

New York State Insurance Department

ISSUED: 11/04/08

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.

INSURANCE COMPANES

LICENSEE	ADDRESS	PENALTY
The Travelers Indemnity Company	One Tower Square Hartford, CT 06115	\$50,000 fine
The Travelers Indemnity Company of Connecticut	Same As Above	
The Travelers Indemnity Company of America	Same as Above	
The Charter Oak Fire Insurance Company	Same as Above	
Travelers Casualty & Surety Company of America	Same as Above	
Respondents paid commissions to an unlicensed insurance agency on approximately 110 policies. [Stipulation approved October 6, 2008.]		

LICENSEE	ADDRESS	PENALTY
Unitrin Advantage Insurance Company	12926 Gran Bay Parkway West Jacksonville, FL 32258	\$5,550 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 claims and denial of claims. [Stipulation approved September 10, 2008.]		

LICENSEE	ADDRESS	PENALTY
Unitrin Auto and Home Insurance Company	12926 Gran Bay Parkway West Jacksonville, FL 32258	\$4,500 fine
<p>Respondent violated Section 5106 of the Insurance Law and various provisions of Department Regulation No. 68 [11 NYCRR 65] in connection with payment of overdue claims and denial of claims. Respondent also failed to comply with Department Regulation No. 83 [11 NYCRR 68.8] which states that insurers are required to report provider overcharging and excessive treatment by health providers and to designate a claims person in each No-Fault claims processing office to maintain a master file of each instance of inappropriate practice; and with Department Regulation No. 96 [11 NYCRR 62-2.2(b)] which states that an insurer shall report all fire losses in excess of \$1,000 involving applicable property to the Property Insurance Loss Register (PILR) within five business days following receipt of notice of loss. [Stipulation approved September 10, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Unitrin Preferred Insurance Company	12926 Gran Bay Parkway West Jacksonville, FL 32258	\$4,950 fine
<p>Respondent violated Section 5106 of the Insurance Law and various provisions of Department Regulation No. 68 [11 NYCRR 65] in connection with payment of overdue claims and denial of claims. Respondent also violated Department Regulation No. 83 [11 NYCRR 68.8] which states that insurers are required to report provider overcharging and excessive treatment by health providers and to designate a claims person in each No-Fault claims processing office to maintain a master file of each instance of inappropriate practice. [Stipulation approved September 10, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Wilton Reassurance Life Company of New York f/k/a American Life Insurance Company of New York	187 Danbury Road Riverview Building Wilton, CT 06897	\$150,000 fine
<p>Respondent violated Section 3201(b)(1) of the Insurance Law by using policy forms which were neither filed with nor approved by the Superintendent; Section 3209(b)(1) by failing to provide the prospective purchaser of a Select Term policy with a copy of the current buyer's guide at or prior to the time the application was taken; and Section 3214(c) when it failed to pay interest on some death claims and improperly computed interest paid on other death claims. [Stipulation approved October 21, 2008.]</p>		

AGENT AND BROKER HEARINGS

Region: New York City

LICENSEE	ADDRESS	PENALTY
Hardat Mahadeo (Agent)	71-50 Austin Street Forest Hills, NY 11375	Licenses Revoked
<p>Respondent, while acting as an agent for an insurer, invested the cash value of his clients' life insurance policies in high risk investments, and made representations and guarantees of investment results without any reasonable basis in fact and without warning the clients of the high risks of the investments. Respondent failed to repay the insurer, which reimbursed one client, and failed to repay part of the money owed to another client. Respondent also falsely answered certain questions in various life insurance applications and reinstatement applications concerning the health of his mother, an insured. In addition, Respondent gave false negative answers to questions on two licensing applications asking if he had been charged by any insurer or employer with irregularities of any nature, if he ever had a contract or business relationship with an insurer terminated for alleged misconduct and if there had been any demand made against him for overdue monies by an insurer or insured. [Order issued May 6, 2008.]</p>		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Bonnie Ann Frizzell (Agent)	12606 Old San Antonio Road Manhaca, TX 78652	\$400 fine
<p>Respondent's application for a non-resident insurance producer's license was denied by the Mississippi Insurance Department based upon Respondent's failure to respond to the Mississippi Insurance Department's request for information, and Respondent failed to report the Mississippi license denial action to the Superintendent within 30 days of the final disposition of the matter. Respondent also failed to notify the Superintendent within 30 days that she changed her business address, and failed to respond to Departmental investigatory letters. [Order issued September 24, 2008.]</p>		

AGENT AND BROKER STIPULATIONS

Region: Buffalo

LICENSEE	ADDRESS	PENALTY
James E. McElhinny Jr. (Agent)	271 Ransom Road Lancaster, NY 14086	\$750 fine
Respondent failed to comply with Department Regulation 60 in connection with a life insurance replacement transaction. [Stipulation approved September 30, 2008.]		

