

New York State Insurance Department

ISSUED: January 6, 2010

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.

AGENT AND BROKERS HEARINGS

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Allison B. Hairston (Agent)	6689 Whispering Drive Rural Hall, NC 27045	License Revoked
Respondent's application for a permanent individual intermediary agent's insurance license was denied by the State of Wisconsin, Office of the Commissioner of Insurance because Respondent failed to respond to written requests for information, and Respondent failed to report the Wisconsin license denial to the Superintendent within 30 days of the final disposition of the matter. Respondent also failed to respond to Departmental investigatory letters. [Order issued November 23, 2009.]		

LICENSEE	ADDRESS	PENALTY
William R. Hess, Jr. (Agent, Broker and Excess Line Broker)	3117 Stratton Way Madison, WI 53719	Licenses Revoked
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that the Virginia State Corporation Commission and the South Dakota Department of Revenue and Regulation, Division of Insurance, revoked his insurance licenses, and failed to notify the Department within 30 days that he changed his business and residence addresses. Respondent also failed to respond to Departmental investigatory letters. [Order issued October 23, 2009.]		

LICENSEE	ADDRESS	PENALTY
Michael Don Jordan (Agent)	2217 Carisle Road Oklahoma City, OK 73120	License Revoked
<p>The South Dakota Division of Insurance revoked Respondent's South Dakota insurance producer license because Respondent failed to report within 30 days that he was fined by the Alabama Department of Insurance, and failed to provide requested documentation. Additionally, Respondent failed to report the Alabama fine and South Dakota revocation to the Superintendent within 30 days of the final disposition of the matter; failed to notify the Department of a business address change within 30 days of the change; and failed to respond to Departmental investigatory letters. [Order issued November 6, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
Kenneth S. Spears (Agent)	2305 Remington Road Green Bay, WI 54302	License Revoked
<p>Respondent failed to respond to Departmental investigatory letters, and failed to notify the Department within 30 days that he changed his business address. [Order issued November 10, 2009..]</p>		

LICENSEE	ADDRESS	PENALTY
Veerachai Tanmongkolswat (Agent)	1236 NW 138 Street Edmond, OK 73013	License Revoked
<p>Respondent's Alabama producer license was suspended by the Alabama Department of Insurance in part because he failed to report a change in his legal name or address within 30 days of the change, and Respondent's South Dakota insurance producer license was revoked by the South Dakota Division of Insurance because he failed to report the Alabama license suspension within 30 days of the final disposition of the matter, and failed to provide requested documentation within the required 20-day time period. Additionally, Respondent failed to report the Alabama license suspension and South Dakota license revocation to the Superintendent within the 30 days of the final disposition of the matter; failed to notify the Department of his business address change within 30 days of the change; and failed to respond to Departmental investigatory letters. [Order issued November 25, 2009.]</p>		

AGENT AND BROKER STIPULATIONS

Region: Albany

LICENSEE	ADDRESS	PENALTY
Purshe Kaplan Sterling Investments Inc. (Agent) Mary E. Sheehan (Agent and Sublicensee)	18 Corporate Woods Blvd Albany, NY 12211 Same as above	\$1,500 fine
Respondents failed to disclose on their renewal applications for agent's licenses that they were the subject of arbitration proceedings by the Financial Industry Regulatory Authority ("FINRA"). [Stipulation approved December 17, 2009.]		

Region: Binghamton

LICENSEE	ADDRESS	PENALTY
Richard J. Bongiorno t/b/a Rick Bongiorno Insurance (Agent)	458 Old Newark Valley Road Endicott, NY 13760	\$2,200 fine
Respondent submitted applications for automobile insurance to an insurance company that applied company discounts to prospective insureds who did not qualify for such discounts in order to obtain more favorable quotes for the insureds. [Stipulation approved November 10, 2009.]		

LICENSEE	ADDRESS	PENALTY
Anthony Burchell (Agent and Broker)	458 Page Brook Road Whitney Point, NY 13862	\$500 fine
Respondent acted as a property and casualty agent in the State of New York without a license to do so. [Stipulation approved December 9, 2009.]		

Region: Buffalo

LICENSEE	ADDRESS	PENALTY
Mark Dolloff (Broker)	361 Delaware Avenue Buffalo, NY 14202	License Revoked
Respondent failed to timely respond to Department investigatory letters regarding his former employer's failure to pay premium taxes in connection with the sale of excess line insurance, thereby hampering and impeding the Department's investigation, and changed his business address and failed to notify the Department within thirty days of the change. [Stipulation approved November 16, 2009.]		

LICENSEE	ADDRESS	PENALTY
NIA/ Guastella Group LLC (Agent, Broker, and Excess Line Broker- License Application Pending)	S4947 Southwestern Blvd Hamburg, NY 14075	\$5,000 fine
Edward M. McMahon (Agent, Broker, Life Broker, Excess Line Broker and Sublicensee)	Same as Above	
Respondents exceeded their license authority as insurance agents and brokers by adjusting third-party property damage claims on behalf of two of their insurance clients. [Stipulation approved November 30, 2009.]		

