

New York State Department of Financial Services

ISSUED: 1/2/2013

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.

COMPANY STIPULATION

Safeco Insurance Company of Indiana	175 Berkeley Street Boston, MA 02116	\$22,800 fine
Respondent exceeded the maximum number of private passenger automobile non-renewals permitted for calendar year 2011. [Stipulation approved October 18, 2012.]		

AGENT AND BROKER HEARINGS

LICENSEE	ADDRESS	PENALTY
Harada Consultants Inc. (Agent and Broker)	271 Madison Avenue New York, NY 10016	Licenses Revoked
Shigeru Harada (Agent, Broker, and Sublicensee)	Same as above	
Respondents collected insurance premium payments from insureds and failed to remit the payments to the insurers or to otherwise properly account therefor. Respondents also issued an insurance premium payment check to an insurer that was dishonored by the bank upon which it was drawn and that was not replaced by Respondents, and Respondents also failed to respond to Departmental investigatory letters. [Order issued June 15, 2012.]		

SERVICE CONTRACT PROVIDERS

LICENSEE	ADDRESS	PENALTY
Lenovo (United States) Inc. (Service Contract Provider – License Pending)	1009 Think Place Morrisville, NC 27560	\$7,438 fine
Respondent acted as a service contract provider after its registration had expired. [Stipulation approved October 5, 2012.]		

LICENSEE	ADDRESS	PENALTY
Nation Motor Club (Service Contract Provider)	800 Yamato Road Boca Raton, FL 33431	\$7,500 fine
Respondent failed to disclose on its license application to act as a service contract provider and on its renewal application that Respondent was the subject of an administrative action by the Florida Department of Financial Regulation and that one of its officers had been charged with committing various crimes; and Respondent failed to disclose on a subsequent renewal application to act as a service contract provider that Respondent was the subject of an administrative action by the California Department of Insurance. [Stipulation approved August 29, 2012.]		

AGENT & BROKER STIPULATIONS

Region: Albany

LICENSEE	ADDRESS	PENALTY
Dawn K. Edwardsen (Independent Adjuster)	183 Guy Park Avenue Amsterdam, NY 12010	License Revoked
Respondent was convicted of a felony and failed to report the criminal prosecution to the Superintendent within 30 days of the initial pretrial hearing date. Respondent also failed to respond to Departmental investigatory letters, and failed to notify the Department within 30 days that she changed her business address. [Stipulation approved September 27, 2012.]		

Region: Buffalo

LICENSEE	ADDRESS	PENALTY
Citi-Bail Agency Inc. (Bail Bond Agent – License Pending)	547 Sycamore Street Buffalo, NY 14212	\$1,500 fine
George Osei-Gyamfi (Proposed Sublicensee)	Same as above	
Respondents failed to disclose on the original application of Respondent Citi-Bail Agency Inc. to act as a bail bond agent that Respondent George Osei-Gyamfi was subject to a bankruptcy proceeding, and that Respondent George Osei-Gyamfi was previously notified by New York State of a delinquent tax obligation. [Stipulation approved October 18, 2012.]		

LICENSEE	ADDRESS	PENALTY
Lynda Herman (Agent)	5883 Bowmiller Road Lockport, NY 14094	License Revoked
Respondent, at an insurance agency at which she was employed, misappropriated money and falsified bank records in order to conceal the misappropriation, for which Respondent was convicted of petit larceny, a class A misdemeanor, and of falsifying business records in the second degree, a class A misdemeanor. [Stipulation approved August 29, 2012.]		

Region: Glen Falls

LICENSEE	ADDRESS	PENALTY
Upstate Transit of Saratoga LLC (Agent)	207 Geyser Road Saratoga Springs, NY 12866	\$1,500 fine
Respondent transacted insurance business as an agent in this State without a license. [Stipulation approved October 15, 2012.]		

