

New York State Insurance Department

ISSUED: 08/04/08

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.

AGENT AND BROKER HEARINGS

Region: Buffalo

LICENSEE	ADDRESS	PENALTY
Michael W. Trummer (Agent)	290 Avery Avenue Salamanca, NY 14779	Licenses Revoked
Respondent, acting as an agent for an insurer, submitted fraudulent accident and health insurance applications that named as applicants individuals who were unaware of or did not authorize such transactions. Respondent also failed to respond to Departmental investigatory letters, thereby hampering and impeding the Department's investigation. [Order issued May 14, 2008.]		

Region: New York City

LICENSEE	ADDRESS	PENALTY
Philip M. Kovitz (Broker)	12 -15 47th Street Brooklyn, NY 11219	\$100 fine
Respondent failed to pay State income tax. [Order issued June 4, 2008.]		

Region: Westchester

LICENSEE	ADDRESS	PENALTY
Joan Winston (Broker)	16-1 Stevens Road Ossining, NY 10562	License Revoked
Respondent failed to notify the Department of an address change within 30 days and failed to appear at the Department for a Statement Under Oath as directed, thereby hampering and impeding the Department's investigation. [Order issued June 4, 2008.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Melita Dumas-Staley (Agent)	21 Martin Drive Lansdowne, PA 19050	License Revoked
Respondent failed to disclose on her renewal application for her agent's license that she was fined by the Insurance Department of Pennsylvania; failed to report the aforementioned action taken by Pennsylvania to the Superintendent within 30 days of the final disposition; and failed to respond to Departmental investigatory letters, thereby hampering and impeding the Department's investigation. [Order issued May 20, 2008.]		

LICENSEE	ADDRESS	PENALTY
Nancy G. Naval (Agent)	855 West El Repetto Drive Monterey Park, CT 91504	License Revoked
Respondent failed to report to the Superintendent that the Office of the Commissioner of Insurance of the State of Georgia fined her and issued a nonresident license to her on a probationary basis and that the State Corporation Commission of the Commonwealth of Virginia revoked her insurance agent's license. Respondent also failed to respond to Departmental investigatory letters, thereby hampering and impeding the Department's investigation. [Order issued May 21, 2008.]		

AGENT AND BROKER STIPULATIONS

Region: Albany

LICENSEE	ADDRESS	PENALTY
Preferred Adjustment Company Inc. (Independent Adjuster)	PO Box 14343 Albany, NY 12212	\$1,000 fine
Paul J. Heaphy Jr. (Sublicensee)	Same as Above	
Edward J. Rufer. (Sublicensee)	Same as Above	
Respondents conducted insurance business using an unlicensed name. [Stipulation approved July 9, 2008.]		

LICENSEE	ADDRESS	PENALTY
Paul A. Silva (Agent)	86 Sewell Street Lake George, NY 12845	\$1,500 fine
Respondent signed insureds' names on insurance related documents without their knowledge or consent. [Stipulation approved April 9, 2008.]		

LICENSEE	ADDRESS	PENALTY
Rachel Macklin (Agent)	113 Preston Road Buffalo, NY 14215	\$1,242 fine
Respondent arranged for an insurance premium payment to be made for an insured from the bank account of an individual without that individual's knowledge or consent. [Stipulation approved July 16, 2008.]		

Region: Mid-Hudson

LICENSEE	ADDRESS	PENALTY
George F. Decker, Jr. (Agent)	47 Brown Road P.O. Box 452 Pleasant Valley, NY 12569	\$1,500 fine
Respondent failed to comply with Department Regulation 60 in connection with annuity replacement transactions. [Stipulation approved July 2, 2008.]		

Region: Nassau County

LICENSEE	ADDRESS	PENALTY
ARC Excess & Surplus LLC (Agent, Broker, and Excess Line Broker)	122 Franklin Avenue Garden City, NY 11530	\$250 fine
Christopher J. Cavallaro (Agent, broker, Reinsurance Intermediary, and Sublicensee)	Same as Above	
Respondents failed to report to the Superintendent within 30 days of the final disposition that Respondent ARC Excess & Surplus LLC was fined by the Commonwealth of Massachusetts, Office of Consumer Affairs and Business Regulation, Division of Insurance. [Stipulation approved June 18, 2008.]		