LICENSEE	ADDRESS	PENALTY
Gregory A. Jezioro (Agent)	351 Weimar Street Buffalo, NY 14026	Licenses Revoked
Respondent, while acting as an agent for an insurer, signed the names of insureds on request for change of beneficiary forms for the insureds' annuity contracts without the insureds' knowledge, permission or consent, and submitted the forms to the insurer for processing. [Stipulation approved September 11, 2008.]		

Region: New York City

LICENSEE	ADDRESS	PENALTY
Bonnie Chao (Agent)	2553 East 16 th Street Brooklyn, NY 11235	License Revoked
Respondent was convicted of Conspiracy to Commit Bank Fraud, a felony. [Stipulation approved October 17, 2008.]		

LICENSEE	ADDRESS	PENALTY
Ira Friedman (Public Adjuster)	912 East 86 th Street P.O. Box 219 Brooklyn, NY 11236	\$2,500 fine
Respondent transacted insurance business under an unlicensed name, changed his residence address and failed to notify the Department of the change within thirty days, and hampered and impeded the Department's investigation by failing to respond to Departmental investigatory letters requesting information and documentation. [Stipulation approved September 9, 2008.]		

LICENSEE	ADDRESS	PENALTY
Good Morning Insurance Agency Corp. (Broker - License Pending)	142-34 Roosevelt Avenue Flushing, NY 11354	\$1,500 fine
Susan Jung Chung (Broker and Proposed Sublicensee)	Same as Above	
<p>Respondents issued an insurance premium payment transmittal check that was dishonored by the bank upon which it was drawn; 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; and permitted Respondent Good Morning Insurance Agency Corp. to act as an insurance producer without a license. [Stipulation approved October 17, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Irina's Brokerage Inc. (Broker)	1724 Bath Avenue Brooklyn, NY 11214	\$500 fine
Irina I. Berezentseva (Broker and Sublicensee)	Same as above	
<p>Respondent Irina I. Berezentseva commingled insurance premium funds and personal funds in Samy & Irina Inc.'s premium account and used the funds for expenses of her new office at Respondent Irina's Brokerage Inc. [Stipulation approved September 24, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Noel L. Luria (Agent)	402 East 80 th Street New York, NY 10021	License Revoked
<p>Respondent failed to report to the Superintendent within 30 days that he plead guilty to a criminal charge. [Stipulation approved October 8, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Navigators Management Company Inc. (Broker, Excess Line Broker and Reinsurance Intermediary) Christopher C. Duca (Agent, Broker, Excess Line Broker and Sublicensee)	One Penn Plaza New York, NY 10119 Same as Above	\$2,500 fine
Respondents failed to disclose on license renewal applications that Respondent Christopher C. Duca was fined by the State of New Jersey, Department of Banking and Insurance for not updating his business address. [Stipulation approved July 7, 2008.]		

LICENSEE	ADDRESS	PENALTY
William Arthur Saffran (Broker)	c/o AON Risk Services Inc. 199 Water Street New York, NY 10038	\$500 fine
Respondent failed to disclose on his original application for his broker's license that a corporation of which he is an officer was named as a party to an administrative proceeding initiated by the Department and was fined by the State of New Jersey, Department of Banking and Insurance and the Commonwealth of Massachusetts, Office of Consumer Affairs and Business Regulation. [Stipulation approved May 28, 2008.]		

Region: Rochester

LICENSEE	ADDRESS	PENALTY
Aaron E. Casey (Agent and Broker)	5931 King Hill Drive Farmington, NY 14425	\$750
Respondent placed an advertisement in a newspaper that contained misleading information regarding insurance rates and violated Section 2324(a) of the Insurance Law by giving supermarket gift cards to prospective insureds as inducement for the prospective insureds to acquire insurance policies. [Stipulation approved September 25, 2008.]		

Region: Suffolk County

LICENSEE	ADDRESS	PENALTY
Brownyard Programs, Ltd. (Agent, Broker and Excess Line Broker)	86 Carleton Avenue East Islip, NY 11730	\$500 fine
Bruce W. Brownyard (Agent, Broker, Excess Line Broker and Sublicensee)	Same as Above	
Respondents failed to report to the Superintendent within 30 days of the final disposition that Respondent Brownyard Programs, Ltd. was fined by the State of Nevada, Department of Business and Industry, Division of Insurance and the Insurance Division, Department of Commerce and Consumer Affairs, State of Hawaii. [Stipulation approved October 15, 2008.]		

