

New York State Department of Financial Services

ISSUED: September 30, 2020

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.

COMPANY CONSENT ORDERS

LICENSEE	ADDRESS	PENALTY
Ironshore Indemnity Inc.	28 Liberty Street New York, NY 10005	\$461,200 fine Respondent represents, and has demonstrated to the Department, that it has implemented the necessary actions to prevent recurrences of the violations described above including having made restitution in the total amount of \$64,720 to policyholders who were overcharged the improper rates; and also represents that Respondent is now compliant with Sections 2307(b) and 3426(e) (2) of the New York Insurance Law, and Insurance Regulation 57 [11 NYCRR 160] and Insurance Regulation 129 [11 NYCRR 161]. Respondent will also take all necessary steps to comply with the New York Insurance Law and

		Regulations with respect to its insurance products in the future.
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Respondent, for the time period January 2012 to December 2015, issued and delivered policy forms that were not filed for approval; sent nonrenewal notices to policyholders that failed to contain the specific reason or reasons for nonrenewal; failed to apply its filed and approved experience rating plan uniformly in a nondiscriminatory manner for all eligible classes of risk; failed to charge rates in accordance with its filed and approved rates and rating rules resulting in both premium overcharges and undercharges to policyholders; and failed to maintain adequate procedures to minimize the occurrence of improperly charged rates. [Consent Order approved July 28, 2020.]

LICENSEE	ADDRESS	PENALTY
Truck Insurance Exchange and Farmers New Century Insurance Company	6301 Owensmouth Avenue Woodland Hills, CA 91367	\$100,000 fine Respondents represent, and have demonstrated to the Department, that they have implemented the necessary actions to prevent recurrences of the violations described above and represent that Respondents are now compliant with Section 2350(b) of the New York Insurance Law. Respondents will also take all necessary steps to comply with the New York Insurance Law and Regulations with respect to their insurance products in the future.

Respondents, for the approximate time period December 2016 to January 2017, failed to issue written notices of their intention to change the rates for numerous insureds. [Consent Order approved July 28, 2020.]

STIPULATIONS/CONSENT ORDERS

Region: Mid-Island

LICENSEE	ADDRESS	PENALTY
Joseph W. Tucciarone (Agent)	100 Sagamore Drive Plainview, NY 11803	\$2,500 fine
Based upon violations of Financial Industry Regulatory Authority ("FINRA") and National Association of Securities Dealers rules, FINRA barred Respondent from any association with any member firm. Respondent also failed to disclose the FINRA bar in his renewal application for an agent's license. [Stipulation approved June 15, 2020.]		

Region: Nassau

LICENSEE	ADDRESS	PENALTY
Blue Ocean Protection Solutions LLC (Broker)	2200 Northern Boulevard Greenvale, NY 11548	\$6,000 fine
Diana Miranda-Scalese (Agent, Broker and Sublicensee)	Same as above	
Respondents sent a letter to numerous clients in which Respondents improperly offered new insurance coverage to the clients by informing the clients that if Respondents did not hear from the clients within 10 days from the date of the letter, the clients could expect a new insurance policy to be issued by an insurer effective the date on the policy. [Stipulation approved July 13, 2020.]		

LICENSEE	ADDRESS	PENALTY
Castle View Adjusters LLC (Public Adjuster)	377 Oak Street Garden City, NY 11530	\$3,500 fine
Anthony M. Reitano (Public Adjuster and Sublicensee)	Same as above	
Respondent Anthony M. Reitano used public adjuster compensation forms for seven New York losses that did not comply with Regulation 10 (11 NYCRR 25.6) and acted under the unlicensed names "ARG Inc." and "Anthony Reitano Group". Respondent Castle View Adjusters LLC acted under the unlicensed names "ARG Inc." and "Anthony Reitano Group". [Stipulation approved August 24, 2020.]		

Region: New York

LICENSEE	ADDRESS	PENALTY
Huanwei Huang (Broker)	8823 26 th Avenue Brooklyn, NY 11214	\$750 fine
Respondent communicated with a customer and another person about securities business using a text messaging service instead of the approved electronic mail system of the Financial Industry Regulatory Authority ("FINRA") member firm with which Respondent was registered, in violation of FINRA rules. [Stipulation approved July 1, 2020.]		

LICENSEE	ADDRESS	PENALTY
Alpha Direct Agency LLC (Agent and Broker)	5030 Broadway New York, NY 10034	\$1,500 fine
Emmanuel Osuyah (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 Emmanuel Osuyah was the subject of an administrative action taken by the Commonwealth of Virginia Bureau of Insurance. Respondents also failed to disclose on Respondent Alpha Direct Agency LLC's renewal application to act as an agent the aforementioned administrative action brought by the Commonwealth of Virginia Bureau of Insurance. [Stipulation approved August 7, 2020.]		

