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INSURANCE DEPARTMENT

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ADMIN HEARINGS OFFICE

BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

IN RE:	:	VIOLATIONS:
	:	
JASON ANTHONY MOEY	:	40 P.S. § 310.11(1), (12), (20)
349 Bustleton Pike, 2 nd Floor	:	
Feasterville-Trevoise, PA 19053	:	
	:	
Respondent.	:	Docket No. CO19-08-001

CONSENT ORDER

AND NOW, this 8th day of August, 2019, this Order is hereby issued by the Insurance Department of the Commonwealth of Pennsylvania pursuant to the statutes cited above and in disposition of the matter captioned above.

1. Respondent hereby admits and acknowledges that he has received proper notice of his rights to a formal administrative hearing pursuant to the Administrative Agency Law, 2 Pa. C.S. § 101, et seq., or other applicable law.

2. Respondent hereby waives all rights to a formal administrative hearing in this matter, and agrees that this Consent Order, and the Findings of Fact and Conclusions of Law contained herein, shall have the full force and effect of an Order duly entered in accordance with the adjudicatory procedures set forth in the Administrative Agency Law, supra, or other applicable law.

FINDINGS OF FACT

3. The Insurance Department finds true and correct each of the following Findings of Fact:

(a) Respondent is Jason Anthony Moey, and maintains a record of his address with the Pennsylvania Insurance Department as 349 Bustleton Pike, 2nd Floor, Feasterville-Treose, PA 19053.

(b) Respondent was previously licensed by the Department on November 30, 2011, as a non-resident insurance producer. He failed to renew that license and it lapsed on December 31, 2013.

(c) Respondent applied again to the Department as a non-resident insurance producer through an application dated January 16, 2018, and a non-resident insurance producer license was issued on February 8, 2018.

(d) In that January 16, 2018 non-resident insurance producer application, Respondent was asked “[h]ave you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?” and Respondent responded “No.”

(e) On September 12, 2016, Respondent entered a guilty plea to one count of obstruction of administration of the law in violation of New Jersey law 2C: 29-1(a) with regard to the insurance fraud charge filed against him on May 18, 2016.

(f) Respondent sought licensure from the Department as a resident insurance producer through an application dated December 5, 2018.

(g) In that December 5, 2018 license application, when asked “[h]ave you ever failed to comply with an administrative or court order imposing a child support obligation, Respondent admitted, “Yes.”

(h) The Department denied that December 5, 2018 license application via letter dated March 26, 2019.

(i) On April 5, 2019, the Department received a request for a formal hearing on the March 26, 2019 denial of Respondent’s resident insurance producer license.

CONCLUSIONS OF LAW

4. In accord with the above Findings of Fact and applicable provisions of law, the Insurance Department concludes and finds the following Conclusions of Law:

(a) Respondent is subject to the jurisdiction of the Pennsylvania Insurance Department.

(b) 40 P.S. § 310.11(1) prohibits a licensee or applicant from providing incorrect, misleading, incomplete or false information to the department in a license application.

(c) Respondent’s activities described in 3(c) through (e) violate 40 P.S. § 310.11(1).

(d) 40 P.S. § 310.11(12) prohibits a licensee or applicant from failing to comply with an administrative order imposing a child support obligation.

(e) Respondent’s activities described in paragraph 3(f) – (g) violate 40 P.S. § 310.11(12).

(f) 40 P.S. § 310.11(20) prohibits a licensee or an applicant from demonstrating a lack of general fitness, competence or reliability sufficient to satisfy the Insurance Department that the licensee is worthy of licensure.

(g) Respondent's activities described above in paragraphs 3(c) through 3(g) violate 40 P.S. § 310.11(20).

(h) Respondent's violation of 40 P.S. § 310.11(1), (12) and (20) is punishable by the following, under 40 P.S. § 310.91:

- (i) suspension, revocation or refusal to issue the license;
- (ii) imposition of a civil penalty not to exceed five thousand dollars (\$5,000.00) for every violation of the Act;
- (iii) an order to cease and desist; and
- (iv) any other conditions as the Commissioner deems appropriate.

