

New York State Insurance Department

ISSUED: 09/25/09

FOR IMMEDIATE RELEASE

NEW YORK STATE INSURANCE DEPARTMENT TAKES DISCIPLINARY ACTIONS AGAINST COMPANIES, AGENTS, BROKERS & ADJUSTERS

The New York State Insurance Department 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

LICENSEE	ADDRESS	PENALTY
Commonwealth Land Title Insurance Company	601 Riverside Avenue Jacksonville, FL 32204	\$375,000 fine
Respondent charged rates that deviated from the approved rates filed with the Department; failed to file certain insurance policy forms with the Department; failed to produce policy files requested by Department examiners and/or produced incomplete policy files and failed to maintain adequate procedures to minimize the occurrence of improperly charged rates. [Stipulation approved August 10, 2009.]		

LICENSEE	ADDRESS	PENALTY
Lawyers Title Insurance Corporation	601 Riverside Avenue Jacksonville, FL 32204	\$375,000 fine
Respondent charged rates that deviated from the approved rates filed with the Department; failed to file certain insurance policy forms with the Department; failed to produce policy files requested by Department examiners and/or produced incomplete policy files; and failed to maintain adequate procedures to minimize the occurrence of improperly charged rates. [Stipulation approved August 10, 2009.]		

LICENSEE	ADDRESS	PENALTY
MONY Life Insurance Company	1290 Avenue of the Americas New York, NY 10104	\$50,000 fine
Respondent failed to comply with Department Regulation 60 in connection with annuity contracts that involved replacement of life insurance and annuity contracts in that Respondent failed to adequately train agents with respect to the requirements of Regulation 60 and failed to review the forms involved in the replacement of life insurance and annuity contracts to ensure that they were accurate and met the requirements of Regulation 60. [Stipulation approved July 29, 2009.]		

LICENSEE	ADDRESS	PENALTY
Principal Life Insurance Company	711 High Street Des Moines, IA 50392	\$75,000 fine
Respondent violated Section 4232(a) of the Insurance Law by not having written criteria approved by its board of directors for additional amounts credited on annuities. [Stipulation approved July 28, 2009.]		

AGENT AND BROKER HEARINGS

Region: Albany

LICENSEE	ADDRESS	PENALTY
William J. Morgan (Agent)	5 Cramer Woods Road Ballston Spa, NY 12020	License Revoked
Respondent collected insurance premium payments from insureds and failed to remit said insurance premium payments to the insurer or otherwise properly account for said insurance premium payments, and failed to respond to the Department's inquiry letters, thereby hampering and impeding the Department's investigation. [Order issued July 10, 2009.]		

Region: Buffalo

LICENSEE	ADDRESS	PENALTY
LJ Dolloff & Associates, Inc. (Agent, Broker and Excess Line Broker)	361 Delaware Avenue Buffalo, NY 14202	Licenses Revoked
Lawrence J. Dolloff (Agent, Broker and Sublicensee)	Same as Above	
Respondents failed to pay premium taxes due together with penalties for the years 2007 and 2008; and failed to file the 2008 premium tax statement. Respondents failed to appear at the Department for an Examination Under Oath and failed to provide the documents requested thereby hampering and impeding the Department's investigation. [Order issued September 11, 2009.]		

LICENSEE	ADDRESS	PENALTY
Nicole Marie Krell (Agent)	5800 Porter Road Niagara Falls, NY 14304	License Revoked
Respondent failed to respond meaningfully to the Department's investigatory letters, failed to respond to voicemails left by the Department and failed to appear as directed for an examination under oath, thereby hampering and impeding the Department's investigation. [Order issued September 8, 2009.]		

Region: Nassau

LICENSEE	ADDRESS	PENALTY
Eliazar I. Rosa (Agent)	120 West Park Avenue Long Beach, NY 11561	\$1,000 fine
Respondent issued insurance premium checks that were dishonored by the bank upon which they were drawn; commingled insurance premium and premium monies within the same checking account; had a negative balance in his premium checking account; and conducted an insurance business using unlicensed names. [Order issued September 8, 2009.]		

Region: Mid Hudson

LICENSEE	ADDRESS	PENALTY
William R. Chamberlain (Agent and Broker)	P.O. Box 683 Kerhonkson, NY 12446	License Revoked
Respondent commingled insurance premium and business operational funds in his premium account; failed to maintain detailed records of his premium account for at least three years; misappropriated monies received from an insured and failed to remit or otherwise properly account for said monies; and failed to respond to the Department's last two written inquiries and failed to appear for a Statement under Oath thereby hampering and impeding the Department's investigation. [Order issued July 24, 2009.]		

Region: New York City

LICENSEE	ADDRESS	PENALTY
Stephen Ekow Edusah (Agent)	3130 Grand Concourse Bronx, NY 10458	\$2,500 fine
Respondent was convicted of a crime and terminated by his employer. Respondent failed to report the criminal prosecution within thirty days of the initial pretrial hearing date to the Superintendent of Insurance. Respondent failed to timely respond to Departmental investigatory letters seeking information about his termination, thereby hampering and impeding the Department's investigation. [Order issued September 8, 2009.]		