LICENSEE	ADDRESS	PENALTY
James T. Kelly (Agent)	236 Rockaway Turnpike Cedarhurst, NY 11516	\$500 fine
Respondent failed to disclose on his original application for his agent's license that he was convicted of a misdemeanor. [Stipulation approved July 14, 2008.]		

LICENSEE	ADDRESS	PENALTY
Steven F. Schwartz (Agent)	12 Hempstead Avenue Rockville Centre, NY 11570	\$1,000 fine
Respondent hampered and impeded the Department's investigation by failing to timely respond to Departmental investigatory letters requesting information and documentation; and changed his business address and failed to notify the Department of said change within thirty days. [Stipulation approved July 11, 2008.]		

LICENSEE	ADDRESS	PENALTY
Chaudhry Insurance Brokerage Inc. (Broker)	117-25 Jamaica Avenue Richmond Hill, NY 11418	\$500 fine
Chaudhry Attaullah. (Broker & Sublicensee)	Same as Above	
<p>Respondents mailed out fliers to potential insureds that contained misleading language and specified an insurance rate without setting forth in the advertisement the name of the insurer and the name of the city in which the insurer has its principal office. [Stipulation approved June 18, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Andre S. Daniel (Broker)	2728 Henry Hudson Parkway E. Bronx, NY 10463	\$6,321 fine
<p>Respondent collected insurance premium payments from insureds and failed to remit said premiums to the insurance company or otherwise properly account for the payments and was decertified by the New York Automobile Insurance Plan (“NYAIP”) for various NYAIP violations. [Stipulation approved July 22, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
The Kingstar Company Inc. (Agent, Broker and Excess Line Broker)	405 Lucas Avenue Kingston, NY 12401	\$775 fine
Thomas J. Derella (Agent, Broker and Sublicensee)	Same as Above	
<p>Respondents violated Section 2119(c)(1) of the Insurance law by collecting inspection fees from insureds in connection with the placement of insurance coverage without first obtaining from the insureds a signed memorandum specifying the amount of the fee. [Stipulation approved June 18, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Kesmen Brokerage Services Inc. (Broker)	3273 3rd Avenue Bronx, NY 10456	\$500 fine
Dinatu J. Kesmen (Broker and Sublicensee)	Same as above	
Respondents violated Section 2120(a) of the Insurance Law and Department Regulation 29 (11 NYCRR § 20.3) by commingling insurance premium fiduciary funds with business operating and/or personal expense funds. [Stipulation approved June 18, 2008.]		

LICENSEE	ADDRESS	PENALTY
Large Auto Brokerage Inc. (Broker)	72-40 Main Street Flushing, NY 11367	\$16,600 fine
Leon Gavriel (Sublicensee)	Same as above	
Respondents collected insurance premiums and other funds from insureds on behalf of an unauthorized insurer and aided and facilitated the unauthorized insurer in doing an insurance business in this State. [Stipulation approved June 20, 2008.]		

LICENSEE	ADDRESS	PENALTY
Mona Insurance Brokerage Inc. (Broker)	24-38 38 th Street Astoria, NY 11103	\$1,000 fine
Mona Y. Abuthalam (Broker and Sublicensee)	Same as above	
Respondents failed to disclose on their renewal applications for broker's licenses that Respondent Mona Y. Abuthalam was fined by the Department. [Stipulation approved June 30, 2008.]		

