

New York State Insurance Department

ISSUED: 7/3/08

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 COMPANY

LICENSEE	ADDRESS	PENALTY
Sentry Select Insurance Company	1800 North Pointe Drive Stevens Point, WI 54481	\$3,200 fine
Respondent exceeded the maximum number of automobile private passenger non-renewals permitted for the year 2006. [Stipulation approved June 16, 2008.]		

AGENT AND BROKER HEARINGS

Region: New York City

LICENSEE	ADDRESS	PENALTY
Janmark Agency, Inc. (Agent and Broker)	15C Jericho Turnpike New Hyde Park, NY 11040	\$3,500 Fine; \$300 Restitution
Warren S. Goldfarb (Agent, Broker and Sublicensee)	Same as Above	
Respondents failed to timely refund return premium money due to insureds; failed to refund a service fee that was wrongfully collected from an insured; altered a premium finance check that was erroneously mailed to them by an insured by adding the name of Respondent Janmark Agency Inc. as a payee; and failed to timely return the proceeds of the aforementioned premium finance check to the insured. [Order issued December 7, 2007.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Rayfield Johnson, Jr. (Agent)	c/o Progressive Casualty Insurance Company 6300 Wilson Mills Road Mayfield Village, OH 44143	\$300 fine
Respondent failed to timely respond to Departmental investigatory letters seeking information and documentation thereby hampering and impeding the Department's investigation. [Order issued June 6, 2008]		

AGENT AND BROKER STIPULATIONS**Region: Albany**

LICENSEE	ADDRESS	PENALTY
Ross A. Setlow (Agent)	41 Doorstone Drive South Latham, NY 12110	\$2,250 fine
Respondent altered automobile insurance policy declaration pages which were submitted to an insurer. [Stipulation approved May 22, 2008.]		

Region: Mid-Hudson

LICENSEE	ADDRESS	PENALTY
Richard L. Wysong (Agent and Broker)	3237 E. 4th Street Middletown, NY 13462	\$1,500 fine
Respondent witnessed insureds signatures on Policy Service Request forms when in fact he was not present when the insureds signed the forms. [Stipulation approved June 14, 2008.]		

Region: Nassau County

LICENSEE	ADDRESS	PENALTY
George M. Theoharis (Broker)	69-24 52 nd Drive Maspeth, NY 11378	License Revoked
Respondent failed to fully respond to Departmental investigatory letters thereby hampering and impeding the Department's investigation and failed to resolve a delinquent tax obligation owed to New York State Department of Taxation and Finance. Respondent subsequently surrendered his license by stipulation. [Order issued April 10, 2008; Stipulation approved June 2, 2008.]		

Region: New York City

LICENSEE	ADDRESS	PENALTY
Adams Agency Inc. (Broker)	41 Russell Avenue Elmont, NY 11003	\$1,000 fine
Duane Adams (Sublicensee)	Same as Above	
Respondent submitted two New York Automobile Insurance Plan applications with information that they knew or should have known were incorrect. [Stipulation approved June 6, 2008.]		

LICENSEE	ADDRESS	PENALTY
Crystal Frank & Co. Inc. (Broker, Excess Line Broker, Reinsurance Intermediary and Agent)	Financial Square 32 Old Slip New York, NY 10005	\$10,650 fine
Sanford F. Crystal (Broker, Excess Line Broker, Agent, General Consultant-license application pending and Sublicensee)	Same as Above	
Respondents violated Section 2118 of the Insurance Law and Department Regulation 41 (11 NYCRR 27) by procuring policies providing excess line insurance coverage for which they failed to timely file supporting affidavits with the Excess Line Association of New York. [Stipulation approved June 5, 2008.]		

LICENSEE	ADDRESS	PENALTY
Frenkel & Co. Inc. (Agent, Broker, Excess Line Broker and General Consultant)	1740 Broadway New York, NY 10019	\$250 fine
Michael Feinstein (Broker, Excess Line Broker and Sublicensee)	Same as above	
Respondents failed to report to the Superintendent within 30 days of the final disposition that Respondent Frenkel & Co. Inc. was fined by the Commonwealth of Virginia, State Corporation Commission. [Stipulation approved June 12, 2008.]		