Region: Suffolk County

LICENSEE	ADDRESS	PENALTY
<p>Citron Lynn Insurance Agency, Inc. (Broker)</p> <p>Lynn F. Citron (Broker and Sublicensee)</p>	<p>46 Eagle Chase Woodbury, NY 11797</p> <p>Same as Above</p>	<p>Licenses Revoked</p>
<p>Respondents' certification with the New York Automobile Insurance Plan ('NYAIP') was revoked for a period of two years due to their violation of numerous NYAIP rules. Respondents issued twelve premium checks that were dishonored by the bank upon which they were drawn and which were not subsequently replaced. In furtherance of an ongoing fraudulent scheme engaged in with other persons; Respondent Lynn Citron submitted policy application to the NYAIP in which the true geographical territory, nature of the operation and ownership of companies and vehicles were concealed in order to get cheaper insurance. Through their rate-evasion scheme, Respondent Lynn F. Citron and her co-conspirators defrauded insurance companies out of lost premiums. For her criminal involvement in the aforementioned scheme and associated conduct therewith, Respondent Lynn F. Citron pled guilty to Scheme to Defraud in the second degree, a class A misdemeanor, for which she was sentenced to 3 years probation and ordered to pay a penalty of \$175,000. In addition, Respondents permitted an unlicensed individual to act as an insurance producer on their behalf and he participated in the same unlawful scheme of false and fraudulent acts, leading to his eventual indictment and conviction of insurance related felony offenses. [Order issued July 24, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
<p>Peter J. Ezagui (Agent)</p>	<p>81 Monroe Avenue Bay Shore, NY 11706</p>	<p>License Revoked</p>
<p>Respondent, while acting as an insurance agent, intentionally misstated the terms and conditions of insurance products he sold to seven elderly persons therein exposing them to undue harm and damages, and as a result his appointment was terminated through an agency. Respondent was also charged with an insurance related crime and convicted of Grand Larceny, a class D felony as a hate crime. Further, Respondent failed to disclose the aforesaid criminal conviction as well as three other pending criminal actions against him on his re-licensing application for an agent's license; failed to report to the Superintendent of Insurance within thirty days of his initial pretrial hearing date; and failed to respond to Departmental investigatory letters thereby hampering and impeding the Department's investigation. [Order issued July 24, 2009.]</p>		

Region: Westchester

LICENSEE	ADDRESS	PENALTY
Joseph Tonkin (Agent)	8 Sycamore Street Garnersville, NY 10923	\$750 fine
Respondent, while employed an agent for an insurance company, made a false statement to the insurance company and was terminated. Respondent failed to respond to Departmental investigatory letters seeking information about his termination, thereby hampering and impeding the Department's investigation. [Order issued September 11, 2009.]		

AGENT AND BROKERS STIPULATIONS

Region: Albany

LICENSEE	ADDRESS	PENALTY
Helen W. Torian (Broker)	32 Ten Broeck Place Albany, NY 12210	\$500 fine
Respondent issued insurance premium payment transmittal checks that were dishonored by the bank upon which they were drawn. [Stipulation approved August 5, 2009.]		

Region: Buffalo

LICENSEE	ADDRESS	PENALTY
Janelle J. Hansen (Agent)	1717 Grand Island Boulevard Grand Island, NY 14072	\$965 fine
Respondent accepted payments from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved August 13, 2009.]		

LICENSEE	ADDRESS	PENALTY
Insurance Associates Marketplace Agency Inc. (Agent and Broker)	100 Colvin Woods Parkway Tonawanda, NY 14150	\$250 fine
Paul R. Chisholm (Sublicensee)	Same as above	
Respondents failed to supervise their staff in that they accepted a payment from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved August 7, 2009.]		

LICENSEE	ADDRESS	PENALTY
Lawley Service Inc. (Agent, Broker, and Excess Line Broker)	361 Delaware Avenue Buffalo, NY 14202	\$500 fine
William J. Lawley Jr. (Agent, Broker, and Sublicensee)	Same as Above	
Respondents failed to timely refund unearned insurance premium payments to an insured on cancelled policies. [Stipulation approved August 13, 2009.]		

LICENSEE	ADDRESS	PENALTY
Overdorf Associates Agency Inc. (Agent and Broker)	81 Buffalo Street Hamburg, NY 14075	\$250 fine
Theodore W. Overdorf (Agent and Sublicensee)	Same as above	
Respondents accepted payments from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved July 10, 2009.]		

LICENSEE	ADDRESS	PENALTY
Jennifer L. Petrie (Broker)	196 S. Union Road Williamsville, NY 14221	\$285 fine
Respondent accepted a payment from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved July 23, 2009.]		

LICENSEE	ADDRESS	PENALTY
Martin J. Shaughnessy (Agent and Broker)	3 Kelly Drive Cheektowga, NY 14227	\$2,060 fine
Respondent accepted payments from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved August 7, 2009.]		