LICENSEE	ADDRESS	PENALTY
O' Bok Insurance Brokerage Inc. (Broker)	136-40 39 Ave – Suite 303A Flushing, NY 11354	\$3,000 fine
Five Fortune Insurance Brokerage Inc. (Broker)	136-65 Roosevelt Ave - Suite 203 Flushing, NY 11354	
Chung H. Yoon (Broker and Sublicensee)	Same as above	
<p>Respondents commingled insurance premium funds and operating expense funds in their premium account; and Respondents Five Fortune Insurance Brokerage Inc. and Chung H. Yoon, in commingling insurance premium funds and operating expense funds as aforesaid, violated a prior agreement with the Department. [Stipulation approved April 8, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Stephen Oszustowicz (Broker)	2230 Bergen Street Brooklyn, NY 11234	\$3,750 fine
<p>Respondent issued and/or authorized the issuance of Certificates of Insurance for various commercial liability insurance policies that contained inaccurate information with respect to the policy numbers and other relevant information. [Stipulation approved June 30, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Pearland Brokerage Inc. (Agent, Broker and Excess Line Broker)	36-01 43 rd Avenue Long Island City, NY 11101	\$3,000 fine
Richard K. Chin (Broker and Sublicensee)	Same as above	
Mari C. Rivera (Agent, Broker and Sublicensee)	Same as above	
<p>Respondents failed to disclose on their applications for their agent's and broker's licenses that they were previously fined by the Department. [Stipulation approved July 3, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Sokkar Brokerage Inc. (Broker)	7117 5 th Avenue Brooklyn, NY 11209	\$1,500 fine
Azza M. Sokkar (Agent, Broker and Sublicensee)	Same as above	
Respondent Sokkar Brokerage Inc. on its renewal application for a broker's license and Respondent Azza M. Sokkar on her renewal applications for a broker's license and an agent's license failed to disclose that they were previously fined by the Department. [Stipulation approved April 8, 2008.]		

Region: Plattsburgh

LICENSEE	ADDRESS	PENALTY
Latremore's Insurance Agency Inc. (Agent and Broker)	147 Washington Avenue Chazy, NY 12921	\$5,000 fine
Glenn R. Latremore (Agent and Sublicensee)	Same as Above	
Respondents violated Section 2115(a)(1) of the Insurance Law by paying referral compensation that was based upon the purchase of insurance to two unlicensed employees in connection with the placement of insurance policies. [Stipulation approved June 25, 2008.]		

Region: Suffolk

LICENSEE	ADDRESS	PENALTY
Lewis G. Goldstein (Agent and Broker)	100-8 South Jersey Avenue East Setauket, NY 11733	\$250 fine
Respondent failed to report to the Superintendent within 30 days that he was the subject of a criminal prosecution. [Stipulation approved July 15, 2008.]		

LICENSEE	ADDRESS	PENALTY
William Gorman (Broker)	263 River Avenue Patchogue, NY 11772	\$250 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition that his application for licensure as a non-resident general lines insurance agent was denied by the State of Florida [Stipulation approved July 8, 2008.]		

LICENSEE	ADDRESS	PENALTY
Long Island United Agency, Inc. (Broker)	100 Wicks Road Brentwood, NY 11717	License Revoked
Respondent was decertified by the New York Automobile Insurance Plan (NYAIP) for one year for various NYAIP violations, allowed unlicensed individuals to transact insurance business, and hampered and impeded the Department's investigation by failing to respond to Departmental investigatory letters requesting information and documentation. [Stipulation approved June 24, 2008.]		

LICENSEE	ADDRESS	PENALTY
Thomas W. Spuhler (Agent)	2 Winston Court Shoreham, NY 11786	2,000 fine
Respondent violated Section 2122(b) of the Insurance Law by faxing an advertisement to a prospective insured that referred to an insurer without setting forth in the advertisement the full name of the insurer and the name of the city, town or village in which the insurer has its principal place of business. Respondent violated Section 2123(a) of the Insurance Law and Department Regulation 60 (11 NYCRR § 51.5) in connection with the placement of a life insurance policy that involved replacement of the insured's life insurance policies by failing to perform any of the required duties of an agent. Respondent violated Section 4224(c) of the Insurance Law by giving to the insured tickets to a baseball game as inducement to the insured to acquire the replacement policy. Respondent also added to the insured's electronic payment account agreement for the replacement policy a one-time special draft amount for an additional initial premium payment without the insured's knowledge, permission or consent. [Stipulation approved June 20, 2008.]		

