

New York State Department of Financial Services

ISSUED: 9/10/2012

FOR IMMEDIATE RELEASE

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES TAKES DISCIPLINARY ACTIONS AGAINST COMPANIES, AGENTS, BROKERS & ADJUSTERS

The New York State Department of Financial Services 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

LICENSEE	ADDRESS	PENALTY
Excellus Health Plan, Inc.	165 Court Street Rochester, NY 14647	\$10,300 fine
Respondent failed to pay certain claims within the time limitations specified in Section 3224-a of the Insurance Law. [Stipulation approved March 22, 2012.]		

LICENSEE	ADDRESS	PENALTY
Excellus Health Plan, Inc.	165 Court Street Rochester, NY 14647	\$995,000 fine
Respondent failed to send explanation of benefits statements to members who had submitted claims involving the purchase of pharmaceutical drugs where the member had contributed to the cost of the drug through either co-insurance or a deductible and by sending explanation of benefits statements in certain instances that did not contain all of the required information to members; denied coverage in certain instances for emergency treatment; and failed to include claims data for the period ending December 31, 2007 within its filed December 31, 2007 Schedule H. [Stipulation approved March 12, 2012.]		

LICENSEE	ADDRESS	PENALTY
GHI HMO Select, Inc.	441 Ninth Avenue New York, NY 10001	\$1,900 fine
Respondent failed to pay certain claims within the time limitations specified in Section 3224-a of the Insurance Law. [Stipulation approved March 7, 2012.]		

LICENSEE	ADDRESS	PENALTY
Group Health Incorporated	441 Ninth Avenue New York, NY 10001	\$34,500 fine
Respondent failed to pay certain claims within the time limitations specified in Section 3224-a of the Insurance Law. [Stipulation approved March 7, 2012.]		

LICENSEE	ADDRESS	PENALTY
Health Net of New York, Inc.	150 East 42 nd Street New York, NY 10165	\$84,020 fine
Respondent, during the calendar years 2008 and 2009, failed to provide written notice to its group contract holders of the availability of coverage for adults and children with biologically based mental illness and for children with serious emotional disturbances. [Stipulation approved December 20, 2011.]		

LICENSEE	ADDRESS	PENALTY
Health Net Insurance of New York Inc.	One Far Mill Crossing Shelton, CT 06484-0944	\$14,900 fine
Health Net of New York, Inc.	Same as above	
Respondents failed to pay certain claims within the time limitations specified in Section 3224-a of the Insurance Law. [Stipulation approved March 27, 2012.]		

LICENSEE	ADDRESS	PENALTY
Health Plus Inc.	241 37th Street Brooklyn, NY 11232	\$25,500 fine
Respondent failed to pay certain claims within the time limitations specified in Section 3224-a of the Insurance Law. [Stipulation approved March 7, 2012.]		

LICENSEE	ADDRESS	PENALTY
Health Insurance Plan of Greater New York	55 Water Street New York, NY 10041	\$95,100 fine
HIP Insurance Company of New York	Same as above	\$4,800 fine
Respondents failed to pay certain claims within the time limitations specified in Section 3224-a of the Insurance Law. [Stipulation approved March 7, 2012.]		

LICENSEE	ADDRESS	PENALTY
MVP Health Plan, Inc. and MVP Health Insurance Company	625 State Street Schenectady, NY 12305	\$191,720 fine
<p>Respondents failed to provide written notice to their group contract holders of the availability of coverage for adults and children with biologically based mental illness and for children with serious emotional disturbances. [Stipulation approved February 28, 2012.]</p>		

LICENSEE	ADDRESS	PENALTY
Nationwide Mutual Fire Insurance Company	One Nationwide Plaza Columbus, OH 43215	\$92,000 fine
<p>In connection with its personal lines insurance business during the period January 1, 2008 to June 30, 2008 Respondent violated various provisions of Department Regulations 96, 152 and 159 [11 NYCRR Parts 62, 243, and 74] as well as N.Y. Insurance Law Sections 2307, 2802 and 3425. [Stipulation approved July 5, 2012.]</p>		

LICENSEE	ADDRESS	PENALTY
Nationwide Property and Casualty Insurance Company	One Nationwide Plaza Columbus, OH 43216	\$9,000 fine
<p>In connection with its personal lines insurance business during the period January 1, 2008 to June 30, 2008, Respondent violated Section 2307(b) of the Insurance Law, which states that no policy form shall be delivered or issued for delivery unless it has been filed with the Superintendent and either he has approved it, or 30 days have elapsed and he has not disapproved it; Sections 3425(c)(2) and (d)(1) of the Insurance Law, which state that after a covered policy has been in effect for sixty days, no notice of cancellation shall be issued or effective and states unless the insurer, at least forty-five but not more than sixty days in advance of the end of the policy period mails or delivers to the named insured, a written notice of its intention not to renew a covered policy, the named insured shall be entitled to renew the policy; Department Regulation 152 [11 NYCRR 243.2(b)], which states that insurers shall maintain a policy record for each insurance contract or policy for six calendar years after the date the policy is no longer in force, and Regulation 159 [11 NYCRR 74.2], which states that every notice of cancellation, nonrenewal or conditional renewal issued on or after November 23, 2006 for a homeowners insurance policy insuring property that may be eligible for participation in a market assistance program established by the Superintendent shall advise the insured of the availability of the market assistance program and the availability of coverage through the New York Property Insurance Underwriting Association (“NYPIUA”) for insurance. The notice shall be conspicuous and provide sufficient information on how to apply to the market assistance program and to NYPIUA. [Stipulation approved July 5, 2012.]</p>		

LICENSEE	ADDRESS	PENALTY
New York Marine and General Insurance Company	412 Mt. Kemble Avenue Morristown, NJ 07960	\$45,000 fine
Respondent issued special risk insurance policies without having the authority to write in the 'free trade zone' by virtue of a special risk license. [Stipulation approved July 20, 2012.]		