LICENSEE	ADDRESS	PENALTY
Stevens-Van De Bogart Inc. (Agent and Broker)	1025 Main Street Box 665 Niagara Falls, NY 14302	\$560 fine
Michael L. Stevens (Sublicensee)	Same as above	
Respondents accepted payments from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved July 30, 2009.]		

LICENSEE	ADDRESS	PENALTY
Frank M. Ventry (Agent)	4668 Perry Street Lewiston, NY 14092	\$660 fine
Respondent accepted payments from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved July 24, 2009.]		

Region: Nassau County

LICENSEE	ADDRESS	PENALTY
Larry M. Smith (Agent)	45-22 48 th Street Woodside, NY 11377	License Revoked
Respondent collected life insurance premium payments from clients and failed to remit the payments to the insurer and failed to timely respond to Department investigatory letters, thereby hampering and impeding the Department's investigation. [Stipulation approved September 15, 2009.]		

LICENSEE	ADDRESS	PENALTY
Edward T. Stein (Agent and Sublicensee)	1044 Northern Blvd Roslyn, NY 11576	License Revoked
Respondent committed Securities Fraud, a class C Felony, and Wire Fraud, a class C felony; and failed to respond to Department letters of inquiry regarding the above matters, thereby hampering and impeding an official Department investigation. [Stipulation approved September 8, 2009.]		

Region: New York City

LICENSEE	ADDRESS	PENALTY
Jose A. Aguirre (Agent)	8801 35 th Avenue Jackson Heights, NY 11372	\$500 fine
Respondent knowingly accepted the answers to an insurance self-study continuing education exam from the test monitor during the administration of the exam. [Stipulation approved August 5, 2009.]		

LICENSEE	ADDRESS	PENALTY
Aspen Re America Inc. (Reinsurance Intermediary)	11 Penn Plaza Center New York, NY 10001	\$750 fine
Respondent conducted insurance business as a reinsurance intermediary in this State without a license. [Stipulation approved August 6, 2009.]		

LICENSEE	ADDRESS	PENALTY
Elizabeth L. DeLuca (Agent)	33 Fifth Avenue New York, NY 10003	License Revoked
Respondent failed to appear for a Statement under Oath that was scheduled by the Department thereby hampering and impeding the Department's investigation. [Stipulation approved August 27, 2009.]		

LICENSEE	ADDRESS	PENALTY
Jose Grullon (Agent and Broker)	1572 Watson Avenue Bronx, NY 10472	\$500 fine
Respondent commingled premium funds and operating expense funds in his premium account. [Stipulation approved August 18, 2009.]		

LICENSEE	ADDRESS	PENALTY
Island Resort Tours (Agent)	211 East 43 rd Street New York, NY 10017	\$500 fine
Respondent acted as an agent in connection with the issuance of insurance policies without having authority to do so by virtue of a license issued. [Stipulation approved July 23, 2009.]		

LICENSEE	ADDRESS	PENALTY
John Kennedy (Agent and Broker – License Pending)	64-54 A 223 rd Place Bayside, NY 11364	\$750 fine
Respondent failed to notify the Department within thirty days of the initial pretrial hearing dates that he was the subject of criminal prosecutions. [Stipulation approved August 13, 2009.]		

LICENSEE	ADDRESS	PENALTY
Mendoza-The Finest Agency Inc. (Broker)	1186 Langdon Street Franklin Square, NY 11010	\$7,500 fine
Mario Mendoza (Sublicensee)	Same as above	
Respondents' premium account had numerous negative account balances violating a prior Stipulation entered into with the Department and Respondents submitted an automobile insurance application to the New York Automobile Insurance Plan ("NYAIP") without having personally met with the applicant as required in violation of the NYAIP Rules. [Stipulation approved August 14, 2009.]		

LICENSEE	ADDRESS	PENALTY
Vasil Ranchinskiy (Agent)	1623 66 th Street Brooklyn, NY 11204	License Revoked
Respondent, while employed as an agent for a life insurance company, completed and submitted applications for life insurance for various insureds which contained false underwriting information. As a result of the foregoing, Respondent was terminated as an agent by his employer. [Stipulation approved September 9, 2009.]		

LICENSEE	ADDRESS	PENALTY
James William t/b/a James Bonds Agency (Agent and Broker)	1952 Ford Street Brooklyn, NY 11229	\$1,500 fine
Respondent mailed advertisements to potential insureds that referred to an insurer without providing the full name of the insurer referred to and the city in which it had its principal place of business. [Stipulation approved August 14, 2009.]		

Region: Suffolk County

LICENSEE	ADDRESS	PENALTY
Fulya Capanelli (Agent)	558 New Highway Hauppauge, NY 11788	License Revoked
Respondent, while she was employed as an agent of a property casualty insurance company, called its sales department by telephone and pretended to be a potential customer seeking the cost of an insurance policy, in order to receive a benefit under the company "cash for quote" incentive,. As a result of the foregoing, Respondent's agency appointment was terminated by the company. [Stipulation approved August 11, 2009.]		

Region: Rochester

LICENSEE	ADDRESS	PENALTY
Anderson-Van Horne Associates Inc. (Agent and Broker)	110 Clifton Springs Professional Park Clifton Springs, NY 14432	\$250 fine
Dale R. Anderson (Agent and Sublicensee)	Same as Above	
Respondents accepted payments from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved July 24, 2009.]		

