

# New York State Department of Financial Services

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**ISSUED: March 4, 2016**

## **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**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
RLI Insurance Company	9025 N. Lindbergh Drive Peoria, IL 61615	\$10,000 fine
Respondent, in connection with its commercial automobile insurance program, charged rates that departed from the rates, rating plans, classifications, schedules, rules and standards in effect and failed to maintain adequate procedures to minimize the occurrence of improperly charged rates. [Stipulation approved January 8, 2016.]		

### **STIPULATIONS**

#### **Region: Albany**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Melinda L. Dugan (Independent Adjuster)	15 Cornell Road Latham, NY 12210	\$750 fine
Respondent transacted insurance business in this State without a license. [Stipulation approved January 19, 2016.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Melissa C. Mendoza (Independent Adjuster)	15 Cornell Road Latham, NY 12210	\$750 fine
Respondent transacted insurance business in this State without a license. [Stipulation approved January 20, 2016.]		

**Region: Buffalo**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Meritain Health Inc. (Agent and Independent Adjuster)	300 Corporate Parkway Amherst, NY 14226	\$3,000 fine
Jenni Losel (Sublicensee)	Same as above	
Respondents failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent Meritain was fined by the Delaware Insurance Department, by the Nevada Division of Insurance, and by the Louisiana Department of Insurance. Respondents also failed to disclose the Delaware and Nevada fines in Respondent Meritain's renewal application for an independent adjuster's license and renewal application for an agent's license. [Stipulation approved January 12, 2016.]		

**Region: New York**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Paradigm Public Adjusters, Inc. (Public Adjuster)	294 City Island Ave. Bronx, NY 10604	\$2,250 fine
John H. Capriles (Public Adjuster and Sublicensee)	Same as above	
Respondents transacted insurance business in the State of New York without the benefit of a license and entered into several compensation agreements that contained missing information. [Stipulation approved February 1, 2016.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
AmTrust North America Inc. (Agent, Broker, Excess Line Broker, Life Broker and Independent Adjuster)	59 Maiden Lane New York, NY 10038	\$2,500 fine
Stuart Dov Hollander (Sublicensee)	Same as above	
Susan E. Howe (Sublicensee)	Same as above	
<p>Respondents AmTrust and Hollander failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent AmTrust was fined on two occasions by the Nevada Division of Insurance. Respondents AmTrust and Howe failed to disclose the Nevada fines in Respondent AmTrust's original application for an independent adjuster's license. [Stipulation approved January 12, 2016.]</p>		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Commonwealth Services Inc. (Broker)	1865A East Tremont Ave. Bronx, NY 10460	\$2,000 fine
Donovan A. Neita (Agent, Broker and Sublicensee)	Same as above	
<p>Respondents commingled insurance premium funds and operating expense funds in their bank account, failed to properly label their bank account as a premium account; and issued three insurance premium payment transmittal checks that were dishonored by the bank upon which they were drawn. Respondents subsequently replaced the dishonored checks. [Stipulation approved January 26, 2016.]</p>		

**Region: Syracuse**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
David P. Kreydatus (Independent Adjuster)	c/o David's Collision & Body Shop 271 Grant Ave. Auburn, NY 13021	\$1,000 fine
<p>Respondent acted as an independent adjuster in this state without a license, during the periods January 1, 2013 through May 7, 2013 and January 1, 2015 through May 11, 2015. [Stipulation approved January 20, 2016.]</p>		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Paul L. Wilson (Agent)	8266 Thimble Rock Circle Manlius, NY 13104	\$1,500 fine
Respondent was terminated for cause by an insurance company for submitting an application to the insurance company that contained false underwriting information. [Stipulation approved January 26, 2016.]		

**Region: Warren**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Canape Enterprise LLC (Agent)	90 Glenwood Ave. Queensbury, NY 12804	\$3,750 fine
Michael Joseph Canape (Agent, Broker and Sublicensee)	Same as above	
Vernon Canape (Agent, Broker and Sublicensee)	Same as above	
Respondents, while conducting business under the name Canapé Insurance Agencies Group Inc., deposited two insurance premium payments made payable to an insurer into its premium bank account without authorization; collected an insurance premium payment on behalf of an insured, failed to timely remit said insurance premium and the application for insurance to the insurer' and utilized unlicensed agency names. [Stipulation approved January 20, 2016.]		