LICENSEE	ADDRESS	PENALTY
New York State Catholic Health Plans Inc.	95-25 Queens Blvd. Rego Park, NY 11374	\$10,500 fine
Respondent failed to pay certain claims within the time limitations specified in Section 3224-a of the Insurance Law. [Stipulation approved March 7, 2012.]		

LICENSEE	ADDRESS	PENALTY
Oxford Health Plans (NY), Inc.	48 Monroe Turnpike Trumbull, CT 06611	\$1,292, 840 fine
Oxford Health Insurance, Inc.	Same as above	
Respondent did not provide acceptable written notice to certain group contract holders of the availability of coverage for adults and children with biologically based mental illnesses and for children with serious emotional disturbances. [Stipulation approved April 30, 2012.]		

LICENSEE	ADDRESS	PENALTY
QBE Insurance Corporation	Wall Street Plaza 88 Pine Street New York, NY 10005	\$249,000 fine
Respondent, in connection with its no-fault insurance program, in certain circumstances, violated Regulation 68 [11 NYCRR 65-3] and Section 5106 of the Insurance Law, which states that additional verification forms shall be requested within 15 business days of receipt of the prescribed verification forms; that for every six month period during which any benefits are paid, the insurer shall forward an EOB to the eligible injured person and such person's attorney; that payment or denial of claims must be made within 30 calendar days of receipt of relevant information and/or proof of claim; and that all overdue PIP benefits shall bear interest at a rate of 2 percent per month, calculated on a pro rata basis using a 30-day month; and Regulation 64 [11 NYCRR 64-216], which states that insurers should not demand verification of facts unless there are good reasons to do so, and it should be done as expeditiously as possible; and that all communications and transactions, whether written or oral shall be dated by the insurer. [Stipulation approved August 7, 2012.]		

LICENSEE	ADDRESS	PENALTY
Rochester Area Health Maintenance Organization	220 Alexander Street Rochester, NY	\$23,910 fine
Respondent, during 2008 and 2009, failed to provide written notice to its group contract holder of the availability of coverage for adults and children with biologically based mental illness and for children with serious emotional disturbances. [Stipulation approved February 28, 2012.]		

LICENSEE	ADDRESS	PENALTY
Seneca Insurance Company	160 Water Street New York, NY 10038	\$12,500 fine
Respondent issued special risk insurance policies without the authority to write in the free trade zone. [Stipulation approved July 9, 2012.]		

LICENSEE	ADDRESS	PENALTY
Sentinel Insurance Company, Ltd.	200 Hopmeadow Street Simsbury, CT 06089	\$18,400 fine
Respondent exceeded the maximum number of private passenger automobile non-renewals permitted for the calendar year 2010. [Stipulation approved June 22, 2012.]		

LICENSEE	ADDRESS	PENALTY
United Healthcare Insurance Company of New York State Insurance Department	185 Asylum Street Hartford, CT 06103	\$21,140 fine
Respondent did not provide acceptable written notice to certain group contract holders of the availability of coverage for adults and children with biologically based mental illnesses and for children with serious emotional disturbances. [Stipulation approved April 30, 2012.]		

AGENT & BROKER HEARINGS

Region: Syracuse

LICENSEE	ADDRESS	PENALTY
Frank J. Cook (Agent)	108 Trump Street Syracuse, NY 13209	License Revoked
Respondent failed to respond to Departmental investigatory letters requesting information and documentation in connection with his renewal application for an agent's license, and Respondent also failed to notify the Department within 30 days that he changed his business address. [Order issued January 17, 2012.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Edna D. Duvall (Agent)	3803 Crescent Road Charlestown, IN 47111	License Revoked
Respondent's insurance producer licenses were revoked by the Office of Insurance Commissioner for the State of Washington and the South Dakota Division of Insurance, and Respondent failed to report the revocations to the Superintendent within 30 days of the final disposition of the matter. Respondent also failed to respond to the Department's inquiry letters. [Order issued January 17, 2012.]		

LICENSEE	ADDRESS	PENALTY
Johnna Kay Thornley (Agent)	811 Santa Fe Trail Canyon, TX 79015	License Revoked
Respondent's insurance producer licenses were revoked by the Kansas Commissioner of Insurance and the Washington Office of Insurance Commissioner, and Respondent failed to report the revocations to the Superintendent within 30 days of the final disposition of the matter. Respondent also failed to respond to the Department's inquiry letters. [Order issued January 17, 2012.]		

LICENSEE	ADDRESS	PENALTY
Roy D. Webb (Broker)	c/o Security Risk Managers LLC 7028 Church Street E Brentwood, TN 37207	License Revoked and Respondent ordered to pay all past due premium taxes and penalties.
Respondent, while licensed as an excess lines broker, collected insurance premium payments from insureds, for which he failed to file a premium tax statement and pay the premium taxes and penalties due. In connection with a Department investigation of the foregoing, Respondent failed to respond to Department letters or appear at the Department as requested, thereby hampering and impeding the Department's investigation. Respondent also failed to notify the Department within thirty days of the administrative actions by the Kentucky Department of Insurance and Indiana Department of Insurance. [Order issued June 15, 2012.]		

LICENSEE	ADDRESS	PENALTY
Devon Webster (Agent)	918 Penn Street Jeffersonville, IN 47130	License Revoked
Respondent failed to respond to Departmental investigatory letters requesting submission of information and documentation in connection with a complaint, and Respondent also failed to appear at the Department's offices with information and documentation as directed in a Department letter. [Order issued January 17 2012.]		

LICENSEE	ADDRESS	PENALTY
Raven Wilson (Agent)	1901 North Wind Parkway Hobart, IN 46342	License Revoked
Respondent failed to respond to Departmental investigatory letters requesting information and documentation in connection with a complaint, and Respondent also failed to notify the Department within 30 days that she changed her business address. [Order issued January 17 2012.]		

AGENT & BROKER STIPULATIONS

Region: Albany

LICENSEE	ADDRESS	PENALTY
Capital District Physicians Healthcare Network Inc. (Agent)	500 Patroon Creek Boulevard Albany, NY 12296	\$1,500 fine
Respondent acted as an insurance producer in the State of New York after its license to act as an agent had expired. [Stipulation approved July 31, 2012.]		

