

**RECEIVED**

By Admin Hearings, Ins Dept at 11:22 am, Aug 20, 2024

BEFORE THE INSURANCE COMMISSIONER  
OF THE  
COMMONWEALTH OF PENNSYLVANIA

|                        |   |                                    |
|------------------------|---|------------------------------------|
| IN RE:                 | : | VIOLATIONS:                        |
|                        | : |                                    |
| JAIME LYN WISNIEWSKI   | : | 40 P.S. § 310.11(4), (7), (17) and |
| 115 Mifflin Street     | : | (20)                               |
| Philadelphia, PA 19148 | : |                                    |
|                        | : |                                    |
| Respondent             | : | Docket No. CO24-05-024             |

CONSENT ORDER

AND NOW, this 20th day of August, 2024, 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 she has received proper notice of her 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 Pennsylvania Insurance Department (“Department”) finds true and correct each of the following Findings of Fact:

- (a) Respondent is Jaime Lyn Wisniewski and maintains a record of her address with the Pennsylvania Insurance Department as 115 Mifflin Street, Philadelphia, PA 19148.
- (b) Respondent is, and at all times relevant hereto has been, a licensed Resident Title Agent.
- (c) Respondent, on April 8, 2021, was investigated by, and charged in Municipal Court of Philadelphia County by the District Attorney's Office of Economic Crime Unit in the Philadelphia Police Department.
- (d) Respondent, on May 3, 2023, entered into an ARD in the First Judicial District of Pennsylvania Court (Philadelphia County) on the charges as identified in 3(c).
- (e) On May 3, 2024, Respondent was notified by the First Judicial District of Pennsylvania Court of Common Pleas that she had completed the ARD program and satisfied all of her court-ordered stipulations.

- (f) On July 1, 2024, an expungement order was granted and Respondent's docket and criminal charges as identified in paragraph 3(c) were expunged from Respondent's criminal record.

#### 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(4) prohibits producers from improperly withholding, misappropriating, or converting money or property received in the course of doing business.
- (c) Respondent's alleged activities described above could constitute improperly withholding, misappropriating, or converting money or property received in the course of doing business, in violation of 40 P.S. § 310.11(4).
- (d) 40 P.S. § 310.11(7) prohibits a licensee or an applicant from using fraudulent, coercive or dishonest practices or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of doing business.

- (e) Respondent's alleged activities described above could be in violation of 40 P.S. § 310.11(7).
- (f) 40 P.S. § 310.11(17) prohibits a licensee or an applicant from committing fraud, forgery, dishonest acts or an act involving a breach of fiduciary duty.
- (g) Respondent's alleged activities described above could be in violation of 40 P.S. § 310.11(17).
- (h) 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 Department that the licensee is worthy of licensure.
- (i) Respondent's alleged activities described above could be in violation of 40 P.S. § 310.11(20).
- (j) Respondent's alleged violations of 40 P.S. § 310.11(4), (7), (17) and (20), if proven by a preponderance by the department could be 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 any unlawful activities.
- (b) Respondent shall pay a civil penalty of five thousand dollars (\$5,000.00) to the Commonwealth of Pennsylvania and payment must be made electronically no later than fourteen (14) days from the date of final execution of this Consent Order. Specific payment instructions will be supplied by the Department to the Respondent with the final executed copy of this Consent Order.
- (c) Respondent shall cooperate with the Pennsylvania Insurance Department during any reviews of books and records for a period of five (5) years from the date of this Order.
- (d) Respondent's licenses may be immediately suspended by the 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 Department's right to act under this section is limited to a period of five (5) years from the date of this Order.

- (e) Respondent specifically waives her right to prior notice of said suspension, but will be entitled to a hearing upon written request received by the Department no later than thirty (30) days after the date the 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 Department's receipt of Respondent's written request.
- (f) At the hearing referred to in paragraph 5(d) of this Order, Respondent shall have the burden of demonstrating that she is worthy of a license.
- (g) In the event Respondent's licenses are suspended pursuant to paragraph 5(c) above, and Respondent either fails to request a hearing within thirty (30) days or at the hearing fails to demonstrate that she is worthy of a license, Respondent's suspended licenses shall be revoked.
- (h) If Respondent should ever become licensed in the future, her licenses may be immediately suspended by the Department following its investigation and determination that (i) any terms of this Order have not been complied with, or (ii) any complaint

against Respondent is accurate and a statute or regulation has been violated. The Department's right to act under this section is limited to a period of five (5) years from the date of issuance of such licenses.

- (i) Respondent specifically waives her right to prior notice of said suspension, but will be entitled to a hearing upon written request received by the Department no later than thirty (30) days after the date the 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 Department's receipt of Respondent's written request.
- (j) At the hearing referred to in paragraph 5(h) of this Order, Respondent shall have the burden of demonstrating that she is worthy of an insurance license.
- (k) In the event Respondent's licenses are suspended pursuant to paragraph 5(g) above, and Respondent either fails to request a hearing within thirty (30) days or at the hearing fails to demonstrate that she is worthy of a license, Respondent's suspended licenses shall be revoked.
- (l) Within five (5) days of receipt of the payment prescribed by paragraph 5(b), the Department will file a withdraw with prejudice

of the Order to Show Cause against Respondent that was issued in connection with her activities described in the Findings of Fact and Conclusions of Law.

6. 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 Department may pursue any and all legal remedies available, including but not limited to the following: The Department may enforce the provisions of this Order in an administrative action pursuant to the Administrative Agency Law, supra, or other relevant provisions of law; or, if applicable, the Department may enforce the provisions of this Order in any other court of law or equity having jurisdiction.

7. Alternatively, in the event the Insurance Department finds there has been a breach of any of the provisions of this Order, the 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.

8. 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.

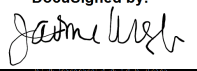
9. Respondent hereby expressly waives any relevant statute of limitations and application of the doctrine of laches for purposes of any enforcement of this Order.



10. This Order constitutes the entire agreement of the parties with respect to the matters referred to herein, and there are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement. This Order may not be amended or modified except by an amended order signed by all the parties hereto.

11. 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 duly authorized delegee.

BY:

DocuSigned by:  
  
A/E93937E1A408

JAIME LYN WISNIEWSKI, Respondent

DocuSigned by:  
  
FF2D35DC1D7046A...



COMMONWEALTH OF  
PENNSYLVANIA By:  
DAVID J. BUONO JR.  
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 \_\_25th \_\_ day of \_\_April \_\_\_\_, 2024, David J. Buono, Jr.,  
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.



Michael Humphreys  
Insurance Commissioner