LICENSEE	ADDRESS	PENALTY
Sion Palacci (Agent)	1316 Avenue J Brooklyn, NY 11230	\$500 fine
Respondent failed to report to the Superintendent within 30 days of the initial pretrial hearing date that he was the subject of a criminal prosecution that resulted in a conviction. [Stipulation approved August 24, 2020.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Iyan G. Alfredson (Broker)	21727 Andover Road Kildeer, IL 60047	\$13,500 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 provisions of the Insurance Law. [Stipulation approved March 11, 2020.]		

LICENSEE	ADDRESS	PENALTY
Southeast Insurance Brokerage Company (Broker)	2655 South Bayshore Drive Coconut Grove, FL 33133	\$500 fine
Thomas Andersen (Sublicensee)	Same as above	
Respondents failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent Southeast Insurance Brokerage Company was the subject of administrative action taken by the Wisconsin Office of the Commissioner of Insurance. [Stipulation approved August 7, 2020.]		

LICENSEE	ADDRESS	PENALTY
Brightclaim LLC (Independent Adjuster)	1122 Huntcliff Village Court Norcross, GA 30092	\$19,200 fine
Respondent adjusted insurance claims in the state of New York without a sublicensee as required. [Stipulation approved August 24, 2020.]		

LICENSEE	ADDRESS	PENALTY
Juan Carlos Corcuera (Broker)	183 Palmyra Drive Vista, CA 92084	\$2,250 fine
Respondent failed to disclose in his original application for a broker's license that: (a) at the time of the submission of said license application on August 15, 2019, Respondent had a criminal case pending in the California Superior Court, County of San Diego; (b) on or about August 15, 2000, Respondent was convicted of a misdemeanor in California Superior Court, County of San Diego; and (c) Respondent was the subject of administrative action taken by the California Department of Insurance on or about February 2, 2012. [Stipulation approved June 4, 2020.]		

LICENSEE	ADDRESS	PENALTY
James Klein Insurance Agency (Excess Line Broker- License Application Pending)	200 East Sandpointe, Suite 310 Santa Ana, CA 92707	\$22,500 fine
Pamela K. Davis (Agent, Broker, and Excess Line Broker)	Same as above	
Respondents conducted insurance business using a name that had not been approved by the Superintendent; and during the approximate period January 2019 through April 2020, Respondents acted as an excess line broker in this state without a license issued and in force under the Insurance Law. [Stipulation approved August 24, 2020.]		

LICENSEE	ADDRESS	PENALTY
Melanie Lois Herman (Agent)	208 West Dupont Street Ridley Park, PA 19078	\$500 fine
Respondent acted as an agent on insurance policies without the benefit of a license. [Stipulation approved August 7, 2020.]		

LICENSEE	ADDRESS	PENALTY
Michael Hyat (Agent)	12730 High Bluff Drive San Diego, CA 92130	\$750 fine
Respondent failed to disclose in his original application for an agent's license that he was the subject of administrative action taken by the California Department of Insurance. [Stipulation approved July 22, 2020.]		

LICENSEE	ADDRESS	PENALTY
Denise Kirk (Agent)	c/o Allstate Insurance Company 7349 IBM Drive Charlette, NC 28262	\$250 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that she was the subject of administrative action taken by the Indiana Department of Insurance. [Stipulation approved August 7, 2020.]		

LICENSEE	ADDRESS	PENALTY
Douglas E. Kisker (Agent and Broker)	740 Centre View Boulevard Crestview Hills, KY 41017	\$500 fine
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 Illinois Insurance Department. [Stipulation approved July 1, 2020.]		

LICENSEE	ADDRESS	PENALTY
John Lecato (Agent)	5465 Broadmoor Bluffs Colorado Springs, CO 80906	\$500 fine
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 South Dakota Division of Insurance. [Stipulation approved July 13, 2020.]		

LICENSEE	ADDRESS	PENALTY
McGowan Insurance Agency (Agent)	355 Indiana Avenue Indianapolis, IN 46204	\$500 fine
Hugh M. McGowan (Agent and Broker)	Same as above	
<p>Respondents failed to report to the Superintendent within 30 days of the final disposition of the matter that McGowan Insurance Group, Inc. of which Respondent Hugh M. McGowan is an officer, was the subject of administrative action taken by the Massachusetts Division of Insurance. [Stipulation approved August 7, 2020.]</p>		

LICENSEE	ADDRESS	PENALTY
C & R Insurance Services, Inc. (Agent, Broker and Excess Line Broker)	987 Old Eagle School Road Wayne, PA 19087	\$500 fine
Michael P. Rothman (Agent and Sublicensee)	Same as above	
<p>Respondent, during the approximate period December 2019 through May 2020, paid commissions to an unlicensed individual. [Stipulation approved August 7, 2020.]</p>		

LICENSEE	ADDRESS	PENALTY
Kailee Nicole Wixon (Agent)	4106 W. Euclid Avenue Tampa, FL 33629	\$750 fine
<p>Respondent failed to disclose in her original application for an agent's license that her non-resident producer license was revoked by the Minnesota Department of Commerce. [Stipulation approved August 7, 2020.]</p>		