LICENSEE	ADDRESS	PENALTY
Sterling Marketing Services Inc. (Agent)	182 Barnerville Road P.O. Box 9 Cobleskill, NY 12043	\$750 fine
Respondent failed to disclose on its original application for an agent's license, Respondent was fined by the Chief Financial Officer of the State of Florida for failing to timely file its insurance agency license application. [Stipulation approved July 5, 2012.]		

Region: Buffalo

LICENSEE	ADDRESS	PENALTY
Michele L. Alexander (Agent)	11393 Hanover Road Forestville, NY 14062	\$1,000 fine
Respondent solicited, negotiated and/or delivered in the State of New York annuity contracts issued by an unauthorized insurer, and otherwise aided and facilitated the aforesaid unauthorized insurer in doing an insurance business in the State of New York. [Stipulation approved July 26, 2012.]		

LICENSEE	ADDRESS	PENALTY
Maurice Baldon (Agent)	370 Daniel Drive North Tonawanda, NY 14120	\$1,000 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent's Kentucky nonresident insurance agent license was revoked by the Kentucky Department of Insurance, and that Respondent's application for an individual insurance producer license was denied by the Idaho Department of Insurance. [Stipulation approved July 5, 2012.]		

LICENSEE	ADDRESS	PENALTY
Lowell A. Chick (Agent)	122 Greencastle Lane Williamsville, NY 14221	License Revoked
Respondent was convicted of two counts of grand larceny in the fourth degree, a class E felony. [Stipulation approved March 22, 2012.]		

Region: Elmira

LICENSEE	ADDRESS	PENALTY
CFS Group Inc. (Agent)	One Chemung Canal Plaza Elmira, NY 14901	\$2,000 fine
Joseph M. Cascio (Agent and Sublicensee)	Same as above	
Respondents acted as insurance producers in the State of New York in the name of Respondent CFS Group Inc. after the license of Respondent CFS Group Inc. to act as an agent had expired. [Stipulation approved June 26, 2012.]		

Region: Mid-Hudson

LICENSEE	ADDRESS	PENALTY
Jodi L. Arader (Broker)	17 Vesper Road Patterson, NY 12563	\$1,000 fine
Respondent signed an insured's name on a change of agent request and submitted it to the insurer without the insured's knowledge or consent.. [Stipulation approved December 13, 2011.]		

LICENSEE	ADDRESS	PENALTY
David C. Ibouadilene (Agent)	470 Main Street Catskill, NY 12414	License Revoked
While he was an agent and a territory manager for an insurer, Respondent, in connection with a life insurance application that was written by another agent and that named the other agent as insured, altered the date on the application, the Definition of Replacement Form, an automatic premium collection form and an initial premium payment check, and altered the insured's weight on the application. [Stipulation approved July 5, 2012.]		

Region: Nassau

LICENSEE	ADDRESS	PENALTY
Adam Okula Insurance Agency Inc. (Agent)	937 Willis Avenue Albertson, NY 11507	\$1,500 fine
Adam A. Okula (Agent and Sublicensee)	Same as above	
Respondents acted as property/casualty agents in the State of New York in the name of Respondent Adam Okula Insurance Agency Inc. after its license to act as a property/casualty agent had expired. [Stipulation approved July 11, 2012.]		

LICENSEE	ADDRESS	PENALTY
Mallor Andrew S. Agency Inc. (Agent and Broker)	429 Merrick Road Oceanside, NY 11572	\$1,500 fine
Andrew S. Mallor (Agent, Broker and Sublicensee)	Same as above	
Respondents violated Section 2324(a) of the Insurance Law in that they offered the public, as an inducement to the purchase of insurance, a free \$10 gas card and a \$10 charitable donation on the prospective insured's behalf. [Stipulation approved May 29, 2012.]		

LICENSEE	ADDRESS	PENALTY
Kenneth D. Silverman (Agent)	118 Peninsula Drive Babylon, NY 11702	\$10,000 fine
Respondent, while he was acting as an agent for insurers, submitted to the insurers applications for annuity contracts that contained an incorrect date of birth for the annuitant, and Respondent also changed his business address and failed to notify the Department within 30 days of the change. [Stipulation approved March 20, 2012.]		

Region: New York City

LICENSEE	ADDRESS	PENALTY
Anchor Brokerage Co., Inc. (Agent and Broker)	8232 18 th Avenue Brooklyn, NY 11214	\$1,000 fine
Respondent conducted insurance business at an office location that was not registered with the Department. [Stipulation approved July 9, 2012.]		

LICENSEE	ADDRESS	PENALTY
Angela Bencosme (Broker)	c/o Bencosme Assoc. 2032 Madison Avenue New York, NY 10035	\$1,500 fine
Respondent issued insurance premium payment transmittal checks that were dishonored by the bank upon which they were drawn and in doing so, Respondent violated her agreement in prior Department stipulations that she would take all necessary steps to prevent recurrence of dishonored check violations. [Stipulation approved February 29, 2012.]		

LICENSEE	ADDRESS	PENALTY
Lam M. Dang (Agent)	1117 Beach 12th Street Far Rockaway , NY 11691	License Revoked
Respondent participated in a scheme to defraud which resulted in his conviction, upon a plea of guilty, of perjury in the third degree, in violation of Penal Law Section 210.05, a class A misdemeanor. [Stipulation approved April 25, 2012.]		

LICENSEE	ADDRESS	PENALTY
Michael Joseph DeFelice (Agent)	25 Deppe Place Staten Island, N 10314	License Revoked
Respondent was terminated for cause by his employer for submitting applications for life insurance and other related documents for life insurance for various insureds, without the applicants' knowledge or consent; and Respondent failed to respond to Department investigatory letters regarding the aforementioned matters as directed, thereby hampering and impeding the Department's investigation. [Stipulation approved June 27, 2012.]		

