

# New York State Insurance Department

ISSUED: 1/17//07

FOR IMMEDIATE RELEASE

## NEW YORK STATE INSURANCE DEPARTMENT TAKES DISCIPLINARY ACTIONS AGAINST COMPANIES, AGENTS, BROKERS & ADJUSTERS

The New York State Insurance Department has taken disciplinary action against the following licensees. Those categorized as stipulations have been agreed to by the licensee. Department actions that result from Department hearings are subject to judicial review and possible stay of enforcement.

### INSURANCE COMPANIES

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Liberty Mutual Fire Insurance Company	175 Berkeley Street Boston, MA 02117	\$27,550 fine
Respondent violated Section 5106 of the Insurance Law and various provisions of Department Regulation 68 (11 NYCRR Part 65) in connection with payment of overdue and denial of no-fault claims. Respondent also failed to comply with various provisions of Department Regulation 64 (11 NYCRR Part 216) in handling settlements of automobile losses by failing to: notify insureds of their reimbursement rights for transportation expenses, make timely inspections, provide insureds with written estimates, and make timely good faith offers of settlement. Respondent also violated Department Regulation 79 (11 NYCRR 67) by not saving and maintaining the inspection report and photographs as part of the claim file. [Stipulation approved December 8, 2006.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Liberty Mutual Insurance Company	175 Berkeley Street Boston, MA 02117	\$28,450 fine
Respondent violated Section 5106 of the Insurance Law and various provisions of Department Regulation 68 (11 NYCRR Part 65) in connection with payment of overdue and denial of no-fault claims. Respondent also failed to comply with various provisions of Department Regulation 64 (11 NYCRR Part 216) in handling settlements of automobile losses by failing to: notify insureds of their reimbursement rights for transportation expenses, make timely inspections, provide insureds with written estimates, and make timely good faith offers of settlement. Respondent also violated Department Regulation 79 (11 NYCRR 67) by not saving and maintaining the inspection report and photographs as part of the claim file. [Stipulation approved December 8, 2006.]		

## AGENT AND BROKER HEARINGS

### Region: New York City

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Ade Ranti (Broker)	180 Broadway New York, NY 10038	\$1,000 fine
Respondent violated the New York Automobile Insurance Plan rules by submitting an insured's personal check, which was subsequently dishonored, as the premium deposit. Respondent also conducted business using an unlicensed name and failed to timely respond to Departmental investigatory letters. [Order issued November 15, 2006.]		

### Region: Westchester

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Barry F. Czerno (Independent Adjuster)	84 Rossiter Avenue Yonkers, NY 10701	License Revoked
Respondent failed to report to the Superintendent within thirty days that he had been arrested and arraigned on charges of a misdemeanor and a violation. Respondent also failed to respond to Departmental investigatory letters. [Order issued November 6, 2006.]		

### Region: Out of State

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Letisha McCoy (Agent)	1377 Rennet Drive Naperville, IL 60565	License Revoked
Respondent failed to report to the Superintendent within thirty days the revocation of her insurance producer's license by the California Department of Insurance. Respondent also failed to respond to Departmental investigatory letters. [Order issued December 20, 2006.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Nicole M. Petkovic (Agent)	2406 Jacqueline Dr. Wilmington, DE 19810	License Revoked
Respondent failed to respond to Departmental letters regarding her revocation by the Washington State Office of Insurance Commissioner. [Order issued July 31, 2006]		

## AGENT AND BROKER STIPULATIONS

### Region: Mid-Hudson

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Chestnut Advisors LLC (Agent)	501 Chestnut Ridge Road Chestnut Ridge, NY 10977	\$250 fine
Eileen S. Glassman (Sublicensee)	608 Plutarch Road Highland, NY 12528	
Respondents transacted insurance business under an unlicensed name. [Stipulation approved December 18, 2006.]		

### Region: Nassau County

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Marsha D. Clarke (Broker)	131 Westside Avenue Freeport, NY 11520	\$1,500 fine
Respondent issued insurance premium payment transmittal checks that were dishonored by the bank upon which they were drawn. Respondent subsequently replaced the dishonored checks. [Stipulation approved December 1, 2006.]		

