

# New York State Insurance Department

**ISSUED: 4/25/08**

**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>
Republic -Franklin Insurance Company	PO Box 29906 Columbus, OH 43229	\$19,300 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 claims and denial of claims. Respondent also failed to comply with various provisions of Department Regulation 64 (11 NYCRR Part 216) which states that insurers may value a totaled vehicle by using a quotation from a computerized database; failing to notify insured of their reimbursement rights for transportation expenses; and failing to make a timely good faith offer of settlement, in handling settlements of automobile losses. 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 April 7, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Utica Mutual Insurance Company	PO Box 530 Utica, NY 13503	\$19,550 fine
Respondent violated Section 5106 of the Insurance Law and various provisions of Department Regulation 68 (11 NYCRR Part 65) and Department Regulation 83 (11 NYCRR 66) in connection with payment of overdue claims and denial of claims. Respondent also failed to comply with various provisions of Department Regulation 64 (11 NYCRR Part 216) which states that deductions for betterment and/or depreciation are permitted only for parts normally subject to repair and replacement during the useful life of the insured motor vehicle and must be itemized and discernable; failing to make timely inspections and provide the insured with written estimates; and failing to make a timely good faith offer of settlement, in handling settlements of automobile losses. [Stipulation approved April 7, 2008.]		

## AGENT AND BROKER HEARINGS

**Region: New York City**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Angela Garcia t/b/a Angela Garcia Brokerage (Broker)	33-21 108 <sup>th</sup> Street Corona, NY 11369	\$2,500 fine
<p>Respondent issued an insurance premium payment transmittal check that was dishonored by the bank upon which it was drawn and in doing so violated agreements in prior stipulations entered into with the Department that she would take all necessary steps to prevent the recurrence of violations based upon the issuance of premium payment checks that became dishonored. Respondent also allowed her premium account to run negative daily balances and issued premium payment transmittal checks from her premium account when the account did not contain sufficient monies to cover the checks in violation of Section 2120(a) of the Insurance Law and Department Regulation 29 (11 NYCRR 20.3). [Order issued March 28, 2008.]</p>		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Julio V. Navas (Agent)	118-45 Metropolitan Ave. Kew Gardens, NY 11415	License Revoked
<p>Respondent was terminated as an agent for an insurer because he violated the insurer's Code of Ethics by offering to pay money to other employees to place an automobile insurance policy for an insured, alter the effective date of the policy and issue identification cards to reflect the new effective date. Respondent also failed to disclose the termination on his renewal application for his agent's license and failed to respond to Departmental investigatory letters. Respondent also changed his business address and failed to notify the Department within thirty days. [Order issued February 29, 2008.]</p>		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
George D. Taramona (Bail Bond Agent)	c/o AllCity Agency, Inc. 12510 Queens Boulevard Kew Gardens, NY 1415	License Revoked
<p>Respondent failed to respond to Departmental investigatory letters seeking information and documentation thereby hampering and impeding the Department's investigation. [Order issued April 11, 2008)</p>		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
George M. Theoharis (Broker)	69-24 52 <sup>nd</sup> Drive Maspeth, NY 11378	\$2,500 fine
Respondent failed to fully respond to Departmental investigatory letters thereby hampering and impeding the Department's investigation and failed to resolve a delinquent tax obligation owed to New York State Department of Taxation and Finance. [Order issued April 10, 2008.]		

### **AGENT AND BROKER STIPULATIONS**

**Region: Albany**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Ronald R. Burns (Agent and Broker)	24 Stalker Road Whitehall, NY 12887	License Revoked
Respondent issued insurance premium payment transmittal checks that were dishonored by the bank upon which they were drawn. [Stipulation approved April 1, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Wendy M. Rumpf (Broker-License Pending and Agent)	85 Ernst Road Gansevoort, NY 12831	\$250 fine
Respondent failed to report to the Superintendent within 30 days that she was the subject of a criminal prosecution. [Stipulation approved April 1, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Keagan T. Shaw (Agent)	21 Palmers Maple Shade Saratoga Springs, NY 12866	\$250 fine
Respondent failed to report to the Superintendent within 30 days of his initial appearance in court that he was the subject of a criminal prosecution. [Stipulation approved April 10, 2008.]		