LICENSEE	ADDRESS	PENALTY
James F. McMenamin (Agent, Broker, and Excess Line broker)	17490 Broadway New York, NY 10019	\$250 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition that he was fined by the Commonwealth of Virginia, State Corporation Commission. [Stipulation approved June 12, 2008.]		

LICENSEE	ADDRESS	PENALTY
Imperial General Insurance Brokerage LLC (Broker)	4414 Fourth Avenue Brooklyn, NY 11220	\$1,500 fine
Xavier J. Garcia (Broker and Sublicensee)	Same as above	
Respondents commingled insurance premium funds and operating expense funds in their premium account and failed to disclose on applications for their broker's license that they were fined by the Department. [Stipulation approved June 10, 2008.]		

LICENSEE	ADDRESS	PENALTY
Multi-Line Insurance Agency Inc. (Agent and Broker)	4329 Broadway New York, NY 10033	\$1,500 fine
Essam F. Abdelkhalek (Broker and Sublicensee)	Same as above	
Respondents failed to disclose on the corporate renewal applications for the broker's and agent's licenses of Respondent Multi-Line Agency Inc. that Respondent Multi-Line Agency Inc. was fined by the Department. [Stipulation approved May 27, 2008.]		

Region: Suffolk County

LICENSEE	ADDRESS	PENALTY
Maria Salazar (Broker)	52 March Court Selden, NY 11784	\$500 fine
Respondent commingled premium fiduciary funds with business operating and/or personal expense funds. [Stipulation approved May 28, 2008.]		

LICENSEE	ADDRESS	PENALTY
Steven D. Tucci (Independent Adjuster)	13 Dianne Avenue Centereach, NY 11720	\$500 fine
After he had inspected an automobile at an auto body shop and prepared a written damage appraisal for the automobile on behalf of an insurer, Respondent accepted a cash payment from the manager of the auto body shop. [Stipulation approved May 27, 2008.]		

Region: Syracuse

LICENSEE	ADDRESS	PENALTY
DeCicca Insurance Agency Inc. (Broker and Agent)	1530 Marshall Road Waterloo, NY 13165	\$1,000 fine
John B. De Cicca (Broker, Agent and Sublicensee)	Same as Above	
Respondents issued insurance premium payment transmittal checks that were dishonored by the bank upon which they were drawn. Additionally, Respondents' premium bank account was not appropriately identified. [Stipulation approved May 27, 2008.]		

Region: Utica

LICENSEE	ADDRESS	PENALTY
Edward H. Graham (Agent)	One North Street Camden, NY 13316	\$500 fine
Respondent violated Section 4224(c) of the Insurance Law in connection with the placement of Medicare Supplemental insurance policies by paying policy fees on behalf of the insureds as inducement to the insureds to acquire the policies. [Stipulation approved June 2, 2008.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Crump Life Insurance Services, Inc f/k/a Bisys Insurance Brokerage f/k/a Bisys Insurance Services Inc. (Agent)	PO Box 2453 Harrisburg, PA 17105	\$250 fine
Alan H. Herman (Agent and Sublicensee)	Same as Above	
Trey L. Reynolds (Agent and Sublicensee)	Same as Above	
Respondents failed to report to the Superintendent within 30 days of the final disposition that Respondent Crump Life Insurance Services, Inc. was fined by the Louisiana Department of Insurance. [Stipulation approved June 10, 2008.]		

LICENSEE	ADDRESS	PENALTY
Randy L. Cooper (Agent)	555 S. Perryville Road Rockford, IL 61108	\$500 fine
Respondent failed to disclose on his original applications for his agent's licenses that a corporation of which he is a Vice President was fined by the Illinois Department of Financial and Professional Regulation, Division of Insurance. [Stipulation approved May 29, 2008.]		