LICENSEE	ADDRESS	PENALTY
Scott M. Fitzgerald (Agent)	7 Heide Court St. James, NY 11780	\$4,039 fine
Respondent failed to comply with Department Regulation 60 in connection with an annuity replacement transaction. [Stipulation approved October 1, 2008.]		

LICENSEE	ADDRESS	PENALTY
Tawana L. Rowser-Brown (Agent)	140 Miller Avenue North Amityville, NY 11701	License Revoked
Respondent was convicted of Grand Larceny in the 2 nd degree, a felony and several counts of offering a False Instrument for filing in the first degree, a felony. [Stipulation approved September 11, 2008.]		

Region: Syracuse

LICENSEE	ADDRESS	PENALTY
Haylor, Freyer & Coon, Inc. (Agent, Broker and Excess Line Broker)	P.O. Box 4743 Syracuse, NY 13221	\$1,500 fine
Respondent misrepresented that there was insurance coverage on three policies that were either never issued or were canceled. [Stipulation approved October 1, 2008.]		

Region: Utica

LICENSEE	ADDRESS	PENALTY
Eric A. Almleaf (Agent)	419 Pleasant Street Utica, NY 13501	License Revoked
Respondent submitted applications for accident and health insurance to an insurer that were neither requested nor authorized by the proposed insureds. Respondent also submitted to the insurer a check drawn on a closed bank account for the purpose of making the initial premium payment for the aforementioned insurance, and submitted to the insurer an automatic premium collection form authorizing debits from the aforementioned closed account for the purpose of making monthly premium payments for the aforementioned insurance. [Stipulation approved September 24, 2008.]		

Region: Westchester

LICENSEE	ADDRESS	PENALTY
Jared Cutler (Agent)	611 Pondsides Drive White Plains, NY 10607	\$500 fine
Respondent transferred shares from his life insurance trust account to his personal investment account by forging the signature of his attorney, who is trustee of Respondent's life insurance trust account. [Stipulation approved September 24, 2008.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
American Risk Management Resources Network LLC (Broker and Excess Line Broker)	7507 Hubbard Avenue Middleton, WI 53562	\$250 fine
David J. Dybdahl (Sublicensee)	Same as Above	
Respondents failed to report to the Superintendent within 30 days of the final disposition that Respondent American Risk Management Resources Network LLC was fined by the Florida Department of Financial Services. [Stipulation approved October 21, 2008.]		

LICENSEE	ADDRESS	PENALTY
Byron L. Bradley (Agent)	c/o Liberty Mutual Insurance Company 14415 South 50 th Street Phoenix, AZ 85044	\$250 fine
Respondent failed to report to the Superintendent within thirty days of the final disposition of the matter that the Ohio Department of Insurance revoked his license, for having been convicted of a felony. [Stipulation approved September 29, 2008.]		

LICENSEE	ADDRESS	PENALTY
Dragan Djordjevic (Agent and Broker – Licenses Pending)	c/o AXIOM Insurance Managers Agency LLC 1701 Golf Road Rolling Meadows, IL 60008	\$1,000 fine
Respondent failed to disclose on his original application for his broker's license that he was fined by the State of Illinois, Department of Insurance, and failed to disclose on his original application for his agent's license that he was denied a non-resident insurance producer's license by the South Dakota Department of Revenue & Regulation, Division of Insurance. [Stipulation approved October 1, 2008.]		

LICENSEE	ADDRESS	PENALTY
Flying J Insurance Agency Services f/k/a Transportation Specialists Insurance Agency Inc. (Agent)	4185 Harrison Boulevard Ogden, UT 84403	\$500 fine
Respondent failed to disclose on its original application for its agent's license that it was fined by the Kentucky Department of Insurance and the Kansas Insurance Department. [Stipulation approved October 15, 2008.]		

LICENSEE	ADDRESS	PENALTY
Gallagher Arthur J. Risk Management Services Inc. (Agent, Broker, Excess Line Broker and Life Broker)	10 South LaSalle Street Chicago, IL 60603	\$500 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition that Respondent was fined by the Insurance Commissioner of the State of Delaware, the Louisiana Department of insurance and the Commonwealth of Virginia, Commissioner of Insurance. [Stipulation approved October 15, 2008.]		

