

New York State Insurance Department

ISSUED: 12/20/06

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
Atlantic Mutual Insurance Company	100 Wall Street New York, NY 10005	\$80,930 fine
Respondent violated Section 2307(b) of the Insurance Law by using a Mold Exclusion in its homeowners policies that had not been approved by the Department. [Stipulation approved November 14, 2006.]		

LICENSEE	ADDRESS	PENALTY
Centennial Insurance Company	100 Wall Street New York, NY 10005	\$55,710 fine
Respondent violated Section 2307(b) of the Insurance Law by using a Mold Exclusion in its homeowners policies that had not been approved by the Department. [Stipulation approved November 14, 2006.]		

LICENSEE	ADDRESS	PENALTY
CIM Insurance Corporation	300 Galleria Office Centre Southfield, MI 48034	\$16,240 fine
Respondent violated Sections 5102 and 5106 of the Insurance Law and various provisions of Department Regulation 68 (11 NYCRR Part 65) in connection with payment of overdue claims, denial of claims, and in calculating lost wages. Respondent also failed to comply with various provisions of Department Regulation 64 (11 NYCRR Part 216) by failing to timely make a good faith offer of settlement; to timely notify insureds of the status of their subrogation claim and written acknowledgement of the claim or payment to the claimant. [Stipulation approved November 13, 2006]		

LICENSEE	ADDRESS	PENALTY
Healthplex Insurance Company	333 Earle Ovington Blvd. Suite 300 Uniondale, New York 11553	\$40,000 fine
Respondent failed to maintain its books, account and records in such a manner as to clearly and accurately disclose the nature and details of its transactions with its parent company. Respondent also entered into certain transactions with its parent company in which the transaction amounts exceeded five percent of Respondent's admitted assets at last year-end, without obtaining the prior approval of the Superintendent. Respondent violated Section 3234 of the Insurance Law in regard to the information contained on its Explanation of Benefits forms. Respondent also violated Section 3221(a)(6) of the Insurance Law by failing to issue a certificate setting forth the essential features of the insurance coverage. [Stipulation approved November 2, 2006.]		

LICENSEE	ADDRESS	PENALTY
New South Insurance Company	PO Box 3199 Winston Salem, NC 27102	\$15,325 fine
Respondent violated Section 5106 of the Insurance Law and various provisions of Department Regulation 68 (11 NYCRR Part 65) in connection with payment of overdue claims and denial of claims. Respondent also failed to comply with various provisions of Department Regulation 64 (11 NYCRR Part 216) by failing to timely notify insureds of their reimbursement rights for transportation expenses; of the status of their subrogation claim; and written acknowledgement of the claim or payment to the claimant. Respondent also did not timely report certain losses to the NICB as required by Regulation 64. [Stipulation approved November 13, 2006]		

LICENSEE	ADDRESS	PENALTY
Reliastar Life Insurance Company of New York	4601 Fairfax Drive P.O. Box 3700 Arlington, VA 22203	\$25,000 fine
Respondent failed to furnish the required notice on the specifications pages of its universal life insurance policies as required by Section 3203(a)(16) of the Insurance Law. [Stipulation approved November 29, 2006.]		

AGENT AND BROKER HEARINGS

Region: Nassau

LICENSEE	ADDRESS	PENALTY
Anthony Neazer (Agent and Broker)	346 Nassau Road Roosevelt, NY 11575	\$6,000 fine
Respondent issued insurance transmittal premium checks that were dishonored by the bank upon which they were drawn; commingled funds and transacted insurance business under unlicensed names. Respondent also violated a prior agreement with the Department. [Order issued November 6, 2006.]		