LICENSEE	ADDRESS	PENALTY
Eli Elias Agent and Broker- License Applications pending)	1475 54th Street Brooklyn, NY 11219	\$2,500 fine
While previously licensed as an insurance agent, Respondent submitted applications to an insurer for automobile insurance without verifying proof of prior insurance coverage. [Stipulation approved August 21, 2012.]		

LICENSEE	ADDRESS	PENALTY
H & M Insurance Brokerage Inc. (Broker)	49-06 69th Street Woodside, NY 11377	Licenses Revoked
Gohar Parunakyan (Broker and Sublicensee)	Same as above	
Respondent Gohar Parunakyan unlawfully cashed checks issued by insurance companies, for which conduct she was convicted of petit larceny, a class A misdemeanor. [Stipulation approved April 11, 2012.]		

LICENSEE	ADDRESS	PENALTY
Miriam Hernandez (Broker and Life Broker)	75 S.Grand Street Westbury, NY 11590	\$5,000 fine
Respondent, while acting as an agent for an insurer, submitted a life insurance application to the insurer in which she signed the proposed insured's name without authorization from the proposed insured, and submitted a third party's banking information to the insurer for the purpose of establishing a preauthorized checking mode of premium payment without authorization from the third party. Respondent also failed to disclose on her relicensing application for an agent's license, her relicensing application for a broker's license and her original application for a life broker's license that her employment was terminated for cause by the insurer. [Stipulation approved September 27, 2011.]		

LICENSEE	ADDRESS	PENALTY
Wayne R. Klein (Agent)	1 Joseph Lane Staten island, NY 10305	\$10,000 fine
Respondent submitted applications for life and long term disability insurance to a lfe insurance company that falsely stated the birth dates of the insureds. As a result of the foregoing, Respondent was terminated for cause. [Stipulation approved June 18, 2012.]		

LICENSEE	ADDRESS	PENALTY
Aaron Charles Lindskog (Agent)	2838 Stillwell Avenue Brooklyn, NY 11224	\$1,500 fine
Respondent acted as an insurance producer in the State of New York after his license to act as an agent had expired. [Stipulation approved March 12, 2012.]		

LICENSEE	ADDRESS	PENALTY
Jose Lopez (Agent)	3404 Mickle Avenue Bronx, NY 10469	License Revoked
Respondent, while he was an agent for a life insurance company, submitted to the company applications for reinstatement of life insurance policies when in fact the proposed insureds named in the applications did not make requests for reinstatement of the policies. As a result of the foregoing, Respondent's agency appointment was terminated by the company. [Stipulation approved June 15, 2012.]		

LICENSEE	ADDRESS	PENALTY
Manhattan Brokerage Inc. (Broker)	1061 Coney Island Ave Brooklyn, NY 11230	Licenses Revoked
Christian R. Inzerillo (Broker)	Same as above	
Respondent Christian R. Inzerillo was convicted of a crime and Respondents hampered and impeded the Department's investigation by failing to respond to Departmental investigatory letters requesting information and documentation. [Stipulation approved June 22, 2012.]		

LICENSEE	ADDRESS	PENALTY
Nielson & Associates Ltd. (Agent and Broker)	19 Park Ave Manhasset, NY 11030	\$4,500 fine
James A. Shirley III (Agent, Broker and Sublicensee)	Same as above	
Respondents failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent Nielson was fined by the Florida Department of Financial Services. Respondents also failed to disclose the Florida fine in license applications submitted to the Department, and Respondent Shirley acted as a broker in the State of New York after his license to act as a broker had expired. [Stipulation approved April 23, 2012.]		

LICENSEE	ADDRESS	PENALTY
Qualified Insurance Agency Inc. (Agent and Broker)	3202 Schley Ave Bronx, NY 10465	\$1,500 fine
Donna McCarthy (Agent, Broker and Sublicensee)	Same as above	
Respondents failed to supervise their employees, in connection with the misappropriation of insurance premium payments that Respondents received from insureds. [Stipulation approved July 18, 2012.]		

LICENSEE	ADDRESS	PENALTY
Rivera Daniel, Inc. (Agent)	3-A Montauk Place Staten Island, NY 10314	\$8,000 fine
Respondent solicited, negotiated and/or delivered in the State of New York annuity contracts issued by an unauthorized insurer, and otherwise aided and facilitated the aforesaid unauthorized insurer in doing an insurance business in the State of New York. [Stipulation approved June 23, 2012.]		

LICENSEE	ADDRESS	PENALTY
Anthony Rodriguez (Broker)	784 Elton Avenue Bronx, NY 10451	License Revoked
Respondent agreed with two other individuals to devise a scheme to fraudulently obtain money from an insurer by creating fraudulent invoices, for which conduct he was convicted of mail fraud and conspiracy to commit mail fraud. Respondent also failed to report to the Superintendent within thirty days of the initial pretrial hearing that he was the subject of the aforementioned criminal prosecution, and failed to disclose on his renewal application for a broker's license that an indictment was filed that charged him with the aforementioned crimes. Respondent also violated 18 U.S.C. § 1033(e) by willfully engaging in the business of insurance without obtaining written consent of the Superintendent subsequent to the aforementioned criminal conviction. [Stipulation approved November 21, 2011.]		

LICENSEE	ADDRESS	PENALTY
Jonathan W. Schenck Agency Inc. (Agent)	214 11 Northern Boulevard Bayside, NY 11361	\$750 fine
Jonathan W. Schenck (Agent)	Same as above	
Respondents acted as life agents in the State of New York in the name of Respondent Jonathan W. Schenck Agency Inc. after its license to act as a life agent had expired. [Stipulation approved April 6, 2012.]		

LICENSEE	ADDRESS	PENALTY
Robert D. Schwartz (Broker)	8802 Flatlands Avenue Brooklyn, NY 11236	\$15,000 fine
Respondent issued certificates of insurance which stated that a certain business entity had insurance coverage, when in fact no such insurance coverage was in effect. [Stipulation approved March 22, 2012.]		