### Region: New York City

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Grace M. Chen t/b/a Rock Insurance (Broker)	39-15 Main Street Flushing, NY 11354	\$500 fine
Respondent issued a Certificate of Insurance that falsely stated that an individual was an additional insured on a policy when in fact the individual was not an additional insured. [Stipulation approved December 1, 2006.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Alvin C. Loney (Agent)	882 E. New York Avenue Brooklyn, NY 11203	License Revoked
Respondent submitted life insurance applications to an insurer that another agent had actually solicited and permitted the other agent to sell additional life insurance policies on Respondent's behalf even though Respondent knew that the other agent had been terminated by the insurer for misconduct. Respondent failed to disclose on insurance applications that he did not personally ask the insureds the questions on the applications and that he was not present when the required signatures on the applications were obtained. Respondent also falsely declared that the applications were secured by him personally and that he had no understanding or agreement with any other person as to commissions or compensation, when in fact Respondent had entered into an agreement with the another agent regarding compensation. Respondent also failed to disclose on his licensing application that his agent contract was terminated for alleged misconduct and failed to timely respond to Departmental investigatory letters. [Stipulation approved December 20, 2006.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Rigault Robert (Agent)	1203 65 <sup>th</sup> Street – Suite C Brooklyn, NY 11219	\$500 fine
Respondent failed to disclose on his renewal application for his agent's license that he was adjudged a bankrupt. [Stipulation approved November 22, 2006.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
S .J. International Brokers, LLC (Broker, Excess Line Broker and Agent)	145 West 45 <sup>th</sup> Street New York, NY 10036	\$9,100 fine
Shalom Weissbrot (Broker, Agent and Sublicensee)	Same as Above	
Respondents violated Section 2118 of the Insurance Law and Department Regulation 41 by failing to file supporting affidavits with the Excess Line Association of New York for inland marine jewelry insurance risks that Respondents placed with an unauthorized insurer and that Respondents misclassified as ocean marine jewelry insurance risks. [Stipulation approved December 19, 2006.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Spectrum Insurance Brokerage Services, Inc. (Broker)	511 Canal Street New York, NY 10013	
Joseph D. Mangano (Broker and Sublicensee)	Same as Above	3,000 fine
<p>Respondents violated Section 2117(a) of the Insurance Law by placing an insurance policy with an unauthorized insurer and otherwise aiding and facilitating the unauthorized insurer in doing an insurance business in this state after the excess line broker license of Respondent Spectrum Insurance Brokerage Services, Inc. had expired [Stipulation approved December 7, 2006.]</p>		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Pak-Kau Tang (Broker)	453 Brook Avenue Bronx, NY 10455	License Revoked
<p>Respondent was decertified by the New York Automobile Insurance Plan (NYAIP) for various NYAIP violations; transacted insurance business under an unlicensed name; and allowed an unlicensed individual to transact insurance business in this State. [Stipulation approved December 13, 2006.]</p>		

**Region: Rockland County**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
John M. Barnard (Agent)	605 Knollwood Court Valley Cottage, NY 10989	\$2,500 fine
<p>Respondent attested on his application for renewal of his agent's license that he completed the required continuing education credits when in fact he had not. [Stipulation approved October 16, 2006.]</p>		

**Region: Syracuse**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Kathleen M. Slate (Agent)	347 Mildred Avenue Syracuse, NY 13206	\$750 fine
Respondent submitted to an insurance company an application for an annuity contract that contained an incorrect negative answer to the replacement question and failed to have the applicant sign the "Notice to Applicants Regarding Replacement of Life Insurance and Annuities" form. [Stipulation approved October 24, 2006.]		

**Region: Out of State**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Jade M. Anderson (Agent)	c/o American General Insurance Agency of Nevada 2675 S. Jones Blvd. – Suite 102 Las Vegas, NV 89146	\$750 fine
Respondent failed to disclose on his original applications for his agent's licenses that he was convicted of Operating a Motor Vehicle while Under the Influence of Alcohol and also failed to notify the Department that he was fined by the State of Nevada Department of Business and Industry Division of Insurance within thirty days of the final disposition of the matter. [Stipulation approved November 7, 2006.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Cuenca & Associates Insurance Agency, Inc. (Agent)	P.O. Box 991850 Redding, CA 96099-1850	\$500 fine
Henry R. Cuenca (Sublicensee)	Same as above	
Respondents failed to disclose on the renewal application for their agent's license that they were fined by the State of Nevada Department of Business and Industry Division of Insurance. [Stipulation approved November 22, 2006.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Daniel Edward Hawkins (Agent)	701 West Grove Parkway Tempe, AZ 85283	\$1,000 fine
Respondent failed to disclose a criminal conviction on his agent's license application. [Stipulation approved December 20, 2006.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Harry Carl Horowitz (Life Broker – Pending)	c/o Diversified Financial Marketing Inc. 1930 North Commerce Parkway Weston, FL 33326	\$500 fine
Respondent failed to disclose on his life broker license application that his non-resident insurance license application was denied by the State of Wisconsin, Office of the Commissioner of Insurance and that his non-resident insurance license was revoked by the State of Washington, Office of Insurance Commissioner. [Stipulation approved December 14, 2006.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
KEH/LH Brenner Inc. (Agent)	1412 Whalley Ave – Suite DDD New Haven, CT 06515	\$1,000 fine
Richard A. Epstein (Agent and Sublicensee)	59 McKinley Ave New Haven, CT 06515	
Respondents failed to disclose on the corporate renewal applications for agent's licenses that Respondent KEH/LH Brenner Inc. was fined by the State of Connecticut Insurance Department. [Stipulation approved December 8, 2006.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
George E. May (Agent)	425 S. Hubbard Lane Louisville, KY 40207	License Revoked
Respondent failed to report the suspension of his insurance license by the Alabama State Insurance Department to the Superintendent. Respondent also failed to respond to Departmental investigatory letters. [Order issued December 20, 2006.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Michael Anthony Thompson (Agent)	14455 Tanja King Blvd. Orlando, FL 32828	License Revoked
Respondent failed to respond to Departmental inquiry letters and failed to notify the Department of an address change within thirty days. [Stipulation approved November 14, 2006.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Constance Elizabeth York (Agent)	8472 SE 177 Roleson Lane The Villages, FL 32162	\$500 fine
Respondent failed to disclose on her original agent's license application that she was placed on probation by the State of Florida, Department of Financial Services. [Stipulation approved December 14, 2006.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Daniel M. Zeiler (Broker)	12029 Flint Lockport, IL 60441	\$500 fine
Respondent failed to notify the Department within thirty days of the final disposition that his application for a nonresident insurance agent's license was denied by the State of Wisconsin. [Stipulation approved December 8, 2006.]		

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