Region: Mid-Hudson

LICENSEE	ADDRESS	PENALTY
Kevin B. Ginty (Agent)	11 Holly Hills Drive Woodstock, NY 12498	License Revoked
Respondent hampered and impeded the Department's investigation by failing to respond to Departmental investigatory letters requesting information and documentation relating to his felony conviction. [Stipulation approved October 23, 2012.]		

Region: New York City

LICENSEE	ADDRESS	PENALTY
Affordable Bails New York Inc. (Bail Bond Agent)	125-10 Queens Boulevard Kew Gardens, NY 11415	\$3,000 fine
Respondent acted in New York State as an agent of an insurer doing a bail bond business without a license issued by the Superintendent of Insurance. [October 25, 2012.]		

LICENSEE	ADDRESS	PENALTY
Butler Agency Inc. (Agent)	1190A Forest Avenue Staten Island, NY 10310	\$5,500 fine
Joseph D. Butler III (Agent, Broker, and Sublicensee)	Same as above	
Respondent Joseph D. Butler III acted as an insurance broker in the State of New York after his license to act as a broker had expired, and Respondents Butler Agency Inc. and Joseph D. Butler III issued insurance premium payment transmittal checks and electronic premium finance loan payments that were dishonored by the bank upon which they were drawn. [Stipulation approved August 29, 2012.]		

LICENSEE	ADDRESS	PENALTY
Danielle S. Byrd (Agent)	AEGIS Communications Group Attention: Danielle S. Byrd, Agent and Licensing Compliance 80 Broad Street New York, NY 10004	\$500 fine
Respondent failed to report to the Superintendent of Financial Services within 30 days of the final disposition of the matter that the State of Missouri, Department of Insurance issued two orders dated June 11, 2011 and December 21, 2011. [Stipulation approved October 5, 2012.]		

LICENSEE	ADDRESS	PENALTY
Cook Insurance Services Inc. (Agent and Broker)	672 Grand Street Brooklyn, NY 11211	\$1,000 fine
Antonio H. Cook (Agent, Broker and Sublicensee)	Same as above	
Respondents failed to verify insurance coverage was in effect prior to issuing a certificate of insurance to NYG Construction Corp. when in fact coverage had been cancelled a few days earlier. [Stipulation approved September 24, 2012.]		

LICENSEE	ADDRESS	PENALTY
Jerome Coppola (Agent)	3929 Amboy Road Staten Island, NY 10308	\$9,100 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 October 12, 2012.]		

LICENSEE	ADDRESS	PENALTY
Melvin Crooks (Agent)	137 Montague Street Brooklyn, NY 11021	\$2,000 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 October 25, 2012.]		

LICENSEE	ADDRESS	PENALTY
Jean R. Dorlette t/b/a Dorlette Insurance Brokerage (Broker)	2460 Bedford Avenue Brooklyn, NY 11226	\$2,000 fine
Respondent commingled insurance premium fiduciary funds with business operating expense funds, and violated his agreement in a prior Department stipulation that he would take all necessary steps to prevent recurrence of commingling violations. [Stipulation approved October 3, 2012.]		

LICENSEE	ADDRESS	PENALTY
Richard A. Mahler (Agent)	596 Annadale Road Staten Island, NY 10312	\$63,000 fine
Respondent solicited, negotiated and/or delivered in the State of New York annuity contracts issued by an unauthorized insurer in the State of New York, and otherwise aided and facilitated an unauthorized insurer in doing an insurance business in the State of New York. [Stipulation approved October 18, 2012.]		

LICENSEE	ADDRESS	PENALTY
Next Century Inc. (Broker)	712 3rd Avenue Brooklyn, NY 11232	\$1,500 fine
Xiomara Pica (Broker and Sublicensee)	Same as above	
Respondents acted as brokers in the State of New York without a license. [Stipulation approved December 13, 2012.]		

