

# New York State Insurance Department

ISSUED: 10/1//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 or registrants. 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.

### SERVICE CONTRACT PROVIDER

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Heritage Administration Services, Inc. (Service Contract Provider)	5747 Perimeter Drive Dublin, OH 43017 and 411 South 13 <sup>th</sup> Street Lincoln, Nebraska 68508	Registration Suspended
Respondent failed to produce information and documentation necessary to establish compliance with the financial responsibility requirements of Section 7903(c) of the Insurance Law for its service contracts issued prior to December 1, 2005. [Order issued August 1, 2008.]		

### AGENT AND BROKER STIPULATIONS

**Region: Buffalo**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Wendy H. Pachla (Broker)	2296 West Oakfield Road Grand Island, NY 14072	License Revoked
Respondent was convicted of identity theft, a felony, upon a plea of guilty. Respondent also misappropriated premium funds. [Stipulation approved August 28, 2008.]		

**Region: Mid-Hudson**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Gallagher-Bassett of New York Inc. (Independent Adjuster)  Kenneth L. Hall (Independent Adjuster and Sublicensee)	161 Mill Street Wallkill, NY 12589  Same as above	\$117,500 fine
Respondents transacted insurance business under an unlicensed name, "Gallagher Bassett Services Inc.," paid fees or other compensation to certain of its employees that conducted insurance business as independent adjusters in this State without a license, and hampered and impeded the Department's investigation of the aforementioned matters by failing to timely respond to Departmental investigatory letters requesting information and documentation. [Stipulation approved August 25, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Andrew J. Lynch (Agent)	94 Mill Road P.O. Box 307 Rhinebeck, NY 12572	\$1,500 fine
Respondent was terminated for cause by an insurance company and its affiliates for signing the names of insureds on insurance policy application forms without the insureds' knowledge or consent. [Stipulation approved August 25, 2008.]		

**Region: Nassau**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
BHS Insurance Agency, Inc. (Broker)  Sharif Sheikh (Sublicensee)	40-53 Junction Boulevard Corona, NY 11368  Same as above	\$7,500 fine
Respondents commingled insurance premium funds and operating expense funds in their premium account, and issued certificates of insurance when no coverage was in effect, which violated prior agreements with the Department, wherein they agreed they would not engage in the aforementioned actions. [Stipulation approved August 25, 2008.]		

**Region: New York City**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Ace Adjustment Corporation (Public Adjuster)	315 Benedict Road Staten Island, NY 10304	\$500 fine
Frank Leone (Public Adjuster and Sublicensee)	Same as Above	
Respondents permitted Respondent Ace Adjustment Corporation to act as a public adjuster without a license. [Stipulation approved August 28, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Chit-Kian Hong (Broker)	136-40 39 Avenue Flushing, NY 11354	\$3,000 fine
Chit-Kian Hong t/b/a Stanley Insurance Brokerage Company (Agent and Broker)	Same as above	
Respondent commingled insurance premium funds and operating expense funds in his premium account and issued an insurance premium payment transmittal check that was dishonored by the bank upon which it was drawn. [Stipulation approved August 27, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Oscar Katz Agency Inc. (Broker)	29-24 Hoyt Ave South Astoria, NY 11102	\$500 fine
Keri L. Fontana (Broker and Sublicensee)	Same as above	
Respondents issued advertisement fliers for car insurance that contained misleading language with respect to the rates for the insurance and that specified insurance rates 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 25, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Doreen Kenner Agency, Inc. (Agent)	114 Northern Boulevard Great Neck, NY 11021	\$1,000 fine
Doreen Kenner (Agent and Sublicensee)	17 Albermale Road Westbury, NY 11590	
In approximately 25 instances, Respondents had insufficient funds in their premium account such that an insurer was unable to withdraw premium funds. [Stipulation approved September 5, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
James J. Manzollilo (Agent)	217-10 Jamaica Avenue Queens Village, NY 11428	\$750 fine
Respondent failed to comply with Department Regulation 60 in connection with an annuity replacement transaction. [Stipulation approved September 5, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Milenio Insurance Agency Inc. (Agent)	3855 East Tremont Avenue Bronx, NY 10465	\$500 fine
Daniel Ortiz, Jr. (Agent, Broker, and Sublicensee)	Same as Above	
Respondents failed to pay the additional fee for the license renewal application of Respondent Milenio Insurance Agency Inc. as directed in Departmental letters. Respondents subsequently paid the additional fee. [Stipulation approved September 8, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Kevin M. Murphy (Independent Adjuster – License Pending)	73 S Broadway Nyack, NY 10960	\$500 fine
Respondent failed to disclose on his original application for his independent adjuster's license that he was convicted of two misdemeanors and charged with another misdemeanor. [Stipulation approved August 25, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Lisa M. Di Nuzzo (Agent and Broker)	290 Route 59 Central Nyack, NY 10960	\$1,000 fine
Respondent issued a premium payment transmittal check that was dishonored by the bank upon which it was drawn, allowed the balance in her premium account to become negative, and commingled insurance premium fiduciary funds with business and personal expense funds. [Stipulation approved September 10, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Paul J. Vinci (Agent)	444 W. 19 <sup>th</sup> Street New York, NY 10011	\$1,500 fine
Respondent failed to disclose on his applications for his agents' licenses that he was convicted of a crime. [Stipulation approved September 10, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Jennifer Weingarten (Broker)	19 10 <sup>th</sup> Street Carle Place, NY 11514	License Revoked
Respondent failed to notify the Department within 30 days that she was the subject of a criminal prosecution and that she changed her business address. She also hampered and impeded the Department's investigation by failing to timely respond to Departmental investigatory letters requesting information and documentation. [Stipulation approved September 12, 2008]		