LICENSEE	ADDRESS	PENALTY
Marshall W. Joseph (Agent)	c/o Benefit Administrative Systems 17475 Jovanna Drive Homewood, IL 60430	\$250 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition that Benefit Administrative Systems, LLC, a limited liability company of which he is an officer, was fined by the State of Nevada, Department of Business and Industry, Division of Insurance. [Stipulation approved September 17, 2008.]		

LICENSEE	ADDRESS	PENALTY
Meadowbrook Inc. (Agent)	26255 American Drive Southfield, MI 48034	\$500 fine
Kenn R. Allen (Sublicensee)	Same as Above	
Respondents failed to notify the Department within 30 days that Respondent Meadowbrook, Inc. was fined by the State of Nevada Department of Business and Industry, Division of insurance. [Stipulation approved September 24, 2008.]		

LICENSEE	ADDRESS	PENALTY
Porter & Curtis LLC (Broker and Excess Line Broker)	225 State Road Media, PA 19063	\$1,000 fine
William P. Curtis Jr. (Agent)	Same as Above	
Respondents failed to disclose on Respondent Porter & Curtis LLC's renewal applications for its broker's and excess line broker's licenses that Respondent Porter & Curtis LLC was fined by the State of New Jersey, Department of Banking and Insurance. [Stipulation approved September 30, 2008.]		

LICENSEE	ADDRESS	PENALTY
Earle J. Solomonson (Agent)	c/o Trivent Financial for Lutherans 2809 E Harmony Road Fort Collins, CO 80538	\$500 fine
Respondent failed to disclose on his relicensing application that the Wisconsin Office of the Commissioner of Insurance (OCI) denied his license application for failing to provide information requested by OCI related to his application. [Stipulation approved October 1, 2008.]		

LICENSEE	ADDRESS	PENALTY
Mark J. Strong (Agent, Broker, and Excess Line Broker)	c/o Geo. F. Brown and Sons Inc. 118 South Clinton Street Chicago, IL 60661	\$1,000 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 and the Commonwealth of Kentucky, Office of Insurance. [Stipulation approved September 17, 2008.]		

LICENSEE	ADDRESS	PENALTY
Superior Performers (Agent)	3335 United States Highway 29 North Danville, VA 24540	\$250 Fine
Andy Albright f/k/a Andy S. Albright (Agent - License Pending and Sublicensee)	Same as Above	
Respondents failed to report to the Superintendent within 30 days of the final disposition that Respondent Superior Performers was fined by the Insurance Department of the Commonwealth of Pennsylvania. [Stipulation approved October 21, 2008.]		

LICENSEE	ADDRESS	PENALTY
Suntrust Investment Services Inc. f/k/a Suntrust Securities Inc. (Agent)	c/o Suntrust Capital Markets Inc. 303 Peachtree Center NE Atlanta, GA 30303	\$2,500 fine
Paul C. Field (Agent and Sublicensee)	Same as Above	
Respondents failed to disclose on renewal applications for the agent's licenses of Respondents Suntrust and Paul C. Field actions and proceedings required to be disclosed, including that Respondent Suntrust was named as a party to arbitration proceedings involving allegations of fraud, breach of fiduciary duty and/or misrepresentation that were initiated before the National Association of Securities Dealers and named as a party to a lawsuit involving allegations of fraud, breach of fiduciary duty and misrepresentation that was initiated in the Circuit Court of Seminole County, Florida. [Stipulation approved October 1, 2008.]		

LICENSEE	ADDRESS	PENALTY
Transatlantic Professional Risk Management Services (Agent)	1515 Wilson Boulevard Arlington, VA 22209	\$2,000 fine
Martin G. Tracy (Agent and Sublicensee)	Same as Above	
Jacqueline M. Palumbo (Agent)	Same as Above	
<p>Respondents transacted insurance business using an unlicensed name and in doing so Respondents Martin G. Tracy and Jacqueline M. Palumbo violated a prior stipulation entered into with the Department wherein they agreed they would not again transact insurance business under an unlicensed name. [Stipulation approved October 14, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Wright & Company (Agent, Broker and Excess Line Broker)	2300 Clarendon Boulevard Arlington, VA 22201	\$250 fine
<p>Respondent failed to report to the Superintendent within 30 days of the final disposition that the Office of the Commissioner of Insurance, State of Georgia fined Respondent and issued a Georgia administrator license to Respondent on a probationary status. [Stipulation approved October 15, 2008.]</p>		

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