

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
All Jersey Title, LLC, Reference No.)	ORDER
1022412 and Scott Lever,)	
Reference No. 0043568)	

To: Scott D. Lever	All Jersey Title, LLC
8 Knollwood Drive	325 Bloomfield Avenue
North Caldwell, NJ 07006	Caldwell, NJ 07006

This matter, having been opened by the Commissioner of Banking and Insurance (“Commissioner”), State of New Jersey, upon information that Scott Lever (“Lever”), currently licensed as a resident individual insurance producer, pursuant to N.J.S.A. 17:22A-32a, and All Jersey Title, LLC (“Jersey Title”), currently licensed as a resident business entity insurance producer, pursuant to N.J.S.A. 17:22A-32b, may have violated various provisions of the insurance laws of the State of New Jersey; and

WHEREAS, Lever and Jersey Title (collectively the “Respondents”) are subject to the provisions of the New Jersey Insurance Producer Licensing Act of 2001, N.J.S.A. 17:22A-26 to -48 (“Producer Act”), and regulations governing the Insurance Producer Standards of Conduct, N.J.A.C. 11:17A-1.1 to -4.8; 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(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.A.C. 11:17A-1.6(c), licensed partners, officers and directors, and all owners with an ownership interest 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, pursuant to N.J.A.C. 11:17A-2.3(a), no insurance producer shall offer, make or give, or permit to be offered, made or given, to any person directly or indirectly, an inducement to purchase insurance other than that plainly expressed in the insurance contract; and

WHEREAS, pursuant to N.J.A.C. 11:17A-2.3(b), no insurance producer shall offer, pay or give, or permit to be offered, paid or given, to any person, directly or indirectly, any rebate of premiums payable on a contract of insurance, other than that plainly expressed in the contract or provided for in ratings systems filed by or on behalf of the insurer writing the contract and approved by the Commissioner; and

WHEREAS, pursuant to N.J.A.C. 11:17A-2.3(e), the provisions of N.J.A.C. 11:17A-2.3 shall apply whether or not a contract of insurance is ultimately effected; and

WHEREAS, at all relevant times, Lever was the owner and designated responsible licensed producer of All Jersey; and

WHEREAS, Lever hired MS, in January/February of 2017, to conduct administrative duties at All Jersey; and

WHEREAS, on July 10, 2017 and September 18, 2017, Lever had MS send two emails soliciting business for Jersey Title, which referenced "title work was completed on a property that was cancelled by a previous client;" and

WHEREAS, each email offered a credit on the title invoice if Jersey Title's services were chosen, in violation of N.J.S.A. 17:22A-40a(2) and (8) and N.J.A.C. 11:17A-2.3(a) and (b); and

WHEREAS, the Respondents:

- 1) Have admitted responsibility for the aforementioned violations; and
- 2) Have cooperated with the investigation conducted by the New Jersey Department of Banking and Insurance (“Department”); and
- 3) Have asserted that the violations cited in this Consent Order were not willful; and

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

WHEREAS, 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

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

NOW, THEREFORE, IT IS on this 10th day of APRIL, 2018

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”; and

IT IS FURTHER ORDERED AND AGREED, that the signed Consent Order, together with the fine payment of \$2,500.00, 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 08625-0329


and

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; 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

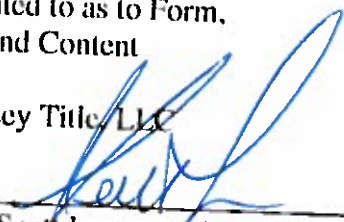
IT IS FURTHER ORDERED AND AGREED, that the Respondents shall cease and desist from engaging in the conduct that gave rise to this Consent Order.




Peter L. Hart
Director of Insurance

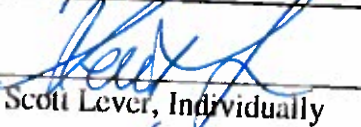
Consented to as to Form,
Entry and Content

All Jersey Title, LLC

By: 

Scott Lever, as the Designated Responsible
Licensed Producer for All Jersey Title, LLC

Date: 



Scott Lever, Individually

Date: 