LICENSEE	ADDRESS	PENALTY
Egbert F. Ashley Co. (Agent and Broker)	6336 Lake Avenue Williamson, NY 14586	\$1,875 fine
Cynthia F. Baran (Agent, Broker, and Sublicensee)	Same as Above	
Respondents accepted payments from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved July 24, 2009.]		

LICENSEE	ADDRESS	PENALTY
Concord Insurance Agency LLC (Agent and Broker)	6270 Dean Parkway Ontario, NY 14519	\$1,500 fine
Thomas G. Glanton (Agent and Sublicensee)	Same as Above	
Respondent signed insureds' names on Cancellation Request/ Policy Release Forms without the insureds knowledge or consent. [Stipulation approved September 14, 2009.]		

LICENSEE	ADDRESS	PENALTY
Frank W. Stowell (Agent and Broker)	110 Professional Park Clifton Springs, NY 14432	\$300 fine
Respondent accepted payments from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved August 6, 2009.]		

Region: Suffolk County

LICENSEE	ADDRESS	PENALTY
D' Andrea Travel Inc. (Agent)	182-A Park Avenue Amityville, NY 11701	\$500 fine
Donna D;' Andrea (Sublicensee)	Same as Above	
Respondents acted as a property casualty agent in connection with the issuance of insurance policies without having authority to do so by virtue of a license. [Stipulation approved September 9, 2009.]		

LICENSEE	ADDRESS	PENALTY
Lety Yamileth Escobar (Agent)	111 West Suffolk Avenue Brentwood, NY 11717	\$500 fine
Respondent knowingly accepted the answers to an insurance self-study continuing education exam from the test monitor during the administration of the exam. [Stipulation approved August 5, 2009.]		

LICENSEE	ADDRESS	PENALTY
Long Island's Home Grown Insurance Agency Inc. (Agent and Broker)	1307 Towne Court Coram, NY 11727	\$1,500 fine
Dominic A. Lo Curto (Agent, Broker, and Sublicensee)	Same as Above	
Respondents collected an insurance premium deposit from an insured and failed to timely refund the deposit to the insured after the insured's policy was cancelled flat. Respondents also failed to notify the Department of a business address change within 30 days of the change, and failed to timely respond to Departmental investigatory letters. [Stipulation approved August 31, 2009]		

LICENSEE	ADDRESS	PENALTY
Joseph M. Pelos (Agent)	188 North Boston Avenue North Massapequa, NY 11758	\$750 fine
Respondent failed to disclose on his original application for an agent's license that he was convicted of a class B misdemeanor. [Stipulation approved July 30, 2009.]		

LICENSEE	ADDRESS	PENALTY
Michael A. Quiroz (Agent)	11 LaSalle Place Oakdale, NY 117697	\$500 fine
Respondent knowingly accepted the answers to an insurance self-study continuing education exam from the test monitor during the administration of the exam. [Stipulation approved August 5, 2009.]		

LICENSEE	ADDRESS	PENALTY
Camille V. Serrano (Agent)	354 New Jersey Avenue Bay Shore, NY 11706	\$1,000 fine
Respondent knowingly accepted the answers to an insurance self-study exam from the test monitor during the administration of the exam. [Stipulation approved August 14, 2009.]		

LICENSEE	ADDRESS	PENALTY
Francis Vu (Broker and Sublicensee)	2 Douglaston Road Sound Beach, NY 11789	Licenses Revoked
Respondent utilized the credit reports of pre-existing customers in order to give unrelated prospective insureds favorable quotes resulting in the issuance of automobile and homeowners insurance policies. As a result of the foregoing, Respondents were terminated by the insurance company. [Stipulation approved September 15, 2009.]		

LICENSEE	ADDRESS	PENALTY
Robinson Zapata (Agent)	143H LaBonne Vie Drive East Patchogue, NY 11772	\$500 fine
Respondent knowingly accepted the answers to an insurance self-study continuing education exam from the test monitor during the administration of the exam. [Stipulation approved August 31, 2009.]		

Region: Syracuse

LICENSEE	ADDRESS	PENALTY
Bergan & Young Inc. (Agent and Broker)	34 Mary Street Auburn, NY 13021	\$3,080 fine
Peter D. Bergan (Agent and Sublicensee)	Same as Above	
Respondents paid commissions to employees who were not licensed insurance agents or brokers in this state. [Stipulation approved August 6, 2009.]		

LICENSEE	ADDRESS	PENALTY
Biss Agency Inc. (Agent and Broker)	8962 N. Seneca Street Weedsport, NY 13166	\$2,200 fine
Kenneth E. Biss, Jr. (Sublicensee)	Same as above	
Respondent accepted payments from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved July 20, 2009.]		

LICENSEE	ADDRESS	PENALTY
The Steve Donigan Agency Inc. (Agent and Broker)	708 W. Belden Avenue Syracuse, NY 13218	\$1,000 fine
Steven J. Donigan (Sublicensee)	Same as Above	
Respondents issued a commercial automobile insurance identification card to an insured falsely stating that insurance coverage had been issued by Zurich American Insurance Company. [Stipulation approved August 18, 2009.]		

