

New York State Department of Financial Services

ISSUED: November 24, 2017

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.

STIPULATIONS

Region: Albany

LICENSEE	ADDRESS	PENALTY
Angelo D. Castricone (Agent – License Pending)	25 Robinwood Drive Clifton, NY 12065	\$2,250 fine
Respondent failed to disclose on his relicensing applications for an agent's license that he signed a consent order with the Financial Industry Regulatory Authority and failed to secure consent from the co-owner of a life insurance policy prior to requesting a loan against the value of the policy. [Stipulation approved October 10, 2017.]		

LICENSEE	ADDRESS	PENALTY
Jose Segura (Agent)	1207 Troy Schenectady Road Latham, NY 12110	\$750 fine
Respondent failed to disclose in his original application for an agent's license that he was previously convicted of a crime. [Stipulation approved September 22, 2017.]		

Region: Mid-Island

LICENSEE	ADDRESS	PENALTY
Lon H. Silver (Agent)	315 Walt Whitman Road Huntington Station, NY 11746	\$3,000 fine
t/b/a Ralph Silvers Agency (Agent and Broker)	Same as above	
Respondent commingled insurance premium funds and operating expense funds in his premium account and utilized insurance funds from his premium account for personal obligations. [Stipulation approved October 10, 2017.]		

LICENSEE	ADDRESS	PENALTY
Stephen Michael Trueman (Agent, Broker, and Life Broker)	3 Balin Ct. South South Setauket, NY 11720	\$2,750 fine
Respondent failed to disclose in his original application for a broker's license, his original application for a life broker's license and his supplemental statement to act as sublicensee of The Bennett Insurance Agency LLC that he was convicted of a crime. Respondent also failed to report to the Superintendent within thirty days of the final disposition of the matter that Respondent's application for licensure as an agent was denied by the Florida Department of Financial Services. [Stipulation approved September 22, 2017.]		

Region: Rochester

LICENSEE	ADDRESS	PENALTY
Gubiotti Agency Inc. (Agent and Broker)	348 W Ridge Road Rochester, NY 14615	Licenses Revoked
Gary Gubiotti (Sublicensee)	Same as above	
Respondent Gary Gubiotti was convicted, upon a plea of guilty, of Grand Larceny in the Third Degree, a class D felony. [Stipulation approved September 5, 2017.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Sean Allard (Agent)	13430 N Black Canyon Highway Phoenix, AZ 85029	\$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 Louisiana Department of Insurance. [Stipulation approved October 4, 2017.]		

LICENSEE	ADDRESS	PENALTY
Brett Marcum Burks (Agent)	5691 NE 14th Avenue Fort Lauderdale, FL 33334	License Revoked
Respondent failed to notify the Department within thirty days that he was the subject of administrative action taken by the Florida Department of Financial Services; Respondent had an insurance producer's license revoked by the State of Florida; and Respondent was convicted of a felony. [Stipulation approved September 20, 2017.]		

LICENSEE	ADDRESS	PENALTY
Daniel C. McMullen (Agent and Broker)	6 Juniper Road Gloucester, MA 01930	\$750 fine
Respondent failed to disclose in his original application for a broker's license that he was fined by the Kentucky Department of Insurance in 2010, by the Massachusetts Division of Insurance in 2011, and by the Department in 2012. [Stipulation approved October 16, 2017.]		

LICENSEE	ADDRESS	PENALTY
Benjamin Warren Sears (Agent and Broker)	125 High Street Boston, MA 02110	\$1,500 fine
Respondent failed to disclose on his original applications for his agent and broker's licenses that he was the officer of an entity that was the subject of an administrative action by the Commonwealth of Virginia, State Corporation Commission. [Stipulation approved September 20, 2017.]		

LICENSEE	ADDRESS	PENALTY
Deandre Walker (Agent)	2714 Conch Hollow Drive Brandon, FL 33511	\$1,000 fine
Respondent failed to notify the Department within thirty days that he was the subject of administrative actions in the States of Georgia, California and Louisiana as required. [Stipulation approved October 16, 2017.]		