**Region: Mid-Hudson**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Wanda I. Coplin (Agent and Broker)	47 South Plank Road Newburgh, NY 12550	\$1,500 fine
Respondent transacted insurance business using an unlicensed agency name, issued insurance premium payment transmittal checks that were dishonored by the bank upon which they were drawn; and in doing so violated a prior stipulation entered into with the Department wherein she agreed not to dishonor checks or use an unlicensed agency name. [Stipulation approved April 2, 2008.]		

**Region: Nassau County**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Adam R. Cherney (Agent)	22 Sycamore Street West Hempstead, NY 11552	\$1,250 fine
Respondent signed an insured's name on an insurance related document without the insured's knowledge or consent, failed to notify the Department within thirty days that his security dealer's license was suspended for sixty days and he was fined by the National Association of Securities Dealers ("NASD"). [Stipulation approved April 1, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Duane A. Myrie (Independent Adjuster)	390 Leslie Lane Uniondale, NY 11553	\$2,000 fine
Respondent used his company issued credit card to rent a vehicle for his personal use; was terminated by his employer, an insurance company, for misuse of a company issued credit card intended for his business use only; and failed to timely respond to several Departmental letters concerning the aforementioned matters, thereby hampering and impeding the Department's investigation. [Stipulation approved March 19, 2008.]		

**Region: New York City**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Carlos A. Contreras (Broker)	2023 20 Street Astoria, NY 11105	\$500 fine
Respondent failed to report to the Superintendent within 30 days that he was convicted of crimes. [Stipulation approved April 7, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
David Gamalil Crittenden (Agent)	544 W 157 <sup>th</sup> Street New York, NY 10032	\$500 fine
Respondent failed to disclose on his original application for his agent's license that he was convicted of a crime. [Stipulation approved April 11, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
FA Allan Insurance Brokerage (Broker)	28-03 Ditmars Boulevard Astoria, NY 11105	\$500 fine
Intesar F. Abu Allan (Broker and Sublicensee)	Same as Above.	
Respondents mailed and/or handed out advertisements to potential insureds and specified an insurance rate without providing the full name of the insurer referred to and the city in which it has its principal place of business. [Stipulation approved April 1, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Forman International, Ltd. (Broker)	98 Cutter Mill Road Great Neck, NY 11021	Licenses Revoked
Wayne J. Forman (Agent, Broker, and Sublicensee)	Same as Above.	
Respondent Wayne J. Foreman was convicted of a felony for the theft of insurance premiums and his producer's licenses were revoked by the State Corporation Commission for the Commonwealth of Virginia. Respondents also hampered and impeded the Department's investigation by failing to respond to Departmental investigatory letters requesting information and documentation. [Stipulation approved March 19, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Freedom Line Ltd. (Broker)	29-27 41 <sup>st</sup> Avenue Long Island City, NY 11101	\$500 fine
Sheikh Aamer Hussain (Broker and Sublicensee)	Same as Above.	
Respondents placed advertisements in a local newspaper and mailed out fliers to potential insureds that contained misleading language and specified an insurance rate without providing the full name of the insurer referred to and the city in which it has its principal place of business. [Stipulation approved April 8, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Irizarry & Irizarry Associates, Inc. (Broker)	77 Main Street Staten Island, NY 10307	\$3,000 fine
Ralph A. Irizarry (Agent, Broker, and Sublicensee)	Same as Above.	
Respondent Ralph A. Irizarry conducted insurance business under names that were not previously approved by the Superintendent. Respondents Ralph A. Irizarry and Irizarry & Irizarry Associates Inc. violated Section 2119(c)(1) of the Insurance Law by collecting service fees from prospective insureds without first obtaining a signed memorandum specifying the amount of the fee. [Stipulation approved April 14, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Regal Insurance Brokerage, Inc. (Broker)	275 20 <sup>th</sup> Street Brooklyn, NY 11215	\$1,500 fine
Mohamad R. Mowad (Broker and Sublicensee)	Same as above	
Respondents failed to disclose on their renewal applications for broker's licenses that they were fined by the Department; collected an insurance premium payment from an insured and failed to timely remit said insurance premium to the insurer. [Stipulation approved April 17, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Yongs Agency Inc. (Broker)	156-11 Northern Boulevard Flushing, NY 11354	\$5,500 fine
Yong S. Pong (Agent and Sublicensee)	Same as Above.	
Respondents failed to disclose on multiple license applications that they had previously been fined by the Department. Respondents also issued an insurance premium payment transmittal check that was dishonored by the bank upon which it was drawn; commingled insurance premium fiduciary funds with business operating funds; failed to properly identify their premium account; caused and/or allowed the balance on their premium account to become negative on numerous occasions; and issued numerous premium payment transmittal checks for which their premium account had uncollected or insufficient funds. Respondents also placed an advertisement in a newspaper that contained deceptive and misleading statements with respect to rates that they could obtain for clients. [Stipulation approved April 1, 2008.]		