LICENSEE	ADDRESS	PENALTY
Sirena Brokerage Corp. (Broker)	37-18 Northern Blvd Long Island City, NY 11101	\$4,000 fine
Anisa Moloney (Agent, Broker, and Sublicensee)	Same as above	
<p>Respondents collected return insurance premium payments from insurers and failed to timely remit said payments to the premium finance company to which the payments were owed. Respondents also failed to appropriately identify their premium bank account and commingled insurance premium fiduciary funds with business operating expense funds. [Stipulation approved July 20, 2012.]</p>		

LICENSEE	ADDRESS	PENALTY
Paul J. Stawinski (Agent)	310 West 86 th Street New York, NY 10024	\$1,000 fine
<p>Respondent co-signed an application for life insurance which was submitted to an insurance company in the State of Florida that falsely stated he witnessed the insured's signature. As a result of the foregoing, Respondent was terminated for cause by an insurance company. [Stipulation approved July 9, 2012.]</p>		

LICENSEE	ADDRESS	PENALTY
Michael S. Turano (Broker)	139 Bassett Avenue Brooklyn, NY 11234	License Revoked
<p>Respondent was convicted of Conspiracy to Commit Bribery, a felony. [Stipulation approved August 7, 2012.]</p>		

LICENSEE	ADDRESS	PENALTY
VIP Insurance Agency Inc. (Agent and Broker)	32-62 58th Street Woodside, NY 11377	\$1,500 fine
Shoaib Sheikh Muhammad (Agent, Broker and Sublicensee)	Same as above.	
<p>Respondents hampered and impeded the Department's investigation in that they failed to timely respond to several Department communications sent in connection with the relicensing application for an agent's license of Respondent VIP Insurance Agency Inc. [Stipulation approved March 23, 2012.]</p>		

LICENSEE	ADDRESS	PENALTY
Jimmy Zhong t/b/a Jimmy Zhong Insurance Brokerage (Agent and Broker)	135-25A 40th Road Flushing, NY 11355	\$3,750 fine
Jimmy Zhong (Agent)	Same as above	
Respondent used the name Jimmy Zhong Insurance Brokerage in conducting business as an insurance producer in the State of New York prior to the time that said name was approved by the Department, and Respondent acted as a property/casualty agent in the State of New York after his license to act individually as a property/casualty agent expired. Respondent also failed to disclose that he so acted as a property/casualty agent in the State of New York in his relicensing application for an individual property/casualty agent's license, and Respondent placed an advertisement in a newspaper that contained misleading language with respect to automobile, homeowners and commercial insurance rates. [Stipulation approved June 25, 2012.]		

Region: Rochester

LICENSEE	ADDRESS	PENALTY
Maggie S. Bounds (Agent)	3095 Hickox Road Canandaigua, NY 14424-9303	License Revoked
Respondent failed to report to the Superintendent within 30 days of the initial pretrial hearing that she was the subject of a criminal prosecution and failed to cooperate with a Department investigation of the foregoing. [Stipulation approved May 29, 2012.]		

Region: Suffolk

LICENSEE	ADDRESS	PENALTY
Jose M. Bracchi Sr. (Agent)	108 Silverleaf Lane Islandia, NY 11749	\$5,000 fine
Respondent, while he was a New York State Point and Insurance Reduction Program ("PIRP") instructor, engaged in conduct in connection with a PIRP course that resulted in the revocation of his approval as a PIRP instructor by the New York State Department of Motor Vehicles ("DMV"), which conduct included: conducting a PIRP course that contained 172 minutes of instruction, substantially less than the 320 minutes required by the Regulations of the Commissioner of DMV; providing a PIRP course completion notification to a sponsoring agency for motorists who had not completed the course; and providing a PIRP course completion certificate to persons who had not completed the course. [Stipulation approved May 29, 2012.]		

LICENSEE	ADDRESS	PENALTY
Ernest W. D'Angelo (Agent and Broker)	1097 Suffolk Avenue Brentwood, NY 11717	\$4,500 fine
Ernest W. D'Angelo t/b/a DAngelo Insurance Agency (Broker)	Same as Above	
<p>Respondent collected a premium overcharge payment and an excessive service fee from client; collected a return premium payment from an insurer and failed to timely remit the return premium to the client; established a satellite office and failed within 10 days to give written notice to the Department of the location of the satellite office and the supervising person or persons who were responsible for the satellite office; placed an advertisement in a newspaper that contained misleading language with respect to rates, that referred to insurers without setting forth therein the names in full of the insurers and the name of the city, town or village in which the insurers have their principal office in the United States, and that contained an offer to give clients a meal as an inducement to the making of insurance; issued insurance premium payment transmittal checks that were dishonored by the bank upon which they were drawn; failed to appropriately identify his premium bank account; commingled insurance premium fiduciary funds with business operating expense funds; and failed to disclose in his relicensing application to be licensed individually as an agent that he was fined by the Department pursuant to an order of the Superintendent. [Stipulation approved December 12, 2011.]</p>		

LICENSEE	ADDRESS	PENALTY
Humberto Gonzalez t/b/a Progressive Insurance Agency (Broker)	1557 Fifth Avenue Bay Shore, NY 11706	License revoked
<p>Respondent was convicted of tax fraud, a class E felony, for which he was sentenced to probation for a period of 3 years and to payment of restitution in the amount of \$128,681.00. [Stipulation approved February 23, 2012.]</p>		

LICENSEE	ADDRESS	PENALTY
Kamran H. Khan (Agent)	576 Broadhollow Road Mleville, NY 11747	\$4,500 fine
<p>While he was acting as an agent for a life insurance company, Respondent, in violation of company policy, "cut-and-pasted" the signatures of clients onto delivery receipts for life insurance policies, as a result of which he was terminated as an agent by the company. [Stipulation approved March 29, 2012.]</p>		

Region: Utica

LICENSEE	ADDRESS	PENALTY
David M. Inserra (Public Adjuster)	6163 Sullivan Road Oneida, NY 13421	\$2,500 fine
Respondent violated Section 2108(p) of the Insurance Law and Regulation 10 (11 NYCRR § 25.9) by entering into written public adjuster compensation agreements with insureds to which he failed to attach, in duplicate, a completed written notice of the insured's right to cancel the compensation agreement, and Respondent also issued a written demand for payment of a public adjuster fee in which he threatened that the insured would be fined or imprisoned if the insured did not pay the fee. [Stipulation approved August 7, 2012.]		