Region: Suffolk

LICENSEE	ADDRESS	PENALTY
Abid Insurance Brokerage, Inc. (Broker) Raffay Abid (Agent and Sublicensee)	1562 York Avenue Huntington Station, NY 11746 Same as Above.	Licenses Revoked
<p>Respondents issued proofs that insurance coverage had been issued without having the authority to issue such proofs. Respondents also mishandled insurance premiums they had collected from several clients, failed to remit premiums to insurers, failed to return premiums to clients and failed to obtain desired insurance coverages for their clients. Respondents also issued premium payment transmittal checks that were dishonored by the bank upon which they were drawn and repeatedly failed to timely respond to Department letters. Respondents repeatedly misled insurance clients as to their insurance coverage. In several instances, Respondents failed to communicate effectively with their clients, obtaining replacement policies for the clients without the clients' knowledge after the replaced policy had been cancelled for nonpayment due to Respondents' failure to remit premium to the insurer. [Order issued November 6, 2006.]</p>		

AGENT AND BROKER STIPULATIONS**Region: Buffalo**

LICENSEE	ADDRESS	PENALTY
Mark J. Bonfante (Bail Bondsman)	201 Wellington Road Buffalo, NY 14216	\$ 2,500 fine
<p>Respondent wrote bail bonds for which he failed to charge and collect the full premiums in accordance with the premium rates filed with the Department. [Stipulation approved October 31, 2006.]</p>		

Region: Nassau County

LICENSEE	ADDRESS	PENALTY
Genatt Associates, Inc. (Broker, Excess Line Broker, Agent and Reinsurance Intermediary) Edward P. Di Gioia (Broker, Consultant-General and Sublicensee)	3333 New Hyde Park Road New Hyde Park, NY Same as Above	25,400 fine
<p>Respondents violated Section 2118 of the Insurance Law and Department Regulation 41 by filing numerous affidavits with the Excess Line Association of New York stating that Respondents obtained declinations from authorized insurers, when in fact Respondents never obtained the declinations from the authorized insurers. [Stipulation approved November 30, 2006.]</p>		

Region: New York City

LICENSEE	ADDRESS	PENALTY
Christian R. Inzerillo (Broker and Agent)	1069 Coney Island Avenue Brooklyn, NY 11230	\$500 fine
Respondent issued insurance premium payment transmittal checks that were dishonored by the bank upon which they were drawn and commingled insurance premium fiduciary funds with business operating funds in his premium account. Respondent subsequently replaced the dishonored checks. [Stipulation approved November 14, 2006.]		

LICENSEE	ADDRESS	PENALTY
Kiwi Insurance Agency, Inc. (Broker)	1130 Remsen Avenue Brooklyn, NY 11236	\$1,000 fine
Elaine C. Freeman (Broker and Sublicensee)	Same as Above.	
Respondents knowingly accepted referrals of insurance business from an unlicensed individual and paid commissions to an unlicensed corporation. [Stipulation approved November 17, 2006.]		

LICENSEE	ADDRESS	PENALTY
Teitelbaum Insurance Brokerage Co. Inc. (Agent and Broker)	863-47 th Street Brooklyn, NY 11220	\$5,000 fine
Jacob J. Teitelbaum t/b/a Teitelbaum Insurance Brokerage Co. (Broker)	Same as above	
Jacob J. Teitelbaum (Agent, Broker and Sublicensee)	Same as above	
Respondents collected from insureds service fees for various insurance services without obtaining from the insureds a separate signed memorandum specifying the amount of the service fee and failed to disclose on their renewal applications that Respondent Teitelbaum Insurance Brokerage Co. Inc. was found liable for misappropriation of funds in a civil lawsuit in the Civil Court of the City of New York, Small Claims Part, Kings County. Respondents subsequently obtained separate executed service fee agreements from the insureds and/or refunded the service fees to the insureds. [Stipulation approved November 13, 2006.]		

LICENSEE	ADDRESS	PENALTY
Yongs Agency, Inc. (Broker)	156-11 Northern Blvd. Flushing, NY 11354	\$1,000 fine
Yong S. Pong (Agent and Sublicensee)	Same as Above	
<p>Respondents issued checks transmitting insurance premium payments that were dishonored by the bank upon which they were drawn. Additionally, Respondents' premium account had negative balances in numerous months and was charged fees for insufficient funds. Respondents subsequently replaced the dishonored checks. [Stipulation approved November 28 2006.]</p>		

LICENSEE	ADDRESS	PENALTY
Sun Goo Br Whang (Agent and Broker)	46-37 216 th Street Bayside, NY 11361	\$500 fine
<p>Respondent transacted insurance business under an unlicensed name and commingled premium funds and operating expense funds in his premium account. [Stipulation approved November 8, 2006.]</p>		