LICENSEE	ADDRESS	PENALTY
Eagle Claim Services Inc. (Independent Adjuster)	251 Salina Meadows Parkway North Syracuse, NY 13212	\$1,500 fine
Glenn Zinszer (Sublicensee)	Same as above	
Francis X. Mayer (Independent Adjuster and Sublicensee)	Same as above	
Respondents acted as an insurance adjuster in New York State without having authority to do so by virtue of a license and Respondents Eagle Claim Services Inc. and Glen Zinszer paid fees or other compensation to Respondent Francis X. Mayer for acting as an independent adjuster when he was neither licensed nor otherwise exempted from the licensing requirement. [Stipulation approved September 2, 2009.]		

LICENSEE	ADDRESS	PENALTY
Thomas A. Hansen (Agent)	c/o The Carmody Agency Inc. 32 East Genesee Street Auburn, NY 13021	\$350 fine
Respondent accepted payments from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved July 20, 2009.]		

LICENSEE	ADDRESS	PENALTY
Martin J. Gardner (Agent and Broker)	145 Cayuga Street Union Springs, NY 13160	\$250 fine
Respondent accepted payments from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved July 24, 2009.]		

LICENSEE	ADDRESS	PENALTY
Lake Country Affiliates Inc. t/b/a The Gardner Agency (Agent and Broker)	145 Cayuga Street Union Springs, NY 13160	\$2,350 fine
Charles B. Kaye (Agent and Sublicensee)	Same as above	
Respondents accepted payments from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved July 23, 2009.]		

LICENSEE	ADDRESS	PENALTY
Claudia J. Rouse (Broker)	c/o Lake Country Affiliates, Inc. 145 Cayuga Street Union Springs, NY 13160	\$250 fine
Respondent accepted payments from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved August 7, 2009.]		

Region: Utica

LICENSEE	ADDRESS	PENALTY
Monument Agency Inc. (Agent)	1310 Utica Street Oriskany, NY 13424	Licenses Revoked
Marlene M. Kernan (Broker, Excess Line Broker- License Pending and Sublicensee)	Same as Above	
Respondent Marlene M. Kernan was convicted of a felony in that she knowingly and willfully permitted a convicted felon to be engaged in the business of insurance. [Stipulation approved September 17, 2009.]		

Region: Westchester

LICENSEE	ADDRESS	PENALTY
Adjustrite Inc. (Public Adjuster- License Application Pending)	333 Fifth Avenue Pelham, NY 10803	\$25,000 fine
Respondent acted as a public adjuster in the State of New York without a license and solicited the adjustment of losses between the hours of 6:00 pm and 8:00 am in violation of Department Regulation 10, 11 NYCRR 25.3. [Stipulation approved September 16, 2009.]		

LICENSEE	ADDRESS	PENALTY
Anchor Group Management Inc. f/k/a Anchor Group Inc. (Agent and Broker) Robert B. King (Broker and Sublicensee) Angela Osan (Broker and Sublicensee) Hossni A. Elbelbawi (Broker)	131 East Ames Court Plainview, NY 11803 Same as Above Same as Above Same as Above	 \$4,000 fine
Respondents Anchor, King and Osan failed to disclose on Respondent Anchor's relicensing application for an excess line broker's license and relicensing application for a broker's license that Respondent Osan was fined by the Department, and Respondents Anchor, King and Osan also commingled insurance premium fiduciary funds with business operating expense funds without the written consent of their principal, and failed to appropriately identify their premium bank account. Respondent Osan also failed to disclose the aforementioned fine on her renewal application for a broker's license, and Respondent Elhelbawi failed to disclose on his renewal application for a broker's license that he was fined by the Department. [Stipulation approved August 27, 2009.]		

LICENSEE	ADDRESS	PENALTY
Executive Adjustment Bureau, Inc. (Public Adjuster)	333 Fifth Avenue Pelham, NY 10803	\$25,000 fine
Joseph J. Armato (Public Adjuster and Sublicensee)	Same as Above	
John H. Capriles (Public Adjuster)	Same as Above	
Brad Barnett (Public Adjuster)	Same as Above	
Brett D. Joseph (Public Adjuster)	Same as Above	
Kevin M. Taylor (Public Adjuster)	Same as Above	
<p>Respondents Executive Adjustment Bureau Inc., Joseph J. Armato as sublicensee, John H. Capriles, Brett D. Joseph, and Kevin M. Taylor solicited the adjustment of losses between the hours of 6:00pm and 8:00am in violation of Department Regulation 10, 11 NYCRR 25; Respondents John H. Capriles, Brett D. Joseph and Kevin M. Taylor conducted business as public adjusters under an unlicensed name; and Brad Barnett, while unlicensed, solicited, on behalf of Respondents Executive Adjustment Bureau Inc. and Joseph J. Armato, the adjustment of a loss. [Stipulation approved September 16, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
Cappy Devlin International Inc. (Agent)	195 North Bedford Road Mount Kisco, NY 10549	\$1,000 fine
Catherine F. Devlin, Jr. (Agent and Sublicensee)	Same as Above	
<p>Respondents acted as insurance producers in the State of New York without a license. [Stipulation approved August 26, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
Cavaco Insurance Agency Inc. (Agent and Broker)	37 Park Hill Avenue Yonkers, NY 10701	\$1,000 fine
Todd A. Bryan (Agent, Broker, and Sublicensee)	Same as Above	
Respondents' issued an insurance premium payment transmittal check that was dishonored by the bank upon which it was drawn and Respondents' premium account had numerous negative account balances. [Stipulation approved September 4, 2009.]		