Region: Westchester

LICENSEE	ADDRESS	PENALTY
D. Alan Eifert (Broker)	PO Box 213 682 Tititcus Road North Salem, NY 10560	\$750 fine
Respondent failed to disclose on his renewal application for a broker's license that he was convicted of a crime. [Stipulation approved June 22, 2012.]		

LICENSEE	ADDRESS	PENALTY
Lanza Insurance Agency Inc. (Agent)	18 Halstead Avenue Harrison, NY 10528	\$1,500 fine
Tamara Haigh Lanza (Agent and Sublicensee)	Same as above	
Respondent Lanza Insurance Agency Inc. acted as a life and/or accident/health agent in the State of New York after its license to act as a life and/or accident/health agent had expired. [Stipulation approved April 13, 2012.]		

LICENSEE	ADDRESS	PENALTY
Navigators Management Company Inc. (Broker and Excess Line Broker)	6 International Drive Rye Brook, NY 10573	\$6,000 fine
Respondent transacted insurance business under an unapproved name and acted as an insurance broker in this State without a license. [Stipulation approved August 7, 2012.]		

LICENSEE	ADDRESS	PENALTY
Pupilo Agency Inc. (Broker)	206 South Broadway Yonkers, NY 10705	\$1,500 fine
Emilio Cruz (Broker and Sublicensee)	Same as above	
Respondents acted as brokers in the State of New York in the name of Respondent Pupilo Agency Inc. after its license to act as a broker had expired. [Stipulation approved January 10, 2012.]		

LICENSEE	ADDRESS	PENALTY
Barton S. Rucker (Agent)	4 Tanya Lane Mahopac, NY 10541	License Revoked
Respondent violated company policy by failing to obtain the necessary authorizations in connection with several applications for life insurance. As a result of the foregoing, Respondent resigned from his position at a life insurance company. [Stipulation approved August 13, 2012.]		

LICENSEE	ADDRESS	PENALTY
Alexander Sirak, Jr. (Agent)	15 Foundry Pond Road Cold Spring, NY 10516	\$7,500 fine
Respondent solicited, negotiated and/or delivered in the State of New York annuity contracts issued by an unauthorized insurer, and otherwise aided and facilitated an unauthorized insurer in doing an insurance business in the State of New York. [Stipulation approved May 18, 2012.]		

LICENSEE	ADDRESS	PENALTY
John R. Stackpole (Agent)	33 Mulberry Lane New Rochelle, NY 10804	\$2,500 fine
Respondent co-signed and submitted an application for life insurance to a life insurance company that falsely stated he witnessed the insured's signature. [Stipulation approved July 20, 2012.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Robert J. Arowood (Agent, Broker, and Excess Line Broker)	800 Oak Ridge Turnpike Oak Ridge, TN 37830	\$1,500 fine
Respondent failed to disclose on his license renewal applications that a corporation of which he is an officer was ordered by the Georgia Office of Commissioner of Insurance ("Georgia OCI") to refund certain return premium and interest by issuing refund checks within 30 days of the execution of said order, and was ordered by the Georgia OCI to comply with all provisions of the Georgia Insurance Code, the Rules and Regulations of the Georgia Insurance Department, and the directives of the Georgia OCI. [Stipulation approved March 27, 2012.]		

LICENSEE	ADDRESS	PENALTY
Automotive Risk Management & Insurance Services Inc. (Broker and Excess Line Broker)	1919 Grand Canal Blvd. Stockton, CA 95207	\$1,000 fine
Marvin E. McDougal (Agent, Broker, and Sublicensee)	Same as above	
Respondents failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent Automotive Risk Management & Insurance Services Inc. was fined by the Pennsylvania Insurance Department, and that the licenses of Respondent Automotive Risk Management & Insurance Services Inc. to transact the business of insurance as an insurance agent and a surplus lines broker in the Commonwealth of Virginia were revoked by the Virginia State Corporation Commission. [Stipulation approved December 20, 2011.]		

LICENSEE	ADDRESS	PENALTY
Bloom Insurance Agency LLC (Agent)	1801 South Liberty Drive Bloomington, IN 47403	\$4,500 fine
Brook Buice Ivey (Agent and Sublicensee)	Same as above	
Respondents used an unapproved name in conducting business as an insurance producer. [Stipulation approved February 3, 2012.]		

LICENSEE	ADDRESS	PENALTY
Cynthia A. Bulinski (Agent)	1156 River bay Road Annapolis, MD 21409	License Revoked
Respondent submitted annuity contract applications to insurers in which she improperly named a certain individual as beneficiary without the knowledge or consent of the insureds. Respondent also received from the unauthorized beneficiary part of the death benefits that the unauthorized beneficiary collected following the death of two of the insureds. [Stipulation approved December 16, 2011.]		

LICENSEE	ADDRESS	PENALTY
Christopher T. Fisher, LLC (Agent)	151 East Michigan Avenue P.O. Box 50607 Kalamazoo, MI 49007	\$750 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition that it was fined by the State of Florida, Department of Financial Services, for engaging in insurance business prior to obtaining a license to do so. [Stipulation approved July 31, 2012.]		

LICENSEE	ADDRESS	PENALTY
Coresource Inc. (Agent and Independent Adjuster)	400 Field Drive Lake Forrest, IL 60045	\$3,750 fine
Jerry L. Castelloe (Sublicensee)	Same as above	
Respondents failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent Coresource was fined and issued a license on a probationary status by the State of Georgia, and that Respondent Coresource was fined by the State of Nevada. Respondents also failed to disclose the Georgia action on the renewal application for an agent's license of Respondent Coresource. [Stipulation approved January 4, 2012.]		