Region: Syracuse

LICENSEE	ADDRESS	PENALTY
Joseph R. Bombard (Agent)	4823 Hepplewhite Drive Manlius, NY 13104	\$1,500 fine
Respondent failed to comply with Department Regulation 60 in connection with annuity placement transactions. [Stipulation approved July 9, 2008.]		

LICENSEE	ADDRESS	PENALTY
David J. Lamirand (Agent)	202 Woburn Drive Camillus, NY 13031	License Revoked
Respondent, while he was employed by an insurance company, completed and submitted ten applications for insurance policies to the insurance company that named applicants who did not exist or the addresses did not exist; and failed to remit to the insurance company renewal insurance premiums that he collected from eleven insureds. [Order issued July 10, 2008.]		

Region: Utica

LICENSEE	ADDRESS	PENALTY
David D. Pristera (Agent and Broker)	105 Crossgates Road Rome, NY 13440	\$250 fine
Respondent, in connection with the sale of a Medicare supplemental insurance policy, paid a \$25.00 application fee on behalf of the insured. [Stipulation approved April 4, 2008.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
John G. Beam Jr. (Agent)	One Hillcrest Drive Charleston, WV 25311	\$500 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition that the Alabama Department of Insurance ordered Respondent to reimburse it for certain costs, expenses and attorneys fees it incurred and that he was fined by the Florida Department of Financial Services. [Stipulation approved June 19, 2008.]		

LICENSEE	ADDRESS	PENALTY
Matthew L. Copus (Agent)	19660 10 th Avenue NE Poulsbo, WA 98370	\$500 fine
Respondent failed to disclose on his renewal application for his agent's license that he was the subject of an administrative action by the Commonwealth of Pennsylvania Insurance Department. [Stipulation approved July 18, 2008.]		

LICENSEE	ADDRESS	PENALTY
Timothy Allen Craig (Agent)	12837 Tuscany Blvd Carmel, IN 46032	\$1,250 fine
Respondent failed to notify the Department within thirty days that he was involved in administrative actions by the Delaware Insurance Department, the South Dakota Insurance Department and the Kansas Insurance Department. Respondent, in failing to notify the Department of the aforesaid administrative actions, violated a prior agreement with the Department. [Stipulation approved April 7, 2008].		

LICENSEE	ADDRESS	PENALTY
Fidelity Associates Inc. (Agent)	501 Bernard Street Spokane, WA 99220	\$500 fine
Scott K. Jones (Agent and Sublicensee)	Same as above	
Respondents on Fidelity Associates Inc.'s renewal application for an agent's license failed to disclose that Respondent Fidelity Associates Inc. was fined by the State of Washington, Office of Insurance Commissioner. [Stipulation approved June 30, 2008.]		

LICENSEE	ADDRESS	PENALTY
Maria Anita Grosvenor (Agent)	10419 Lakeside Vista Drive Riverview, FL 33569	\$500 fine
Respondent failed to disclose on her original application for her agent's license that she was convicted of a misdemeanor. [Stipulation approved June 18, 2008.]		

LICENSEE	ADDRESS	PENALTY
Patrick Robert Higgins (Agent and Broker - Licenses Pending)	1941 Mohican Drive Maitland, FL 32751	\$500 fine
Respondent failed to disclose on his original applications for his agent and broker licenses that he was ordered to pay to the Florida Department of Financial Services certain administrative costs. [Stipulation approved July 7, 2008.]		

LICENSEE	ADDRESS	PENALTY
Dennis Kongvongsai (Agent)	11461 Eastridge Place San Diego, CA 92131	\$250 fine
Respondent failed to report to the Superintendent within 30 days that he was convicted of a misdemeanor. [Stipulation approved June 25, 2008.]		

LICENSEE	ADDRESS	PENALTY
F. Darrell Lindsey (Broker and Excess Line Broker)	7417 Lost Canyon Circle Salt Lake City, UT 84121	\$250 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition that he was fined by the Kentucky Office of Insurance and the Delaware Insurance Department. [Stipulation approved July 8, 2008.]		