LICENSEE	ADDRESS	PENALTY
Leigh Dobbs (Agent-license application pending)	3475 Piedmont Road NE Atlanta, GA 30305	\$250 fine
Respondent failed to disclose on her original application for an agent's license that she was fined by the Office of the Commissioner of Insurance, State of Georgia. [Stipulation approved May 21, 2008.]		

LICENSEE	ADDRESS	PENALTY
Eric Fiori (Agent)	c/o AIG Marketing, inc. 16001 N. 28 th Street Phoenix, AZ 85053	\$500 fine
Respondent failed to disclose on his original application for his agent's license that he was fined by the State of Florida, Department of Insurance. [Stipulation approved June 4, 2008.]		

LICENSEE	ADDRESS	PENALTY
Hilb Rogal & Hobbs of Atlanta Inc. (Agent)	7000 Central Parkway Atlanta, GA 30328	\$250 fine
Respondent failed to notify the Department within 30 days that it was fined by the Commonwealth of Massachusetts Office of Consumer Affairs and Business Regulation, Division of Insurance. [Stipulation approved May 29, 2008.]		

LICENSEE	ADDRESS	PENALTY
Christopher T. Kline (Agent)	5097 Spring Road York, PA 17406	License Revoked
Respondent failed to notify the Department of an address change within 30 days and failed to disclose on his relicensing application for his agent's license that he was charged with irregularities by the National Association of Securities Dealers with respect to a securities transaction. [Stipulation approved May 27, 2008.]		

LICENSEE	ADDRESS	PENALTY
Richard Allen Lebo (Agent)	c/o The Insurance Group LLC 412 North Cedar Bluff Road Knoxville, TN 37930	\$250 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition that the Alabama Department of Insurance ordered him to reimburse it for certain costs, expenses and attorney fees it incurred. [Stipulation approved June 9, 2008.]		

LICENSEE	ADDRESS	PENALTY
Jeffery Felix Martin (Broker-License Pending)	3141 Northchester Place Lithonia, GA 30058	\$250 fine
Respondent failed to disclose on his original application for his broker's license that he was fined by the Kansas Insurance Department. [Stipulation approved June 12, 2008.]		

LICENSEE	ADDRESS	PENALTY
Sharon Ann Mastbrook (Agent, Broker and Excess Line Broker)	6301 Southwest Boulevard Fort Worth, TX 76132	\$500 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition that her licenses to transact insurance business as an insurance agent and as a surplus lines broker in Virginia were revoked by the Commonwealth of Virginia, State Corporation Commission. [Stipulation approved June 12, 2008.]		

LICENSEE	ADDRESS	PENALTY
Steven Osyczka (Agent)	c/o Liberty Mutual Insurance Company 14415 South 50th Street Phoenix, AZ 85044	\$250 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition that the Indiana Commissioner of Insurance denied his application for a license. [Stipulation approved June 9, 2008.]		

LICENSEE	ADDRESS	PENALTY
Winslow Evans & Crocker Insurance Agency Inc. (Agent)	175 Federal Street Boston, MA 02110	\$1,000 fine
Respondent acted as an insurance producer without a license in connection with the placement of a qualified group annuity contract with an insurer. [Stipulation approved June 9, 2008.]		

LICENSEE	ADDRESS	PENALTY
Shadee Yahyapour (Agent)	c/o Liberty Mutual 14415 South 50 th Street Phoenix, AZ 85044	License Revoked
Respondent failed to report to the Superintendent within 30 days of the final disposition that her application for a permanent individual intermediary agent's license was denied by the State of Wisconsin, Office of the Commissioner of Insurance; failed to respond to Departmental investigatory letters, thereby hampering and impeding the Department's investigation; and failed to notify the Department of an address change within 30 days. [Order issued May 6, 2008.]		

LICENSEE	ADDRESS	PENALTY
Okiesha S. Yerby (Agent)	c/o GEICO One GEICO Blvd. Fredericksburg, VA 22412	\$500 fine
Respondent failed to disclose on her original application for her agent's license that she was convicted of a misdemeanor. [Stipulation approved June 12, 2008.]		

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