LICENSEE	ADDRESS	PENALTY
NYC TLC INS BKG INC. (Broker)	97-03 23 rd Avenue East Elmhurst, NY 11369	\$7,850 fine
Judith Grace Biedermann (Broker and Sublicensee)	Same as above	
Respondents, in connection with the placement of commercial automobile physical damage insurance coverage with an authorized insurer, submitted producing broker affidavits to an excess line broker, which incorrectly stated that the risk had been submitted to and declined by authorized insurers. [Stipulation approved November 28, 2012.]		

LICENSEE	ADDRESS	PENALTY
Sharma Insurance Brokerage Corp. (Broker) Adjua Semple (Agent, Broker, and Sublicensee)	1254 Troy Avenue Brooklyn, NY 11203 Same as above.	\$1,000 fine
Respondents issued insurance premium payment transmittal checks that were dishonored by the bank upon which they were drawn. [Stipulation approved August 30, 2012.]		

LICENSEE	ADDRESS	PENALTY
Margaret H. Russo (Agent)	1559 81 st Street Brooklyn, NY 11228	\$1,797 fine
Respondent failed to properly complete a life insurance application by failing to indicate that the policy applied for was intended to replace an existing insurance policy. [Stipulation dated November 19, 2012.]		

LICENSEE	ADDRESS	PENALTY
Davied Zvi Van Der Velde (Agent – License Application Pending, Broker and Life Broker)	1449 Granada Place Far Rockaway, NY 11691	\$3,000 fine
Respondent, while employed at an agency, transacted insurance business as a broker in this state without a license. [Stipulation approved December 17, 2012.]		

LICENSEE	ADDRESS	PENALTY
Howard M. Weinstein (Agent)	1111 Marcus Avenue Lake Success, NY 11042	\$750 fine
Respondent solicited, negotiated and/or delivered in the State of New York a long term care insurance policy, to an insured, 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 November 19, 2012.]		

LICENSEE	ADDRESS	PENALTY
Willis of New York Inc. (Agent, Broker and Excess Line Broker)	200 Liberty Street New York, NY 10281	\$15,000 fine
Respondent violated Section 2118(b) of the Insurance Law and Regulation 41, 11 NYCRR §§ 27.5 and 27.6, by placing excess line insurance policies for which it did not, within 45 days after the date of procurement, file the required affidavit and other documents with the Excess Line Association of New York. Respondent also violated Section 2117(a) of the Insurance Law by placing insurance coverage with an unauthorized insurer that was not an eligible excess line insurer. [Stipulation approved May 29, 2012.]		

Region: Suffolk

LICENSEE	ADDRESS	PENALTY
Mitchell J. Blecker Agency Inc. (Agent and Broker)	971 Main Street Holbrook, NY 11741	\$2,750 fine
Mitchell J. Blecker (Agent, Broker, and Sublicensee)	Same as above	
Respondents acted as insurance brokers in the State of New York in the name of Respondent Mitchell J. Blecker Agency Inc. after the license of Respondent Mitchell J. Blecker Agency Inc. to act as a broker had expired. Respondents also failed to disclose in the relicensing application for a broker's license of Respondent Mitchell J. Blecker Agency Inc. that Respondent Mitchell J. Blecker Agency Inc. acted as an insurance broker in the State of New York after its last license to act as a broker expired as aforesaid. [Stipulation approved September 27, 2012.]		

Region: Syracuse

LICENSEE	ADDRESS	PENALTY
Patricia Gehen (Agent and Broker)	c/o Hayler, Freyer & Coon, Inc. 231 Salina Meadows Parkway Syracuse, NY 13212	\$2,500 fine
Respondent, while employed at an agency, failed to timely remit insurance premium funds to various insurers and utilized premium funds to pay insurance premiums on her own or her family's insurance policies. As a result of the foregoing, Respondent resigned from the agency and repaid all missing insurance premiums. [Stipulation approved August 29, 2012.]		

Region: Utica

LICENSEE	ADDRESS	PENALTY
Kenneth Earl Lott (Agent)	2105 Holland Drive Utica, NY 13501	\$750 fine
Respondent failed to disclose on his original application for an agent's license that he was convicted of a crime. [Stipulation approved November 19, 2012.]		