Region: New York City

LICENSEE	ADDRESS	PENALTY
Allison's Bail Bonds Inc. (Bail Bond Agent)	191 East 161 st Street Bronx, NY 10451	\$500 fine
Allison Palais (Bail Bond Agent and Sublicensee)	Same as above	
Respondents utilized advertisements that specified rates and/or fees associated with obtaining bail bonds in excess of those permitted. [Stipulation approved November 25, 2009.]		

LICENSEE	ADDRESS	PENALTY
Chartis Claims, Inc. (Independent Adjuster- License Pending)	175 Water Street New York, NY 10038	\$495,000 fine
Respondent and certain of its employees acted as independent adjusters in this State without a license; Respondent paid fees or other compensation to certain of its employees who were not licensed as independent adjusters in this State; and Respondens transacted insurance business under unlicensed names. [Stipulation approved December 10, 2009]		

LICENSEE	ADDRESS	PENALTY
Cosmos Insurance Brokerage Inc. (Broker)	36-19 30 th Avenue Astoria, NY 11103	\$4,750 fine
John W. Papazoglou (Agent and Sublicensee)	Same as Above	
<p>Respondents added a waiver of subrogation endorsement to a workers compensation insurance policy without authorization from the insurer that issued the policy; failed to disclose on a renewal application for a broker's license and a renewal application for an agent's license of Respondent Cosmos that Respondents were fined by the Department; commingled insurance premium fiduciary funds with business operating expense funds; failed to appropriately identify their premium bank account; issued a premium payment transmittal check for which they stopped payment; and issued numerous premium payment transmittal checks for which their premium bank account had insufficient funds and for which payment was made either through Respondents' overdraft protection or by re-deposit. Respondent Papazoglou also failed to disclose the Department fine on his original application for an agent's license. [Stipulation approved November 2, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
Lester C. Martin, individually and t/b/a Martin, Lester Insurance Brokerage (Agent and Broker)	1011 East 56 th Street Brooklyn, NY 11234	\$2,500 fine
<p>In connection with insurance applications submitted to the New York Automobile Insurance Plan, Respondent failed to make reasonable inquiry of the applicants regarding address information disparities. Respondent also failed to cooperate with a Plan Special Investigations Unit investigation; failed to timely submit applications to the Plan; and failed, in connection with Plan business, to timely return unearned commission to an insurer. [Stipulation approved October 16, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
Vehicle Brokerage of Staten Island Inc. (Agent and Broker)	1900 Richmond Avenue Staten Island, NY 10314	Licenses Revoked
Louis G. Santangelo (Broker and Sublicensee)	Same as above	
<p>Respondents failed to remit to the proper insurers insurance premium payments which Respondents collected from various insureds. [Stipulation approved December 9, 2009.]</p>		

Region: Rochester

LICENSEE	ADDRESS	PENALTY
EIG Agency Inc. (Broker)	3685 St. Paul Boulevard Rochester, NY 14617	Licenses Revoked
David J. Eckert (Broker and Sublicensee)	Same as above	
<p>Respondents transacted insurance business under unlicensed names, “Meridian Insurance” and “Meridian Programs Ltd.,” and collected service fees from an insured for a commercial liability insurance policy without obtaining from the insured a signed memorandum specifying the amount of the service fees. Respondent also collected an insurance premium payment from an insured and failed to remit or otherwise properly account the premium funds collected and failed to respond to a Department request for information and documentation and failed to appear at the Department for a statement under oath, thereby hampering and impeding the Department’s investigation. [Stipulation approved November 30, 2009.]</p>		

Region: Suffolk

LICENSEE	ADDRESS	PENALTY
Alicia M. Cervini (Broker and Excess Lines Broker)	21 Harvard Lane Commack, NY 11725	\$6,000 fine
<p>Respondent failed to disclose on two renewal applications for a broker’s license that a corporation of which she is an officer was named as a party to an administrative proceeding before the California Insurance Commissioner, and was fined by the North Dakota Commissioner of Insurance, the Colorado Division of Insurance, the Department, the Oregon Insurance Division, the Massachusetts Division of Insurance, the New Jersey Department of Banking and Insurance and the Virginia State Corporation Commission.. [Stipulation approved November 23, 2009.]</p>		

Region: Westchester

LICENSEE	ADDRESS	PENALTY
The D’Avanzo Agency Inc. (Agent)	72 Table Rock Road Tuxedo, NY 10987	\$4,000 fine
Michael D’Avanzo (Broker and Sublicensee)	Same as above	
<p>Respondents issued checks transmitting insurance premiums that were dishonored by the bank upon which they were drawn, commingled premium funds with operational funds in one of their bank accounts, violated a prior stipulation agreement by issuing said checks and by commingling said funds, and failed to properly identify one of their bank accounts as a premium account. The checks referenced above were subsequently replaced. [Stipulation approved December 3, 2009.]</p>		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Peter A. Bulson (Agent)	84 Washburn Avenue Wellesley, MA 02481	\$750 fine
Respondent conducted insurance business as an agent in this state without a license. [Stipulation approved November 25, 2009.]		