**Region: Out of State**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Leonard A. Boring (Agent)	15303 Ventura Blvd. Sherman Oaks, CA 91403-3197	\$500 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that the Missouri Department of Insurance, Financial Institutions and Professional Registration took an administrative action against Respondent. [Stipulation approved January 12, 2016.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
David Anthony Brown (Agent)	5300 Broken Sound Boulevard NW Boca Raton, FL 33487	\$750 fine
Respondent failed to disclose in his original application for an agent's license that he had a judgment withheld in the Broward County Court, State of Florida. [Stipulation approved January 15, 2016.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Prairie States Insurance Agency Inc. (Agent)	1216 NW 50 <sup>th</sup> Street Oklahoma City, OK 73118	\$7,500 fine
Deborah Jean Gale (Agent, Broker and Sublicensee)	Same as above	
Respondent Prairie States Insurance Agency Inc. transacted insurance business in this State without a license and Respondent Deborah Jean Gale transacted insurance business in this State under an unlicensed agency name. Respondents' website purported to make known the financial condition of an insurer without conforming to the requirements of Section 1313 of the Insurance Law. [Stipulation approved February 1, 2016.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Lucia S. Gonzalez-Roel (Agent)	1002 S Harbour Island Blvd Tampa, FL 33602	License Revoked
Respondent failed to disclose in her original application for an agent's license that at the time of the submission of said application, she was charged with committing crimes. Respondent also failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent's licensure and eligibility for licensure as an insurance agent within the state of Florida were surrendered to the Florida Department of Financial Services, with said surrender having the same force and effect as a revocation. [Stipulation approved January 12, 2016.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Source Capital Group Inc. (Agent)	276 Post Road, West Westport, CT 06880	\$19,000 fine
David W. Harris (Agent and Sublicensee)	Same as above	
<p>Respondents failed to disclose in license applications submitted to the Department that Respondent Source Capital Group Inc. was censured and fined by the National Association of Securities Dealers and by the Financial Industry Regulatory Authority, and that Respondent Source Capital Group Inc. was fined and ordered to cease and desist from engaging in certain conduct by the Connecticut Department of Banking. [Stipulation approved January 26, 2016.]</p>		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Brandi Martinez (Agent)	612 Cavan Cibolo, TX 78108	\$3,000 fine
<p>Respondent failed to disclose in her relicensing application for an agent's license that her license was revoked by the Washington Office of Insurance Commissioner, and that she was fined by the Alaska Division of Insurance, the Massachusetts Division of Insurance, and the South Carolina Department of Insurance. [Stipulation approved January 12, 2016.]</p>		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Harold Wayne McIntyre (Agent)	15935 NW 27 <sup>th</sup> Avenue Miami Gardens, FL 33054	License Revoked
<p>Respondent failed to report to Superintendent within thirty days of the final disposition of the matter that the Virginia State Corporation Commission revoked his license to transact the business of insurance as an insurance agent. Respondent failed to disclose in his original application and in his renewal applications for an agent's license that he was charged with committing a crime. [Stipulation approved January 14, 2016.]</p>		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Richard Medvis (Agent)	2917 Tamarack Drive Erie, PA 16506	License Revoked
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that the Michigan Department of Insurance and Financial Services took an administrative action against Respondent. [Stipulation approved January 14, 2016.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Ellery J. Moreland (Agent)	c/o New York Life 5505 W. Cypress Street Tampa, FL 33607	\$1,500 fine
Respondent failed to notify the Department within thirty days that he was revoked by the State of North Dakota and failed to disclose on his original application for his agent's license that he had several misdemeanor convictions. [Stipulation approved January 26, 2016.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Dennis Olsen (Agent and Broker)	505 North Brand Blvd Glendale, CA 91203	\$1,250 fine
Respondent failed to notify the Department within thirty days that he was fined by the Florida Department of Financial Services. Respondent also failed to disclose on his renewal application for his agent's license that he was the subject of an administrative action in the State of New Jersey. [Stipulation approved January 20, 2016.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Henry Spooner Phillips IV (Agent and Life Broker)	11 Depot Street Hartwell, GA 30643	\$500 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent was fined by the Georgia Department of Insurance. [Stipulation approved February 1, 2016.]		