of this State, demonstrated a lack of integrity, incompetency, bad faith, dishonesty, or

untrustworthiness, or has committed any other act or omission which the Commissioner determines to be inappropriate conduct by a licensee of this State; and

WHEREAS, pursuant to N.J.S.A. 17:22B-3a and b and N.J.A.C. 11:1-37.14(a)16, no individual, firm association or corporation shall act as a public adjuster in this state unless authorized to do so by virtue of a license issued by the Commissioner; and

IT APPEARING, that on September 25, 2014, Respondent Sunshine Adjustment became a licensed non-resident public adjuster in this State; and

IT FURTHER APPEARING, that during the past five years, the Respondents entered into 207 public adjuster service contracts utilizing the name of "Sunshine Adjustment" during the time this entity was not licensed or authorized to conduct public adjustment services in this State, in violation of N.J.S.A. 17:22B-14a (1) and (4) and N.J.A.C. 11:1-37.14(a) 1, 2, 4, 16 and 17; and

IT FURTHER APPEARING, that cause does exist under N.J.S.A. 17:22B-17 and N.J.S.A. 17:22B-14 to impose a fine; and

IT FURTHER APPEARING, that the Respondents have waived their right to a hearing on the aforementioned violations and consented to the payment of a fine in the amount of \$2,500.00; and

IT FURTHER APPEARING, that this matter should be resolved upon the consent of the parties without resort to a formal hearing; and

NOW, THEREFORE, IT IS on this 6<sup>th</sup> day of January 2015

ORDERED and AGREED, that the Respondents pay a fine in the amount of \$2,500.00 to the Department; and

IT IS FURTHER ORDERED AND AGREED, that said fine shall be paid by certified check, cashier's check or money order made payable to the State of New Jersey, General Treasury, in the initial payment of \$200.00 due and payable immediately upon the execution of this Consent Order by the Respondents and eleven subsequent monthly payments of \$200.00, and one final monthly payment of \$100.00 due and payable on or before the 20<sup>th</sup> day of each month thereafter; and

IT IS FURTHER ORDERED AND AGREED, that the signed Consent Order together with the initial payment of \$200.00 and each subsequent monthly installment payment shall be remitted to:

New Jersey Department of Banking and Insurance  
Attention: Virgil Downtin, Chief of Investigations  
9th Floor, Consumer Protection Services, Enforcement Unit  
P O Box 329  
Trenton, New Jersey 08625-0329

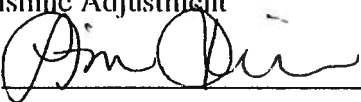
IT IS FURTHER ORDERED AND AGREED, that in the event full payment of the fine is not made, the Commissioner may exercise any and all remedies available by law, including but not limited to recovery of any unpaid penalties in summary proceedings, in accordance with the penalty enforcement law, N.J.S.A. 2A-58-10 et seq.; and

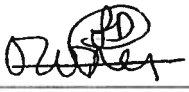
IT IS FURTHER ORDERED AND AGREED, that the provisions of this Consent Order represent a final agency decision and constitute a final resolution of the violations contained herein; and

  
Peter L. Hartt  
Director of Insurance

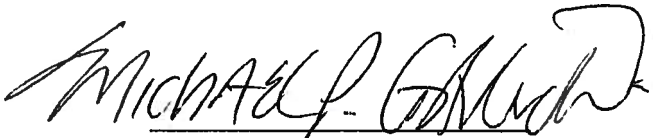
Consented to as to  
Form, Content and Entry

Sunshine Adjustment

By:   
\_\_\_\_\_

Title:  Notary  
\_\_\_\_\_

Date: 12/23/14

  
\_\_\_\_\_

Michael P. Gavlick

Date: 12/23/14



LINDA DEICHMAN  
MY COMMISSION # EE 088969  
EXPIRES: May 8, 2015  
Bonded Thru Budget Notary Services