ORDER

5. In accord with the above Findings of Fact and Conclusions of Law, the Insurance Department orders and Respondent consents to the following:

(a) Respondent shall cease and desist from engaging in the activities described herein in the Findings of Fact and Conclusions of Law.

(b) Respondent surrenders his non-resident insurance producer license.

(c) Simultaneous with his execution of this Consent Order, Respondent shall withdraw the appeal of Department's March 26, 2019 denial of Respondent's license application under docket number AG19-04-009.

(d) Respondent shall not submit any application for licensure in any capacity to the Pennsylvania Insurance Department prior to January 1, 2021.

(e) Should Respondent become licensed in any capacity in the future, Respondent's licenses may be immediately suspended by the Insurance Department following its investigation and determination that (i) any terms of this Order have not been complied with, or (ii) any confirmed complaint against Respondent is accurate and a statute or regulation has been violated. The Insurance Department's right to act under this section is limited to a period of three (3) years from the date of initial licensure.

(f) Respondent specifically waives his right to prior notice of said suspension, but will be entitled to a hearing upon written request received by the Insurance Department no later than thirty (30) days after the date the Insurance Department mailed to Respondent by certified mail, return receipt requested, notification of said suspension, which hearing shall be scheduled for a date within sixty (60) days of the Insurance Department's receipt of Respondent's written request.

(g) At the hearing referred to in paragraph 5(f) of this Order, Respondent shall have the burden of demonstrating that he is worthy of a license.

(h) In the event Respondent's licenses are suspended pursuant to paragraph 5(e) above, and Respondent either fails to request a hearing within thirty (30) days or at

the hearing fails to demonstrate that he is worthy of a license, Respondent's suspended licenses shall be revoked.

7. In the event the Insurance Department finds that there has been a breach of any of the provisions of this Order, based upon the Findings of Fact and Conclusions of Law contained herein, the Insurance Department may pursue any and all legal remedies available, including but not limited to the following: The Insurance Department may enforce the provisions of this Order in an administrative action pursuant to the Administrative Agency Law, supra, or other relevant provision of law; or, if applicable, the Insurance Department may enforce the provisions of this Order in any other court of law or equity having jurisdiction.

8. Alternatively, in the event the Insurance Department finds that there has been a breach of any of the provisions of this Order, the Insurance Department may declare this Order to be null and void and, thereupon, reopen the entire matter for appropriate action pursuant to the Administrative Agency Law, supra, or other relevant provision of law.

9. In any such enforcement proceeding, Respondent may contest whether a breach of the provisions of this Order has occurred but may not contest the Findings of Fact and Conclusions of Law contained herein.

10. Respondent hereby expressly waives any relevant statute of limitations and application of the doctrine of laches for purposes of any enforcement of this Order.

11. This Order constitutes the entire agreement of the parties with respect to the matters referred to herein, and it may not be amended or modified except by an amended order signed by all the parties hereto.

12. This Order shall be final upon execution by the Insurance Department. Only the Insurance Commissioner or a duly authorized delegee is authorized to bind the Insurance Department with respect to the settlement of the alleged violations of law contained herein, and this Consent Order is not effective until executed by the Insurance Commissioner or a duly authorized delegee.

BY:



JASON ANTHONY MOEY, Respondent



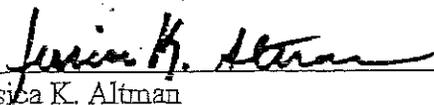
COMMONWEALTH OF PENNSYLVANIA

By: CHRISTOPHER R. MONAHAN
Deputy Insurance Commissioner

BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

IN RE: The Act of April 9, 1929, P.L. 177, No. 175, known as The
Administrative Code of 1929

AND NOW, this 28th day of March, 2018, Christopher R. Monahan,
Deputy Insurance Commissioner, is hereby designated as the Commissioner's duly
authorized representative for purposes of entering in and executing Consent Orders. This
delegation of authority shall continue in effect until otherwise terminated by a later Order
of the Insurance Commissioner.



Jessica K. Altman
Insurance Commissioner

