

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)
the insurance license of Brightstone Insurance) CONSENT
Services LLC., Reference No.1295537) ORDER

To: Brightstone Insurance Services LLC.
7530 Lucerne Drive – Suite 101
Middleburg Heights, Ohio 44130

This matter, having been opened by the Commissioner of Banking and Insurance (“Commissioner”), State of New Jersey, upon information that Brightstone Insurance Services LLC. (“Respondent”), currently licensed as a non-resident business entity insurance producer, pursuant to N.J.S.A. 17:22A-34, may have violated various provisions of the insurance laws of the State of New Jersey; and

WHEREAS, the Respondent is subject to the provisions of New Jersey Insurance Producer Licensing Act of 2001, N.J.S.A. 17:22A-26 et seq.; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a (2) an insurance producer shall not violate any insurance laws, or violate any 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 (8) an insurance producer shall not, among other things, demonstrate incompetence in the conduct of insurance business in this State; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a (17), an insurance producer shall not facilitate or assist another person in violating any insurance laws in this State; and

WHEREAS, pursuant to N.J.S.A. 17:22A-29, no person shall sell, solicit or negotiate in this State unless the person is licensed for that line of authority; and

WHEREAS, pursuant to N.J.A.C. 11:17A-1.3(a) and (b), no person shall act as an insurance producer without first obtaining a license from the Commissioner granting authority for the kind of insurance transacted and any person who solicits, negotiates or sells contracts of insurance in New Jersey shall be considered to be transacting the business of insurance in New Jersey so as to require licensure as an insurance producer; and;

WHEREAS, pursuant to N.J.A.C. 11:17A-1.6(c) licensed partners, officers and directors, and all owners with an ownership of 10 percent or more in the organization shall be held responsible for all insurance related conduct of the organization licensee, any of its branch offices, its other licensed officers or partners, and its employees; and

WHEREAS, Respondent's employee, Brian Jungeberg ("Jungeberg"), became a New Jersey licensed producer on June 17, 2016; and

WHEREAS, during the period from December 1, 2010 until June 17, 2016, Respondent allowed, permitted or was otherwise responsible for Jungeberg's actions in selling, soliciting and/or negotiating at least 23 insurance policies in this State prior to

becoming licensed, pursuant to and in violation of N.J.S.A. 17:22A-40a (2), (8) and (17), N.J.S.A. 17:22A-29, N.J.A.C. 11:17A-1.3 (a) and (b) and N.J.A.C. 11:17A-1.6 (c); and

WHEREAS, Respondent:

- 1) Has admitted responsibility for the aforementioned violations; and
- 2) Has cooperated fully with the New Jersey Department of Banking and Insurance's investigation; and
- 3) Has asserted that the violations cited in this Consent Order were not willful, knowing or intentional; and

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

WHEREAS, Respondent has waived its right to a hearing on the aforementioned violations and have consented to the payment of a fine in the amount of \$5,000.00; and

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

NOW, THEREFORE, IT IS on this 22nd day of August 2016,

ORDERED AND AGREED, that the Respondent shall pay a fine in the amount of \$5,000.00 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 one payment of \$5,000.00 due and payable immediately upon the execution of this Consent Order by Respondent; and

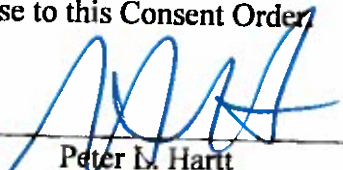
IT IS FURTHER ORDERED AND AGREED that the signed Consent Order together with the payment of \$5,000.00 shall be remitted to:

New Jersey Department of Banking and Insurance
ATTN: 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 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

IT IS FURTHER ORDERED AND AGREED that the Respondent shall cease and desist from engaging in the conduct that gave rise to this Consent Order.



Peter L. Hartt
Director of Insurance

Consented to as to
Form, Content and Entry

By: 

Brightstone Insurance Services LLC



Managing Director
Title



8/22/16
Date