

# New York State Insurance Department

ISSUED: 04/23/07

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>
Tri-State Consumer Insurance Company	2 Robbins Lane Jericho, NY 11753	\$150,000 fine
Respondent failed to specify the rating criteria as to specific age, gender, territory and type of coverage of the driver in advertised premium comparisons; failed to indicate the types of insurance coverage being compared; failed to refer to the most recently published version of the Department's Consumer Guide to Automobile Insurance in its advertisement and to accurately indicate the insurance rates; failed to disclose the full names and principal office locations of other insurers in advertisements; violated Sections 1313(a) and 2122 of the Insurance Law by failing to indicate its admitted assets, liabilities and reserves when referring to ratings; and incorrectly stated the number of years it had been selling insurance. [Stipulation approved April 4, 2007.]		

## AGENT AND BROKER STIPULATIONS

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Worlco Management Services Inc. (Agent)	527 Bay Road Queensburg, NY 12804	\$25,000 fine
Leo E. Boyle, Jr. (Agent and Sublicensee)	64 Master Common South Queensburg, NY 12804	
Respondents, while soliciting Medicare supplemental insurance business on behalf of an insurance company, engaged in "Cold Lead Advertising" within the meaning of Department Regulation No. 62, which is a prohibited practice. [Stipulation approved March 12, 2007.]		

### Region: Nassau County

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Flash Agency Incorporated (Broker-License Pending)	69-15 Woodside Avenue Woodside, NY 11377	\$1,500 fine
Cathy Escobar (Broker and Proposed Sublicensee)	Same as above.	
Respondents issued insurance premium payment transmittal checks that were dishonored by the bank upon which they were drawn and commingled insurance premium fiduciary funds with personal and/or business operating funds. [Stipulation approved March 19, 2007.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Randee L. Gordon (Broker)	108-18 Queens Blvd. Forest Hills, NY 11375	\$750 fine
Respondent failed to notify the Department within thirty days that she changed her residence address and that she was fined by the State of New Jersey Department of Banking and Insurance. [Stipulation approved March 13, 2007.]		

**Region: New York City**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Victor Raul Chiriboga (Agent and Broker)	44-15 Colden Street Flushing, NY 11355	\$1,000 fine
Respondent issued an insurance premium payment transmittal check that was dishonored by the bank upon which it was drawn, commingled premium funds and operating expense funds in his premium account, and transacted insurance business under an unlicensed name. [Stipulation approved March 13, 2007.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
CRC Services (Agent, Broker and Excess Line Broker)	80 Broad Street New York, NY 10004	\$3,000 fine
Joseph M. Gautieri (Broker, Excess Line Broker, Agent, and Sublicensee)	Same as above	
Michele Martincich (Broker, Excess Line Broker, Agent, and Sublicensee)	Same as above	
Marc E. Rothschild (Broker, Excess Line Broker and Sublicensee)	Same as above	
Respondents failed to disclose disciplinary actions taken by other states on their license renewal applications. [Stipulation approved March 21, 2007.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Simeon Sordjan Jr. t/b/a AAA Banat Insurance (Broker)	72-03 Putnam Avenue Ridgewood, NY 11385	\$1,250 fine
Respondent issued checks transmitting insurance premium payments and direct premium transfers that were dishonored by the bank upon which they were drawn. Respondent also collected an insurance premium payment and failed to timely refund the payment after the insured requested that his policy be cancelled. [Stipulation approved March 16, 2007.]		

**Region: Suffolk County**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Clarion Associates Inc. (Agent and Broker)	35 Arkay Drive Hauppauge, NY 11788	\$500 fine
Charles D. Schorr (Sublicensee)	Same as Above	
Daniel Schoenfeld (Sublicensee)	Same as Above	
Respondents failed to disclose on the original application for the agent's license of Respondent Clarion Associates Inc. that Respondent Charles D. Schorr was fined by the Department. [Stipulation approved March 13, 2007.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Michelle A. Devine (Agent)	7 Robin Court Bethpage, NY 11714	\$750 fine
Respondent failed to comply with Department Regulation 60 in connection with an annuity replacement transaction. [Stipulation approved March 14, 2007.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
L & B Insurance Brokerage Inc. (Broker)	1224A Suffolk Avenue Brentwood, NY 11717	License Revoked
Jaderyn Ortiz (Agent and Sublicensee)	40 21 <sup>st</sup> Avenue Bay Shore, NY 11706	
Respondents transacted insurance business under unlicensed names and allowed unlicensed individuals to transact insurance business; commingled premium funds and operating expense funds in their premium account; issued insurance premium transmittal checks when funds were not available but were honored using overdraft privileges; issued insurance premium transmittal checks that were dishonored by the bank upon which they were drawn; and failed to respond to Departmental investigatory letters requesting information and documentation. [Stipulation approved March 13, 2007.]		

**Region: Westchester**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Jonathan S. Bannett (Broker and Excess Line Broker)	530 Saw Mill River Road Elmsford, NY 0523	\$1,000 fine
Respondent failed to disclose on his broker and excess line broker renewal applications that he was an officer and a sublicense of an entity that was the subject of administrative action by the Insurance Commissioner of the Commonwealth of Pennsylvania. [Stipulation approved March 13, 2007.]		

**Region: Out of State**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Advanced Settlements, Inc. (Agent and Viatical Broker)	2101 Park Center Drive Orlando, FL 32835	\$250 fine
Todd S. McNealy (Sublicensee)	Same as Above	
Respondents failed to notify the Department within 30 days that Respondent Advanced Settlements, Inc. was fined by the State of Nevada Division of Insurance. [Stipulation approved March 12, 2007.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
BFS Retail & Commercial Operations, LLC	535 Marriott Drive Nashville, TN 37214	\$34,000 fine
Respondent acted as service contract provider without first obtaining an approval of a registration to do so from the Superintendent. [Stipulation approved March 14, 2007.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Micheal S. Fennell (Broker)	1197 Midas Trail Circle South Jordan, UT 84095	\$250 fine
Respondent failed to notify the Department within thirty days that he was fined by the State of Alaska Department of Commerce, Community and Economic Development Division of Insurance. [Stipulation approved March 19, 2007.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Karen Lynne Hunter (Agent)	8424 Brooksby Drive Plano, TX 75024	\$500 fine
Respondent failed to disclose on her agent's license application that she was adjudged a bankrupt. [Stipulation approved March 23, 2007.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Scott S. Wightman (Agent- License Pending)	1397 Lake Hollow Drive Defiance, MO 63341	\$750 fine
Respondent conducted insurance business as an agent without a license and failed to disclose that he had done so on his relicensing application. [Stipulation approved March 12, 2007.]		

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