Region: Rochester

LICENSEE	ADDRESS	PENALTY
Alan R. De Buono (Independent Adjuster)	c/o Bob Hastings Collision Inc. 110 Despatch Drive East Rochester, NY 14445	\$6,250 fine
Respondent transacted insurance business under the unapproved name "Bob Hastings Collision Inc.," and permitted his employees to act as independent adjusters in this State without a license. [Stipulation approved November 19, 2012.]		

LICENSEE	ADDRESS	PENALTY
Steven. C. Lund (Independent Adjuster- License Application Pending)	207 Wycliff Drive Webster, NY 14580	\$3,250 fine
Respondent failed to disclose on his original application for his independent adjuster's license that he was previously convicted of a crime and that he had acted as an independent adjuster in this State without a license. [Stipulation approved October 18, 2012.]		

LICENSEE	ADDRESS	PENALTY
Jeffrey M. Stout (Independent Adjuster)	245 E Main Street Victor, NY 14564	\$2,000 fine
Respondent acted as an insurance adjuster in the State of New York after his license to act as an independent adjuster had expired. [Stipulation approved August 29, 2012.]		

LICENSEE	ADDRESS	PENALTY
Tausch Travel Consultants Inc. (Agent)	5 East Main Street Webster, NY 14580	License Revoked
Erich K. Tausch (Sublicensee)	Same as above	
Respondents submitted to the Department a renewal application for an agent's license for Respondent Tausch Travel Consultants Inc. that named an individual who had previously died as President and sublicensee. [Stipulation approved September 12, 2012.]		

Region: Westchester

LICENSEE	ADDRESS	PENALTY
Gregory Cabal (Broker)	250 New Main Street Yonkers, NY 10701	\$3,500 fine
Respondent 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 used unapproved names in conducting business as an insurance producer in the State of New York. [Stipulation approved September 20, 2012.]		

LICENSEE	ADDRESS	PENALTY
DJM Advisory Group LLC (Agent, Broker, and Life Broker)	41 Scout Road Mahopac, NY 10541	\$2,500 fine
Donald F. Quirke (Agent and Sublicensee)	Same as above	
Respondents circulated advertisements that specified an insurance rate without providing the full name of the insurer referred to and the city in which it had the principal place of business. [Stipulation approved September 6, 2012.]		

LICENSEE	ADDRESS	PENALTY
Miriam P. Gomez (Broker)	138 North Main Street Port Chester, NY 10573	\$1,500 fine
Respondent issued insurance premium payment transmittal checks that were dishonored by the bank upon which they were drawn, premium account had numerous negative account balances, and Respondent failed to appropriately identify her premium bank account. Respondent subsequently replaced the aforementioned dishonored checks. [Stipulation approved September 27, 2012.]		

LICENSEE	ADDRESS	PENALTY
Debra Ann Rigano (Agent)	227 Jensen Avenue Mamaroneck, NY 10543	License Revoked
Respondent was convicted, upon a plea of guilty, of grand larceny in the second degree, a felony. [Stipulation approved October 9, 2012.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Agent's Choice Inc. An Insurance Agency (Agent)	25840 Chardon Road Richmond Heights, OH 44143	\$25,000 fine
Respondent failed to prevent employees who were not licensed in this State to solicit and sell insurance to New York residents and paid commissions to the unlicensed employees. [Stipulation approved October 25, 2012.]		

LICENSEE	ADDRESS	PENALTY
Steven Jerome Cius ((Agent, Broker and Excess Line Broker)	701 S. Parker Street – Suite 6200 Orange, CA 92868	\$500 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that he was fined by the Commonwealth of Kentucky, Department of Insurance. [Stipulation approved September 20, 2012.]		

LICENSEE	ADDRESS	PENALTY
Frank Cubelo (Agent-License Application Pending)	10 LaSalle Avenue Cranford, NJ 07016	\$750 fine
Respondent failed to disclose on his original application for an agent's license that he was fined by the Commissioner of Banking and Insurance in the State of New Jersey. [Stipulation approved September 20, 2012.]		