LICENSEE	ADDRESS	PENALTY
Edward Ference-Gray (Agent and Broker)	AKD Insurance Brokerage LLC 2975 Westchester Ave. Purchase, NY 10577	\$1,000 fine
Respondent failed to report to the Superintendent within thirty days of the initial pretrial date that he was the subject of a criminal prosecution and failed to inform the Superintendent that his residential address changed within thirty days of the change. [Stipulation approved August 26, 2009.]		

LICENSEE	ADDRESS	PENALTY
Yolanda Lewi (Agent and Broker)	38A Park Hill Avenue Yonkers, NY 10701	\$500 fine
Respondent commingled premium funds and operating expense funds in her premium account. [Stipulation approved September 2, 2009]		

LICENSEE	ADDRESS	PENALTY
Moschitto J. D. & Associates Inc. (Agent)	222 Bloomingdale Road White Plains, NY 10605	
Joseph D. Moschitto (Agent and Sublicensee)	Same as Above	\$1,500 fine
Respondent Joseph D. Moschitto failed to report to the Superintendent within thirty days of the final disposition of the matter that he was fined by the Massachusetts Division of Insurance and the Florida Department of Financial Services, and Respondents Moschitto J. D. & Associates Inc. and Joseph D. Moschitto failed to report to the Superintendent within thirty days of the final disposition of the matter that Respondent Moschitto J. D. & Associates Inc. was fined by the Florida Department of Financial Services. [Stipulation approved August 4, 2009.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Zachary Neal Archer (Agent)	1821 Strathmore Drive Knoxville, TN 37922	\$750 fine
Respondent failed to disclose on his original application for an agent's license that he was arrested and charged with a crime. The charge was subsequently dismissed. [Stipulation approved August 3, 2009.]		

LICENSEE	ADDRESS	PENALTY
Matthew Robert Bargamian (Agent)	38 Cedar Pond Drive Warwick, RI 02886	\$500 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that the Delaware Insurance Department fined Respondent and revoked Respondent's Delaware producer license. [Stipulation approved August 11, 2009.]		

LICENSEE	ADDRESS	PENALTY
Mark S. Basler (Agent)	5 Brookside Park Westport, CT 06880	License Revoked
Respondent failed to respond to Departmental investigatory letters seeking information about the termination of his insurance company appointments, thereby hampering and impeding the Department's investigation; and failed to notify the Department of an address change within 30 days. [Order issued September 10, 2009.]		

LICENSEE	ADDRESS	PENALTY
Birchtree Financial Services Inc. (Agent)	801 Nicollet Avenue Suite 110W Tower Minneapolis, MN 55402	\$750 fine
Respondent failed to disclose on its renewal application for an agent's license that it was censured and fined by the National Association of Securities Dealers. [Stipulation approved July 23, 2009.]		

LICENSEE	ADDRESS	PENALTY
Jay Michael Callaway (Agent)	3945 West Atlantic Avenue Delray Beach, FL 33445	\$2,750 fine
Respondent failed to disclose on his original application for an agent's license and his renewal application for an agent's license that a corporation of which he is an officer was fined and ordered to cease and desist from engaging in certain activities by the Pennsylvania Insurance Department. Respondent also acted as an agent in the name of the corporation after the agent's licenses of the corporation expired. [Stipulation approved September 4, 2009.]		

LICENSEE	ADDRESS	PENALTY
Maureen C. Caviston (Agent, Broker, and Excess Line Broker)	186 Saddle Hill Road Stamford, CT 06903	\$750 fine
Respondent failed to disclose on her renewal application for a broker's license that a limited liability company of which Respondent is President was fined by the Wyoming Department of Insurance. [Stipulation approved July 17, 2009.]		