**Region: Rochester**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
William F. Norton (Agent and Broker)	c/o Lucus and Dake Inc. 1399 Monroe Avenue Rochester, NY 14618	Licenses Revoked
Respondent collected insurance premium payments from insureds and failed to timely remit said premium payments to the insurers and commingled insurance premium fiduciary funds with business operating funds in violation of Section 2120(a) of the Insurance Law and Department Regulation 29 (11 NYCRR 20.3). [Stipulation approved September 2, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Thomas Walker (Agent)	2215 Mott Road Stanley, NY 14561	License Revoked
Respondent misused policyholder monies and failed to remit or otherwise properly account for \$24,327.00 in premiums and, he failed to disclose on his renewal application for his agent's license that he was terminated by his employer. [Stipulation approved September 9, 2008.]		

**Region: Suffolk**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Domenic Del Balso (Agent and Broker)	360 West Neck Road Huntington, NY 11743	\$25,000 fine
Respondent, in connection with the placement of a residual value insurance policy, failed to refund an excess premium payment to the client. In addition, Respondent altered a policy endorsement that had been issued by the insurer by increasing the policy coverage limits and caused the altered endorsement to be sent to the client's bank. [Stipulation approved January 28, 2008.]		

**Region: Westchester**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
John G. Evans (Agent)	70 Sunnyside Place Irvington, NY 10533	\$750 fine
Respondent failed to notify the Department of an address change within 30 days and Respondent failed to timely respond to Departmental investigatory letters thereby hampering and impeding the Department's investigation. [Stipulation approved September 9, 2008]		

**Region: Out of State**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Jose M. Abreu (Agent)	46 Hedge Brook Lane Stamford, CT 06903	\$1,451 fine
Respondent signed his named on an exclusion rider to an insurance policy issued to the insured and thereby falsely indicated he had witnessed the insured sign said exclusion rider, when in fact, Respondent had not. [Stipulation approved September 22, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Gallagher-Bassett of New York Inc. (Independent Adjuster)  Kenneth L. Hall (Independent Adjuster and Sublicensee)	161 Mill Street Wallkill, NY 12589  Same as above	\$117,500 fine
Respondents transacted insurance business under an unlicensed name, "Gallagher Bassett Services Inc.," paid fees or other compensation to certain of its employees that conducted insurance business as independent adjusters in this State without a license, and hampered and impeded the Department's investigation of the aforementioned matters by failing to timely respond to Departmental investigatory letters requesting information and documentation. [Stipulation approved August 25, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Sidney Goldman (Agent)	c/o AXA Advisors 777 Post Oak Boulevard Houston, TX 77056	\$750 fine
Respondent failed to comply with Department Regulation 60 in connection with an annuity replacement transaction. [Stipulation approved August 25, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Justin Howard (Agent)	c/o Liberty Mutual Insurance Company 14415 South 50 <sup>th</sup> Street Phoenix, AZ 85044	\$500 fine
Respondent failed to notify the Department within 30 days that he was fined by the Commonwealth of Virginia Bureau of Insurance. [Stipulation approved September 19, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Henry S. Ham (Agent - License Pending)	PO Box 100547 Denver, CO 80250	\$500 fine
Respondent failed to disclose on his original application for his agent's license that he was fined by the State of Colorado, Department of Regulatory Agencies, Division of Insurance. [Stipulation approved August 28, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Marco De Leon (Independent Adjuster)	1204 Lemonton Court Gulph Mills, PA 19428	\$5,000 fine
Respondent failed to disclose on his original application for his adjuster's license that he was convicted of a crime. [Stipulation approved September 18, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Mark R. Schmitt (Agent)	1117 Tragalgar Lane San Clemente, CA 92672	\$250 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that the Alabama Department of Insurance ordered that Respondent pay administrative fees for reimbursement of certain costs, expenses, and attorney fees as a condition for lifting the suspension of Respondent's licensing privileges. [Stipulation approved August 25, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Malloy Imrie & Vasconi Insurance Services, LLC (Broker)	PO Box 725 St. Helena, CA 94574	\$250 fine
Joseph Edward Burger (Agent, Broker, and Sublicensee)	Same as Above	
Respondents failed to notify the Department within 30 days that Respondent Malloy Imrie & Vasconi Insurance Services, LLC was fined by the Florida Department of Financial Services. [Stipulation approved September 3, 2008.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Wetzel & Lanzi, Inc. (Agent)	1301 York Road – Suite 702 Lutherville, MD 21093	\$250 fine
John D. Wetzel (Agent and Sublicensee)	Same as above	
<p>Respondents failed to notify the Department within thirty days that Respondent Wetzel and Lanzi, Inc. was fined by the State of Florida Department of Financial Services. [Stipulation approved August 25, 2008.]</p>		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Willis of Illinois Inc. (Agent and Broker)	10 South LaSalle Street Chicago, IL 60603	\$3,500 fine
William T. Lobaugh (Agent and Sublicensee)	Same as Above	
Karen L. Chambers (Broker and Sublicensee)	Same as Above	
<p>Respondents failed to disclose on five licensing applications that Respondent Willis of Illinois Inc. was fined by the Insurance Commissioner of the Commonwealth of Pennsylvania, the Minnesota Department of Commerce, and the Colorado Division of Insurance. Respondents also failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent Willis of Illinois Inc. was fined by the Minnesota Department of Commerce and the Colorado Division of Insurance as aforesaid. [Stipulation approved September 8, 2008.]</p>		

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