LICENSEE	ADDRESS	PENALTY
Victor L. Diaz (Agent)	312 Benson Street Valrico, FL 33594	\$2,000 fine
Respondent acted as an insurance agent in the State of New York after his license had expired and failed to disclose on his renewal application for an agent's license the foregoing. [Stipulation approved August 21, 2012.]		

LICENSEE	ADDRESS	PENALTY
Duggan Insurance Agency (Broker and Life Broker)	23 Gary Road Stamford, CT 06903	\$1,500 fine
William J. Duggan (Agent, Broker, and Sublicensee)	Same as above	
Respondents failed to disclose on Respondent Duggan Insurance Agency's relicensing applications for an agent's license that the Connecticut Insurance Department fined Respondent William J. Duggan and placed Respondent William J. Duggan's licenses on a probationary status. Respondent William J. Duggan also failed to disclose the Connecticut fine and probation in his original application for a broker's license and his original application for an agent's license. [Stipulation approved October 18, 2012.]		

LICENSEE	ADDRESS	PENALTY
Trevor W. Harrelson (Agent)	12610 New Brittany Boulevard Fort Myers, FL 33907	\$750 fine
Respondent failed to disclose on his original application for an agent's license that Respondent entered a plea of nolo contendere to a misdemeanor. [Stipulation approved September 12, 2012.]		

LICENSEE	ADDRESS	PENALTY
Cretcher Heartland LLC (Agent)	4551 W 107th Street Overland Park, KS 66207	\$750 fine
Respondent failed to disclose on its original application for an agent's license that Respondent, which formerly was known as Cretcher-Lynch & Company, was fined by the Commissioner of Insurance of the Commonwealth of Kentucky. [Stipulation approved October 18, 2012.]		

LICENSEE	ADDRESS	PENALTY
ChemPlan (Agent)	2201 Cantu Court Sarasota, FL 34232	\$19,500 fine
Christopher B. Kerr (Agent-Proposed Sublicensee)	Same as above	
Respondents acted as excess line brokers in the State of New York without a license. [Stipulation approved August 29, 2012.]		

LICENSEE	ADDRESS	PENALTY
Carol L. Murphy (Broker)	2000 Highland Avenue Wilmette, IL 60091	\$1,250 fine
Respondent failed to disclose on her renewal application for a broker's license that she was convicted of a crime and failed to report to the Superintendent within 30 days of the initial pretrial hearing date that she was the subject of the aforementioned criminal prosecution. [Stipulation approved October 3, 2012.]		

LICENSEE	ADDRESS	PENALTY
Frederick A. Rizzuto (Agent)	2028 West 25th Street Erie, PA 16502	\$4,500 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 the aforesaid unauthorized insurer in doing an insurance business in the State of New York. [Stipulation approved September 6, 2012.]		

LICENSEE	ADDRESS	PENALTY
Michelle Shipley (Agent)	c/o Liberty Travel 8502 Seneca Turnpike New Hartford, CT 13413	\$1,500 fine
Respondent acted as an insurance agent in the State of New York after her licenses expired. [Stipulation approved September 24, 2012.]		

LICENSEE	ADDRESS	PENALTY
Myron P. Ubl (Agent)	4613 Country Road K Oconomowoc, WI 53066	License Revoked
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent's licenses to transact the business of insurance as an insurance agent in the Commonwealth of Virginia were revoked by the Virginia State Corporation Commission, and that Respondent was fined by the Massachusetts Division of Insurance. Respondent also failed to submit to the Department information and documentation that was requested in Departmental letters. [Stipulation approved August 29, 2012.]		

LICENSEE	ADDRESS	PENALTY
Daniel Edmund Walsh (Agent)	3939 W Ridge Road - Suite B8 Erie, PA 16506	\$21,000 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 December 13, 2012.]		

###