LICENSEE	ADDRESS	PENALTY
Chen & Associates Insurance Services t/b/a Chen & Associates, inc. (Broker)	750 Route 23 South Marlton, NJ 08053	\$5,000 fine
Alan C. Chen (Agent and Sublicensee)	Same as above	
<p>Respondents failed to disclose on the original corporate application of Respondent Chen & Associates Insurance Services t/b/a Chen & Associates Inc. for its broker's license and on the original individual application of Respondent Alan C. Chen for his agent's license that Respondent Alan C. Chen was fined by the State of New Jersey Banking and Insurance Department and was named as a party to a lawsuit involving allegations of fraud, misappropriation or conversion of funds or misrepresentation or breach of fiduciary duty. [Stipulation approved August 5, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
Cinergy Health Inc. (Agent)	19495 Biscayne Boulevard Adventura, FL 33180	\$1,000 fine
Steven Trattner (Agent and Sublicensee)	Same as Above	
<p>Respondents failed to report to the Superintendent within thirty days of the final disposition of the matter that the Florida discount medical plan organization license of Respondent Cinergy Health Inc. was suspended by the Florida Office of Insurance Regulation, and that on another date, Respondent Cinergy Health Inc. was fined by the Florida Office of Insurance Regulation. [Stipulation approved July 23, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
Brandon Carey Clarke (Agent)	7603 Alki Lane Knoxville, TN 37919	\$750 fine
<p>Respondent failed to disclose on his original application for an agent's license that his Alabama producer license was suspended by the Alabama Department of Insurance. [Stipulation approved July 31, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
Colemont Insurance Brokers of Connecticut LLC (Agent, Broker, and Excess Line Broker)	195 Farmington Avenue Farmington, CT 06032	\$750 fine
John S. Willsey (Agent, Broker, Excess Line Broker and Sublicensee)	Same as Above	
Respondents failed to disclose on the renewal application for a broker's license of Respondent Colemont Insurance Brokers of Connecticut LLC that Respondent John S. Willsey was ordered to cease and desist from engaging in certain activities by the Insurance Commissioner of the Commonwealth of Pennsylvania. [Stipulation approved September 8, 2009.]		

LICENSEE	ADDRESS	PENALTY
Israel Cruz (Agent)	2648 Gaines Mill Drive Virginia Beach, VA 23456	License Revoked
Respondent failed to disclose on his original application for his agent's license that he was convicted of a crime, his nonresident insurance producer's license was suspended for failing to notify the State of Indiana Insurance Department of the above referenced criminal proceeding and failed to notify the Department within thirty days of the aforementioned administrative action. [Stipulation approved August 11, 2009.]		

LICENSEE	ADDRESS	PENALTY
Daniel P. McDonnell (Agent, Broker and Excess Line Broker)	729 Willow Run Road Ambler, PA 19002	\$1,500 fine
Respondent failed to disclose on his renewal applications for a broker's license and for an excess line broker's license that Partners Specialty Group LLC, of which Respondent was an officer, was fined by the Insurance Commissioner of the State of Wyoming. [Stipulation approved July 29, 2009.]		

LICENSEE	ADDRESS	PENALTY
Jon M. Duszynski (Agent)	Starr Technical Risks Agency 3353 Peachtree Road Atlanta, GA 30326	\$750 fine
Respondent failed to disclose on his original application for an agent's license that he was convicted of a crime. [Stipulation approved July 30, 2009.]		

LICENSEE	ADDRESS	PENALTY
Einhorn Forlenza Agency Inc. (Broker)	PO Box 1557 Clifton, NJ 07015	\$2,500 fine
Richard J. Forlenza (Broker and Sublicensee)	Same as Above	
Respondents permitted Respondent Einhorn to act as a broker in the State of New York without a license; failed to disclose on Respondent Einhorn's original application for a broker's license that Respondent Einhorn was fined by the New Jersey Department of Banking and Insurance; and failed to disclose on Respondent Einhorn's relicensing application for a broker's license that Respondent Einhorn acted as a broker in the State of New York after its last license to act as a broker had expired. Respondent Richard J. Forlenza also used an unapproved name in conducting business as an insurance producer. [Stipulation approved August 11, 2009.]		

LICENSEE	ADDRESS	PENALTY
Wilfredo Granados (Agent)	3720 College Park Drive The Woodlands, TX 77384	\$1,000 fine
Respondent knowingly accepted the answers to an insurance self-study continuing education exam from the test monitor during the administration of the exam. [Stipulation approved August 5, 2009.]		

LICENSEE	ADDRESS	PENALTY
Insurance Profillment Solutions LLC t/b/a IPS Agency (Agent)	400 Broadway – MS 99 Cincinnati, OH 45202	\$250 fine
Joseph H. Lynch, Jr. (Agent and Sublicensee)	Same as above	
Respondents failed to notify the Department within thirty days that Insurance Profillment Solutions LLC was fined by the Commonwealth of Massachusetts, Office of Consumer Affairs and Business Regulation, Division of Insurance. [Stipulation approved August 5, 2009.]		

LICENSEE	ADDRESS	PENALTY
Harry Albert Kendig (Agent)	100 West Antietam Street Hagerstown, MD 21740	\$1750 fine
Respondent transacted insurance business under unlicensed agency names and conducted insurance business as an agent in this State without a license. [Stipulation approved September 8, 2009.]		

LICENSEE	ADDRESS	PENALTY
Merritt & McKenzie Inc. (Agent)	200 Galleria Parkway Atlanta, GA 30339	\$500 fine
Respondent acted as an insurance producer in the State of New York without a license. [Stipulation approved August 6, 2009.]		

LICENSEE	ADDRESS	PENALTY
Seixas G. Milner III (Agent)	833 Hurricane Shoals Road Lawrenceville, GA 30043	\$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 Commissioner of Insurance for the State of Georgia and by the Insurance Commissioner for the State of Delaware. [Stipulation approved August 7, 2009.]		

