

# New York State Department of Financial Services

ISSUED: October 18, 2019

## NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES TAKES DISCIPLINARY ACTIONS AGAINST LICENSEES OR REGISTRANTS UNDER THE INSURANCE LAW

The New York State Department of Financial Services has taken disciplinary action against the following licensees and registrants. Those categorized as stipulations or consent orders have been agreed to by the licensee or registrant. Department actions that result from Department hearings are subject to judicial review and possible stay of enforcement.

### STIPULATIONS/CONSENT ORDERS

#### Region: Mid-Island

LICENSEE	ADDRESS	PENALTY
Jeffrey J. Maffucci (Independent Adjuster)	8 Iowa Avenue Port Jefferson Station, NY 11776	\$1,500 fine
Respondent transacted insurance business as an independent adjuster in this State while unlicensed. [Stipulation approved August 20, 2019.]		

#### Region: New York

LICENSEE	ADDRESS	PENALTY
Astrid S. Benjamin-Campbell (Agent and Broker)	198 Bristol Street Brooklyn, NY 11212	\$4,500 fine
While Respondent was acting as an agent for Combined Life Insurance Company of New York ("Combined"): (a) Respondent signed the names of her brother and her nephew on Combined insurance applications; (b) Respondent entered false residence addresses on the aforementioned applications for her brother and her nephew; (c) Respondent allowed a person to sign the person's son's name on Combined insurance applications; and (d) Respondent, on Combined premium payment authorization forms for her aforementioned nephew and for her niece, falsely entered an affirmative answer to the question asking whether the payor is the same person as the insured. [Stipulation approved August 30, 2019.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Alpha Direct Agency LLC (Agent and Broker)	5030 Broadway New York, NY 10034	\$34,000 fine
Emmanuel Osuyah (Agent, Broker and Sublicensee)	Same as above	
<p>Respondents violated Section 2119 of the Insurance Law by collecting service fees from insureds without obtaining from the insureds a signed memorandum specifying the amount of the service fee. Respondents also commingled insurance premium fiduciary funds with Respondents' own funds, and in connection with insurance business that Respondents conducted through the New York Automobile Insurance Plan ("NYAIP"), Respondents collected service fees from insureds that exceeded the maximum service fee permitted by Section 21.C of the NYAIP Manual. [Stipulation approved August 20, 2019.]</p>		

**Region: Westchester**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
David S. Moody (Broker and Excess Line Broker)	22 Carole Place Mahopac, NY 10541	\$500 fine
<p>Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent was the subject of administrative action taken by the Connecticut Insurance Department. [Stipulation approved August 20, 2019.]</p>		

**Region: Out of State**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Hector D. Fortun (Agent and Broker)	365 Palermo Avenue Coral Gables, FL 33134	\$1,750 fine
<p>Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that he was fined by the Florida Department of Financial Services and the North Carolina Department of Insurance. Respondent also failed to disclose the Florida and North Carolina fines in his renewal application for a broker's license and his renewal application for an agent's license. [Stipulation approved August 30, 2019.]</p>		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Stephen Kitchens (Agent)	2607 Old Hickory Trail San Antonio, TX 78230	\$500 fine
Respondent failed to report to the Superintendent within thirty days of the final disposition of the matter that the North Dakota Insurance Department denied Respondent's application for an insurance producer license. [Stipulation approved August 30, 2019.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Keith Nyegaard (Agent)	5210 82nd Avenue Pinellas Park, FL 33781	\$500 fine
Respondent failed to report to the Superintendent within thirty days of the final disposition of the matter that the South Carolina Department of Labor and Regulation denied Respondent's application for licensure as an insurance producer. [Stipulation approved August 30, 2019.]		