LICENSEE	ADDRESS	PENALTY
Rick J. Lindsey (Broker)	c/o Evolution Insurance Brokers 8722 S. Harrison Street Sandy, UT 84070	\$500 fine
Respondent failed to disclose on his original application for a broker's license that Prime Insurance Syndicate Inc., of which he is President, was the subject of an administrative action by the State of Arizona Insurance Department. [Stipulation approved April 4, 2008.]		

LICENSEE	ADDRESS	PENALTY
Erik S. Poje (Agent)	120 Commercial Street Unit 1 – 2 Boston, MA 02109	\$500 fine
Respondent hampered and impeded the Department's investigation by failing to timely respond to Departmental investigatory letters requesting information and documentation; and changed his business address and failed to notify the Department of said change within thirty days. [Stipulation approved July 11, 2008.]		

LICENSEE	ADDRESS	PENALTY
Donald Robert Romero (Agent)	1451 Rock Ridge Drive Roseville, CA 95661	License Revoked
Respondent failed to disclose on his original application for his agent's license that he was convicted of a crime. [Stipulation approved July 1, 2008.]		

LICENSEE	ADDRESS	PENALTY
Rosenbloom & Rosenbloom Inc. (Agent)	111 Third Avenue Minneapolis, MN 55401	\$500 fine
Philip M. Rosenbloom (Agent and Sublicensee)	Same as Above	
Respondents failed to report to the Superintendent within 30 days of the final disposition that Respondent Rosenbloom & Rosenbloom Inc. was fined by the Commonwealth of Massachusetts, Office of Consumer Affairs and Business Regulation, Division of Insurance. [Stipulation approved June 23, 2008.]		

LICENSEE	ADDRESS	PENALTY
Larry Bryan Schweiger (Agent)	c/o The Simba Group 200 East Broward Boulevard Fort Lauderdale, FL 33301	License Revoked
Respondent failed to disclose on his relicensing application for his agent's license that he was the subject of an administrative action by the National Association of Securities Dealers, and failed to notify the Department within 30 days that his producer's license was revoked by the Illinois Department of Financial and Professional Regulation, Division of Insurance. [Stipulation approved June 18, 2008.]		

LICENSEE	ADDRESS	PENALTY
Virginia Smith (Agent)	c/o BRO Enterprises LLC CI Direct DBA 2513 Southwest Avenue Harlan, IA 51537	\$500 fine
Respondent failed to disclose on her original application for her agent's license that she was convicted of a misdemeanor. [Stipulation approved June 18, 2008.]		

LICENSEE	ADDRESS	PENALTY
Candice Dorice Spears (Agent)	5044 Alcott Avenue St. Louis, MO 63120	\$500 fine
Respondent failed to report to the Superintendent within thirty days of the final disposition of the matter that the State of Washington, Office of Insurance Commissioner, revoked her insurance agent's license. [Stipulation approved June 24, 2008.]		

LICENSEE	ADDRESS	PENALTY
Tabb Brockenbrough & Ragland LLC (Agent)	PO Box 8767 Richmond, VA 23226	\$250 fine
Robert D. Ramsey (Sublicensee)	Same as Above	
Respondents failed to report to the Superintendent within 30 days of the final disposition that Respondent Tabb Brockenbrough & Ragland LLC was fined by the Commonwealth of Virginia, State Corporation Commission. [Stipulation approved July 18, 2008.]		

LICENSEE	ADDRESS	PENALTY
Tracksure Insurance Agency, Inc. f/k/a Safeco Financial Institution Solutions, Inc. (Broker)	2677 North Main Street Santa Ana, CA 92557	\$500 fine
Respondent failed to report to the Superintendent within thirty days of the final disposition of the matter that it was ordered to pay a civil penalty by the Alaska Director of Insurance and ordered to pay an administrative penalty by the New Hampshire Insurance Commissioner. [Stipulation approved July 10, 2008.]		

LICENSEE	ADDRESS	PENALTY
Andrew A. Trippiedi (Agent)	Professional Economic Growth Group 105 Fieldcrest Avenue Edison, NJ 08837	\$14,385.42 fine
Respondent failed to comply with Department Regulation 60 in connection with an annuity replacement transaction. [Stipulation approved June 26, 2008.]		

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