LICENSEE	ADDRESS	PENALTY
Polk & Sullivan Group Inc. (Agent)	3401 West End Avenue Nashville, TN 37203	\$750 fine
David M. Massey (Agent and Sublicensee)	Same as Above	
Robert Peter Dugan (Agent and Sublicensee)	Same as Above	
Respondents acted as life, accident and health insurance agents in the State of New York in the name of Respondent Polk & Sullivan Group Inc., which had no license to act as an agent under Section 2103(a) of the Insurance Law. [Stipulation approved August 26, 2009.]		

LICENSEE	ADDRESS	PENALTY
Patrick Ben Pullen (Agent and Broker)	2903 Rivercove Court Fort Worth, TX 76116	\$750 fine
Respondent failed to disclose on his re-licensing application for his excess broker's license that he was fined by the Commonwealth of Massachusetts, Office of Consumer Affairs and Business Regulation, Division of Insurance for conducting insurance business in an unlicensed agency name. [Stipulation approved August 6, 2009.]		

LICENSEE	ADDRESS	PENALTY
Bette J. Salmeri-Moats (Agent)	125 Summerside Court Winston Salem, NC 27107	\$350 fine
Respondent accepted payments from or on behalf of a motor vehicle repairer for referring motor vehicle repair business to such repairer. [Stipulation approved September 2, 2009.]		

LICENSEE	ADDRESS	PENALTY
Sigma Financial Corporation (Agent)	4261 Park Road Ann Arbor, MI 48103	\$8,250 fine
Jerome S. Rydell (Sublicensee)	Same as Above	
<p>Respondents failed to disclose on renewal applications for an agent's license of Respondent Sigma that Respondent Sigma was censured and fined by the National Association of Securities Dealers; that Respondent Sigma was found liable for damages by the NASD in two arbitration proceedings involving allegations of fraud, misrepresentation and/or breach of fiduciary duty; and that Respondent Sigma was named as a party in two other arbitration proceedings before the NASD that involved allegations of fraud, misrepresentation and/or breach of fiduciary duty. Respondents also failed to timely submit to the Department all information and documentation that was requested in a Departmental investigatory letter. [Stipulation approved August 27, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
Edward E. Snow (Broker)	c/o The Carman Corp. 900 West Sproul Road Springfield, PA 19064	\$750 fine
<p>Respondent failed to disclose on his original application for a broker's license that he was fined and ordered to cease and desist from engaging in certain conduct by the New Jersey Department of Banking and Insurance. [Stipulation approved September 9, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
Myron F. Steves & Co. (Agent)	PO Box 4479 Houston, TX 77210	\$1,000 fine
Frederick B. Steves (Broker, Excess Line Broker and Sublicensee)	Same as Above	
<p>Respondents acted as insurance producers in the State of New York in the name of Respondent Myron F. Steves & Co., which was not licensed pursuant to any provision of the Insurance Law. [Stipulation approved August 18, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
Strategic Resource Company (Agent)	c/o Aetna 151 Farmington Avenue Hartford, CT 06156	\$500 fine
Respondent failed to report to the Superintendent within thirty days of the final disposition of the matter that Respondent was fined by the State of Nevada, Department of Business and Industry, Division of Insurance. [Stipulation approved August 18, 2009.]		

LICENSEE	ADDRESS	PENALTY
Aaron Turner (Broker)	254 Bonnie Brae Avenue Elmhurst, IL 60126	\$1,750 fine
Respondent acted as a broker in the State of New York after his license to act as a broker expired, and Respondent also failed to disclose that he so acted as a broker on his relicensing application for a broker's license. [Stipulation approved August 18, 2009.]		

LICENSEE	ADDRESS	PENALTY
U.S. Recreation Agency Services (Agent)	PO Box 47380 Jacksonville, FL 32247	\$1,250 fine
David Coffman (Broker and Sublicensee)	Same as Above	
Respondents acted as insurance producers in the State of New York in the true corporate name of Respondent U.S. Recreation Agency Services, which was not licensed pursuant to any provision of the Insurance Law, and Respondent David Coffman also failed to disclose on his relicensing application for a broker's license that Respondent U.S. Recreation Agency Services, under its true corporate name, was fined by the New Hampshire Insurance Department. [Stipulation approved September 3, 2009.]		

LICENSEE	ADDRESS	PENALTY
VMI Acquisition Inc. (Agent and Broker) Christiaan L. Volkert (Agent, Broker and Sublicensee)	P.O. Box 1779 Bowling Green, KY 42102 Same as above	\$2,000 fine
<p>Respondents failed to disclose on their renewal applications for their agent's and broker's licenses that Respondent Christiaan L. Volkert was fined by the Commonwealth of Kentucky Office of Insurance and Respondent Christiaan L. Volkert failed to notify the Department within thirty days that he was fined by the Commonwealth of Kentucky Office of Insurance and by the State of Alabama Department of Insurance. [Stipulation approved August 6, 2009.]</p>		

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