**Region: Suffolk County**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Milton C. Davis (Agent)	42 N. 16 <sup>th</sup> Street Wyandanch, NY 11798	\$500 fine
Respondent failed to disclose on his original application for his agent's license that he was convicted of a crime of the New York State Penal Law. [Stipulation approved April 22, 2008.]		

**Region: Syracuse**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Crawford & Company, Inc. (Independent Adjuster)	3 Adler Drive PO Box 337 East Syracuse, NY 13057	\$48,600 fine
Russell W. Saladin (Independent Adjuster and Sublicensee)	Same as above.	
Respondents paid fees and/or compensation to employees that acted as independent adjusters even though they were not licensed in this state and in doing so violated a prior stipulation entered into with the Department. Respondent Russell W. Saladin failed to disclose on his renewal application for his independent adjuster's license that Respondent Crawford & Company, Inc. was the subject of administrative actions in the States of Maine, Kentucky and Nevada. [Stipulation approved April 1, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Kenneth W. Lincourt (Agent)	26 Fourth Street Camden, NJ 13316	\$500 fine
In connection with the sale of Medicare supplemental insurance policies, Respondent paid an application fee on behalf of the insureds. [Stipulation approved April 4, 2008.]		

**Region: Rochester**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Shane Manderano (Agent)	25 Bridlewood Trail Honeoye Falls, NY 14472	\$250 fine
Respondent failed to report to the Superintendent within 30 days of his initial appearance in court that he was the subject of a criminal prosecution. [Stipulation approved April 10, 2008.]		

**Region: Westchester**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Robert J. Licursi (Broker)	15 Waverly Place Eastchester, NY 10709	License Revoked
Respondent was convicted of Offering a False Instrument for Filing, a felony. [Stipulation approved April 1, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
US Group Medical Administrators, Inc. (Agent)	150 White Plains Road Tarrytown, NY 10591	Licenses Revoked
Frank Winston (Agent, Sublicensee, and proposed sublicense)	Same as Above	
Respondents collected insurance premium payments from numerous insureds and failed to remit or account for said insurance premiums. [Stipulation approved April 1, 2008.]		

