

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**
Deborah A. Aichele, Reference No. 1319105.) **ORDER**

To: Deborah A. Aichele
1500 S. Ocean Blvd PH 1
Pompano Beach, FL 33062-7419

This matter, having been opened by the Commissioner of Banking and Insurance (“Commissioner”), State of New Jersey, upon information that Deborah A. Aichele (“Respondent”), currently licensed as a non-resident individual insurance producer, pursuant to N.J.S.A. 17:22A-34a, may have violated various 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”); 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(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, in or about April 2017, Respondent was an employee of The Hays Companies Florida office, located in Plantation, FL; and

WHEREAS, Respondent was the supervisor of a team responsible for Commercial Automobile Dealer Open Lot (“DOL”) policies which provide coverage for an automobile dealers inventory of vehicles; and

WHEREAS, Respondent was responsible for training and supervising J.H. in the handling of DOL policies; and

WHEREAS, Respondent failed to supervise and appropriately train J.H. on DOL policies resulting in the creation and submission of a misleading and fictitious certificate of insurance for a New Jersey automobile dealership to show a coverage limit in excess of the actual coverage limit, in violation of N.J.S.A. 17:22A-40a(2) and (8); and

WHEREAS, Respondent:

- 1) Has admitted responsibility for the aforementioned violations; and
- 2) Has cooperated with the investigation conducted by the New Jersey Department of Banking and Insurance (“Department”); and
- 3) Has 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, Respondent has waived their right to a hearing on the aforementioned violations and consented to payment of a fine in the amount of two thousand and five hundred dollars (\$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 *25th* day of *June*, 2019

ORDERED AND AGREED, that Respondent shall 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," which shall be paid upon execution of this Consent Order by Respondent; 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 Unit
P. O. Box 329
Trenton, New Jersey 08625-0329

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 Respondent shall cease and desist from engaging in the conduct that gave rise to this Consent Order.

Marlene Caride

Marlene Caride
Commissioner

Consented to as to
Form, Content and Entry

By:

Deborah A. Aichele

Deborah A. Aichele

Date:

6-17-19