LICENSEE	ADDRESS	PENALTY
John J. Cotthaus, Jr. (Broker – License Pending)	1184 Dovetail Court Virginia Beach, VA 23464-8832	\$1,500 fine
Respondent failed to disclose on his original application for a broker's license that the Commonwealth of Kentucky, Department of Insurance, placed Respondent on probation for 24 months; and the State of Illinois, Department of Financial and Professional Regulation, Division of Insurance, revoked Respondent's producer's license. [Stipulation approved August 7, 2012.]		

LICENSEE	ADDRESS	PENALTY
Dolliff Inc. (Agent)	6465 Wayzata Boulevard St. Louis Park, MN 55426	\$22,500 fine
Respondent acted as a property/casualty agent in the State of New York after its license to act as a property/casualty agent expired, and Respondent failed to disclose on its relicensing application for a property/casualty agent's license that it so acted as a property/casualty agent in the State of New York. [Stipulation approved January 27, 2012.]		

LICENSEE	ADDRESS	PENALTY
DSMIA Agency (Agent and Broker)	300 Walnut Street Des Moines, IA 50309	\$5,000 fine
Stanley J. Reynolds (Agent and Sublicensee)	Same as above	
Respondents acted as brokers in the State of New York in the name of Respondent DSMIA Agency after its license to act as a broker had expired, and Respondents used unapproved names in conducting business as insurance producers in the State of New York. Respondents also failed to appropriately identify their premium bank account and commingled insurance premium fiduciary funds with business operating expense funds. [Stipulation approved June 22, 2012.]		

LICENSEE	ADDRESS	PENALTY
Monica S. Eckberg (Agent)	3600 Minnesota Drive Suite 300 Edina, MN 55435	\$500 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that she was fined by the Minnesota Department of Commerce for failing to deliver an insurance policy to an insured within 30 days of policy issuance. [Stipulation approved May 29, 2012.]		

LICENSEE	ADDRESS	PENALTY
Thomas F. Feola (Agent)	256 Tech Road Pittsburg, PA 15205	License revoked
Respondent failed to disclose in his renewal application for an agent's license that he was named as a party to an administrative proceeding before the Florida Department of Financial Services, and Respondent also failed to submit to the Department information and documentation that was requested in Department letters. [Stipulation approved April 3, 2012.]		

LICENSEE	ADDRESS	PENALTY
Bruce D. Feldman (Agent)	14 Whale Cove Road Rockport, MA 01966	\$3,000 fine
Respondent acted as an insurance producer in the State of New York after his license to act as an agent had expired, and Respondent also used an unlicensed name in conducting business as an insurance producer. [Stipulation approved March 12, 2012.]		

LICENSEE	ADDRESS	PENALTY
Gallagher Bassett Services Inc. (Independent Adjuster)	Two Pierce Place Itasca, IL 60143	\$15,000 fine
Kathleen M. Skelly (Sublicensee)	Same as above	
Respondents paid compensation for acting as an independent adjuster to individuals who were unlicensed and in doing so, Respondent Gallagher Bassett violated its agreement in a prior stipulation entered into with the Department. [Stipulation approved February 3, 2012.]		

LICENSEE	ADDRESS	PENALTY
Joseph John George (Broker)	1 Stagecoach Way Hopkinton, MA 01748	License Revoked
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that his license was revoked by the Washington Office of Insurance Commissioner, that his agent's license was revoked by the Kansas Insurance Department, and that his insurance agent and surplus lines broker licenses were revoked by the Virginia State Corporation Commission. Respondent also changed his business address and failed to notify the Department within 30 days of the change. [Stipulation approved March 22, 2012.]		

LICENSEE	ADDRESS	PENALTY
David P. Gerstenblatt (Agent)	423D Dedham Street Newton, MA 02459	License Revoked
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that his application for licensure as a non-resident insurance agent was denied by the Florida Department of Financial Services, and that he was issued an insurance producer license on a probationary status by the New Hampshire Insurance Department. [Stipulation approved January 18, 2012]		

LICENSEE	ADDRESS	PENALTY
Alexander Hamilton Agency Inc. (Broker)	5372 Merrick Road Massapequa, NY 11758	Licenses revoked
Robert P. Manigaulte (Agent, Broker and Sublicensee)	Same as above	
Respondent Manigaulte was convicted of scheme to defraud in the first degree, a class E felony, for which he was sentenced to probation for a period of 5 years and to payment of restitution in the amount of \$25,813.00. Said conviction was based upon the misappropriation of homeowners insurance premiums that Respondent Manigaulte collected from insurance clients. [Stipulation approved February 15, 2012.]		

LICENSEE	ADDRESS	PENALTY
Hays of Minnesota (Agent, Broker and Life Broker)	80 South 8 th Street Minneapolis, MN 55402	\$10,250 fine
Respondent allowed unlicensed individuals to act as insurance producers on its behalf in the State of New York and failed to disclose on its license renewal applications that an officer of Respondent was fined by the Texas Department of Insurance. [Stipulation approved June 22, 2012.]		

LICENSEE	ADDRESS	PENALTY
Michael T. Hutchen (Agent-License Application Pending)	c/o CUNA Mutual Insurance Company 5910 Mineral Point Road Madison, WI 53705-4498	\$750 fine
Respondent failed to disclose on his original application for an agent's license that the State of Wisconsin, Commissioner of Insurance, denied Respondent's application for a permanent individual intermediary agent's license for failing to accurately complete the application form. [Stipulation approved June 27, 2012.]		

LICENSEE	ADDRESS	PENALTY
JBL Trinity Group Ltd. (Agent and Broker)	100 Matawan Road Matawan, NJ 07747	\$4,500 fine
Joseph B. DiMattina (Agent, Broker, and Sublicensee)	Same as above	
Respondents acted as property/casualty agents in the State of New York in the name of Respondent JBL after the license of Respondent JBL to act as a property/casualty agent had expired. [Stipulation approved February 7, 2012.]		