**Region: Out of State**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Jennifer Renee Curtis (Agent)	Countrywide Insurance Services Inc. National Headquarters 994 Flower Glen Street Simi Valley, CA 93065	License Revoked
Respondent changed her residence address and was the subject of an administrative action in the States of Alabama and Delaware and failed to notify the Department within thirty days of the aforementioned matters. [Stipulation approved February 6, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Dennis Michael Hayden (Life Broker- Pending)	425 Pine Island Road Matlacha, FL 33993	\$500 fine
Respondent failed to disclose on his application for his life broker's license that he was the subject of administrative action by the Commonwealth of Massachusetts Office of Consumer Affairs and Business Regulation. [Stipulation approved April 1, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Kenneth W. Lincourt (Agent)	26 Fourth Street Camden, NJ 13316	\$500 fine
In connection with the sale of Medicare supplemental insurance policies, Respondent paid an application fee on behalf of the insureds. [Stipulation approved April 4, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
The Loomis Insurance Agency (Broker, Excess Lines Broker, Life Broker, Agent and Independent Adjuster)	850 Park Road Wyomissing, PA 19610	\$1,800 fine
Gerald F. Blaum, Jr. (Agent and Sublicensee)	Same as Above.	
Respondent The Loomis Insurance Agency acted as an insurance adjuster in the State of New York even though it was not licensed to act as an insurance adjuster under Section 2108 of the Insurance Law. [Stipulation approved March 20, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Donnita L. Marks (Agent)	603 James Meadows Lane P.O. Box 735 Mabscott, WV 25871	License Revoked
Respondent failed to disclose on her renewal application for her agent's license that she was fined by the State of Alabama Department of Insurance and failed to notify the Department within thirty days of the aforementioned action. [Stipulation approved April 1, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Henderson J. Smith Jr. (Agent)	6725 South Fry Road Katy, TX 77494	License Revoked
Respondent failed to disclose on his renewal application for his agent's license that he was denied a license by the North Carolina Department of Insurance. [Stipulation approved March 19, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Idris L. Talib (Agent)	4907 Endolwood Road Charlotte, NC 28215	Licenses Revoked
Respondent failed to notify the Department of an address change within 30 days as required by Section 2134 of the insurance Law and Department Regulation 6 (11 NYCRR 22.3). Respondent also failed to timely respond to Departmental investigatory letters, thereby hampering and impeding the Department's investigation. [Stipulation approved April 7, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Pica Group Services Inc. (Agent and Broker)	110 Westwood Place Brentwood, TN 37027	\$250 fine
Amberry L. Brown (Agent, Broker, and Sublicensee)	Same as Above.	
Respondents failed to report to the Superintendent within 30 days of the final disposition that Respondent Pica Group Services Inc. was fined by the Florida Office of Insurance Regulation. [Stipulation approved April 1, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Angelo L. Riggio (Public Adjuster)	85 James Lane Leighton, NY 18235	\$1,000 fine
Respondent failed to notify the Department of an address change within 30 days; failed to report to the Superintendent within thirty days that he was he the subject of a criminal prosecution; and hampered and impeded the Department's investigation by failing to timely respond to Departmental investigatory letters. [Stipulation approved April 4, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Travel Guard Group, Inc. (Agent)	1145 Clark Street Stevens Point, WI 54481	\$2,000 fine
John Michael Noel (Agent, Broker, Excess Line Broker and Sublicensee)	Same as Above.	
Respondents failed to disclose on multiple license renewal applications that Respondent Travel Guard Group, Inc. was ordered to cease and desist from engaging in certain conduct by the State of Washington, Office of Insurance Commissioner; fined by the Colorado Division of Insurance and the State of Washington, Office of Insurance Commissioner; and issued a license on a probationary status by the State of Georgia, Office of Commissioner of Insurance. [Stipulation approved April 7, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
John V. Wagner (Broker and Excess Line Broker)	233 Jardin Drive Los Altos, CA 94022	\$250 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition that his license was revoked for one year by the State of Ohio, Department of Insurance. [Stipulation approved April 10, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Darryl L. Williams (Agent)	6601 East 140 <sup>th</sup> Street Grandview, MO 64030	\$250 fine
Respondent failed to notify the Department within 30 days that he was fined by the Commonwealth of Pennsylvania Insurance Department. [Stipulation approved April 22, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Richard Gary Wolfe (Agent)	1151 Forest Central Dallas, TX 75243	\$250 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition that he was fined by the Commissioner of Insurance of the State of Texas. [Stipulation approved April 2, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Workman Securities Corporation (Agent)  Paul J. Maxa (Agent and Sublicensee)	119 Third Avenue NE Independence, IA 50644  Same as Above.	\$500 fine
Respondents failed to disclose on the corporate renewal application of Respondent Workman Securities Corporation for its agent's license that an officer of Respondent Workman Securities Corporation was fined by State of Minnesota Department of Commerce. [Stipulation approved April 1, 2008.]		

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