LICENSEE	ADDRESS	PENALTY
Centaurus Financial Inc. (Agent)	2300 East Katella Avenue Anaheim, CA 92806	\$750 fine
Westley Hayes King (Agent and Sublicensee)	Same as Above	
Respondents transacted insurance business under an unlicensed agency name. [Stipulation approved December 15, 2009.]		

LICENSEE	ADDRESS	PENALTY
Shital C. Dave (Agent)	14 Cedarwoods Lane Fairfield, CT 06824	\$750 fine
Respondent failed to disclose on his original application for an agent's license that he was convicted of a crime. [Stipulation approved November 2, 2009.]		

LICENSEE	ADDRESS	PENALTY
Shawn Michael Gartner (Agent)	6830 La Jolla Boulevard La Jolla, CA 92037	\$5,000 fine
Respondent paid commissions to an individual who was not a licensed insurance agent; improperly withheld monies withdrawn from a customer's checking account without her knowledge or consent; and failed to timely respond to Departmental letters concerning the aforementioned matters, thereby hampering and impeding the Department's investigation. [Stipulation approved November 30, 2009.]		

LICENSEE	ADDRESS	PENALTY
Kaiser Financial Group Inc. (Agent)	551 Park Avenue Scotch Plains, NJ 07076	\$2,500 fine
Robert A. Kaiser (Agent and Sublicensee)	Same as Above	
Respondents placed advertisements in a trade publication that called attention to an unauthorized insurer. [Stipulation approved December 15, 2009]		

LICENSEE	ADDRESS	PENALTY
Leland West Insurance Brokers Inc. (Agent)	410 W Fallbrook Avenue P.O. Box 26420 Fresno, CA 93711-6198	\$500 fine
Sara Anita Breashears (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 Respondent Leland West Insurance Brokers Inc. was ordered to cease and desist from engaging in certain activities by the Insurance Department of the Commonwealth of Pennsylvania. [Stipulation approved November 3, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
NVA Vision Services & Administrators Agency (Agent)	3131 Princeton Pike Lawrenceville, NJ 08648	\$500 fine
David S. Karlin (Sublicensee)	Same as Above	
<p>Respondents failed to report to Superintendent within 30 days of the final disposition of the matter that Respondent NVA Vision Services & Administrators Agency was fined by the Commissioner of the Florida Office of Insurance Regulation. [Stipulation approved December 21, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
Oak Ridge Financial Service Group Inc. (Agent)	701 Xenia Avenue South Golden Valley, MN 55416	\$1,500 fine
Michael David Leonard (Agent and Sublicensee)	Same as Above	
<p>Respondents failed to disclose on the original application of Respondent Oak Ridge to act as an agent that Respondent Oak Ridge was fined by the North Dakota Securities Commissioner and by the National Association of Securities Dealers on two occasions; and Respondent Michael David Leonard failed to disclose on his original application to act as an agent the three administrative actions referenced above. [Stipulation approved November 13, 2009.]</p>		

LICENSEE	ADDRESS	PENALTY
Shane C. Sullivan (Agent)	180 22 Avenue SE Bellevue, WA 98005	\$1,500 fine
Respondent failed to disclose on his renewal application to act as an agent that Cascade Risk Placement Inc., a business in which Respondent was an officer, was fined by the Chief Financial Officer of the State of Florida; and Respondent conducted insurance business in New York State using the name "Cascade Risk Placement Inc.", a name that had not been approved by the Superintendent. [Stipulation approved November 16, 2009.]		

LICENSEE	ADDRESS	PENALTY
Techsmart Insurance Agency LLC (Agent)	225 Gordons Corner Road Manalapan, NJ 07726	\$750 fine
Benjamin Levenson (Sublicensee)	Same as above	
Respondents failed to disclose on Respondent Techsmart Insurance Agency LLC's application for its agent's license that Gail Levenson, an officer of its agency, was the subject of a bankruptcy proceeding. [Stipulation approved December 10, 2009.]		

LICENSEE	ADDRESS	PENALTY
Telamon Technical Services (Agent, Broker and Excess Line Broker)	150 Wells Avenue Newton, MA 02459	\$4,500 fine
Michael J. Susco (Sublicensee)	Same as Above	
Respondents failed to disclose on two relicensing applications for an excess line broker's license, a relicensing application for a broker's license and a renewal application for a broker's license of Respondent Telamon that Respondent Susco was fined by the Connecticut Insurance Department and the Massachusetts Division of Insurance, and Respondent Susco also failed to disclose the Connecticut and Massachusetts fines on his two renewal applications for a broker's license. [Stipulation approved November 2, 2009]		

LICENSEE	ADDRESS	PENALTY
Wunderlich Securities Inc. (Agent)	6000 Poplar Avenue Memphis, TN 38119	
Martin Gaia (Agent and Sublicensee)	Same as above	\$750 fine
<p>Respondents failed to report to the Superintendent within thirty days of the final disposition of the matter that Respondent Wunderlich Securities Inc. was placed on probation for a period of two years by the Florida Department of Financial Services. [Stipulation approved November 2, 2009.]</p>		

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