LICENSEE	ADDRESS	PENALTY
J. J. B. Hilliard W. L. Lyons Inc. (Agent)	c/o Compliance, PO Box 32760 Louisville, KY 40202	\$24,500 fine
Johnina Caudill Rose (Agent and Sublicensee)	Same as above	
Respondents failed to disclose on license applications submitted to the Department that Respondent J. J. B. Hilliard W. L. Lyons Inc. was censured and fined by the Financial Industry Regulatory Authority, the National Association of Securities Dealers and the New York Stock Exchange LLC and was found liable in arbitration proceedings before FINRA and the NASD that involved allegations of fraud, breach of fiduciary duty and/or conversion. [Stipulation approved March 2, 2011.]		

LICENSEE	ADDRESS	PENALTY
Lamar Washington Long (Agent)	386 Berckman Drive Lilburn, GA 30047	License Revoked
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that his application for a permanent individual intermediary agent's insurance license was denied by the Wisconsin Office of the Commissioner of Insurance, and Respondent also failed to disclose the Wisconsin denial in correspondence that he sent to the Department in response to a Departmental investigatory letter. [Stipulation approved June 25, 2012.]		

LICENSEE	ADDRESS	PENALTY
Robert V. Nuccio (Agent, Broker and Excess Line Broker)	10148 Riverside Drive Toluca Lake, CA 91602	\$25,000 fine
In connection with the solicitation and sale of "Special Events" insurance coverage to New York residents on an excess line basis, Respondent called attention to an unauthorized insurer in this state through a corporate website; failed to make the necessary filings with the Excess Line Association of New York (ELANY) as required; and failed to pay to the Superintendent the premium tax that was due on the aforementioned placements as required. [Stipulation approved July 31, 2012.]		

LICENSEE	ADDRESS	PENALTY
Christine B. Parry (Broker)	18 Edgar Nock Road North Kingstown, RI 02852	\$1,500 fine
Respondent acted as an insurance producer in the State of New York without having authority to do so by virtue of a license issued and in force pursuant to the Insurance Law. [Stipulation approved August 7, 2012.]		

LICENSEE	ADDRESS	PENALTY
PCG Agencies Inc. (Agent)	7225 Northland Drive North Minneapolis, MN 55428	\$4,500 fine
Respondent acted as an insurance producer in the State of New York after its license to act as an agent had expired. [Stipulation approved April 3, 2012.]		

LICENSEE	ADDRESS	PENALTY
Nicolas Guillen Perez (Agent – License Pending)	955 N. Duesenberg Drive - 2401 Ontario, CA 91764	\$750 fine
Respondent failed to disclose on his original application for an agent's license that the State of California, Department of Insurance, refused to grant the Respondent an unrestricted license to sell insurance, but instead issued a restricted license to Respondent. [Stipulation approved June 19, 2012.]		

LICENSEE	ADDRESS	PENALTY
Kevin Alirio Rodrigues (Agent)	10 Waterside Drive – Suite 202 Farmington, CT 06032-3056	\$750 fine
Respondent failed to disclose on his original application for an agent's license that he was convicted of a misdemeanor. [Stipulation approved July 20, 2012.]		

LICENSEE	ADDRESS	PENALTY
Michael C. Sanders (Agent)	100 Grand Coveway Edgewater, NJ 07020	\$23,000 fine
Respondent solicited, negotiated and/or delivered in the State of New York annuity contracts issued by an unauthorized insurer, and otherwise aided and facilitated the aforesaid unauthorized insurer in doing an insurance business in the State of New York. [Stipulation approved April 23, 2012.]		

LICENSEE	ADDRESS	PENALTY
Scott S. Scharenbroch (Agent)	916A Second Street Stevens Point, WI 54481	\$1,500 fine
Respondent failed to disclose on his original application for an agent's license that the Commissioner of Insurance of the State of Georgia refused to approve Respondent's application for a non-resident agent license because of Respondent's criminal conviction in the State of Wisconsin. [Stipulation approved June 6, 2012.]		

LICENSEE	ADDRESS	PENALTY
Schumacher Insurance Agency (Agent and Broker)	1231 McBride Avenue Woodland Park, NJ 07424	\$750 fine
Respondent acted as insurance broker in the State of New York after its license to act as a broker had expired. [Stipulation approved July 11, 2012.]		

LICENSEE	ADDRESS	PENALTY
Mi Sook Song (Agent)	9305 Riverclub Parkway John Creek, GA 30097	\$1,000 fine
Respondent, while acting as an agent for an insurer, signed a client's name on a replacement questionnaire and a notice regarding replacement of life insurance or annuities, as a result of which Respondent's agency appointment was terminated by the insurer. [Stipulation approved May 3, 2012.]		

LICENSEE	ADDRESS	PENALTY
Synergy Investment Group LLC (Agent)	8320 University Executive Park Drive Charlotte, NC 28262	\$3,000 fine
Jeffrey D. Jones (Sublicensee)	Same as above	
Joseph P. Hayes (Sublicensee)	Same as above	
Respondent Synergy failed to report to the Superintendent within 30 days of the final disposition of the matter that it was fined by the Colorado Division of Insurance, and Respondents failed to disclose in Respondent Synergy's license applications that Respondent Synergy was fined by Colorado as aforesaid, censured and fined by the Financial Industry Regulatory Authority, and found liable in an arbitration proceeding before FINRA that involved allegations of breach of fiduciary duty. [Stipulation approved May 4, 2012.]		

LICENSEE	ADDRESS	PENALTY
Gerald Denis Thaxton (Broker and Excess Line Broker)	100 N Tampa Street Tampa, FL 33602	\$2,000 fine
Respondent used unapproved names in conducting business as an insurance producer and commingled insurance premium fiduciary funds with business operating expense funds. [Stipulation approved January 18, 2012.]		

LICENSEE	ADDRESS	PENALTY
United States Adjusters Inc. (Public Adjuster)	4800 Federal Highway Boca Raton, FL 33431	\$1,500 fine
Marc. I. Lancaric (Public Adjuster and Sublicensee)	Same as above	
Respondents acted as insurance adjusters in the State of New York in the name of Respondent United States Adjusters Inc. after its license to act as a public adjuster had expired. [Stipulation approved July 24, 2012.]		

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