Region: Rochester

LICENSEE	ADDRESS	PENALTY
Charles R. Wolff (Agent)	22 Pinewood Knoll Rochester, NY 14624	\$500 fine
<p>Respondent failed to disclose on his agent license application that he was named as a respondent in a NASD Dispute Resolution arbitration proceeding. [Stipulation approved November 6, 2006.]</p>		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Brown & Brown Insurance (Agent)	3101 W. Dr. Martin Luther King Blvd. – Suite 400 Tampa, FL 33607	\$12,750 fine
Laurel L. Grammig (Sublicensee)	21 Bahama Circle Tampa, FL 33606	
<p>Respondent transacted insurance business under an unlicensed name. [Stipulation approved November 8, 2006.]</p>		

LICENSEE	ADDRESS	PENALTY
Kathleen J. Cephas (Agent)	5233 Wilton Lane Partlow, VA 25534	\$1,000 fine
Respondent failed to disclose on her agent's license renewal application that she was convicted of a misdemeanor in Virginia and that she was fined by the State of Mississippi Insurance Department. [Stipulation approved November 22, 2006.]		

LICENSEE	ADDRESS	PENALTY
Christi Insurance Agency t/b/a Christi Insurance Group Inc. (Agent)	320 Bickley Road P.O. Box 579 Glenside, PA 19038	\$750 fine
Kevin Michael Minehan (Agent and Sublicensee)	Same as above	
Respondents failed to disclose on their renewal applications for their agent's licenses that they were fined by the State of New Jersey Insurance Department and failed to notify the Department within thirty days of the final disposition of the matter. [Stipulation approved November 13, 2006.]		

LICENSEE	ADDRESS	PENALTY
CLIA Inc. (Agent)	3455 E Paris Avenue, SE Grand Rapids, MI 49512	\$750 fine
Daniel B. Longman (Agent and Sublicensee)	Same as Above	
Respondents failed to disclose that Respondent Daniel B. Longman's application for his nonresident insurance agent's license was denied by the State of Wisconsin and they failed to notify the Department within thirty days of the final disposition of the aforesaid matter. Respondents also transacted insurance business under an unlicensed name. [Stipulation approved November 13, 2006.]		

LICENSEE	ADDRESS	PENALTY
Teresa A. Cordell (Agent)	2018 N. 10 th Street Phoenix, AZ 85006	\$500 fine
Respondent failed to disclose on her renewal application for an agent's license that her license was revoked by the Washington State Insurance Department. [Stipulation approved October 31, 2006.]		

LICENSEE	ADDRESS	PENALTY
Lynne Marcus (Agent)	1 Glencairn Road Palm Beach Gardens, FL 33418	License Revoked
Respondent is currently indebted to the New York State Department of Taxation and Finance for employer withholding tax, penalties and interest. Respondent declared the State of Florida as her home state with respect to her nonresident license even though she is not currently licensed as an insurance producer in the State of Florida. [Stipulation approved November 7, 2006.]		

LICENSEE	ADDRESS	PENALTY
Robert J. McCloskey (Agent)	76 Main Street Matawan, NJ 07747	\$750 fine
Respondent failed to notify the Department that he was the subject of an administrative action by the State of Massachusetts for selling insurance without a license. Respondent also conducted insurance business in this State under an unlicensed name. [Stipulation approved October 11, 2006.]		

LICENSEE	ADDRESS	PENALTY
Lisa W. Nash (Agent)	4500 Bowling Blvd. Louisville, KY 40207	\$500 fine
Respondent failed to disclose on her agent's renewal license application that she was fined by the State of New Jersey, Department of Banking and Insurance. [Stipulation approved November 16, 2006.]		

LICENSEE	ADDRESS	PENALTY
Melissa L. Pell (Agent)	1514 Maple Street Kenova, WV 25530	License Revoked
Respondent failed to disclose on her renewal application for her agent's license that her nonresident insurance licenses were revoked by the Insurance Departments in the States of Virginia, Massachusetts and Kentucky. [Stipulation approved November 16, 2006.]		

LICENSEE	ADDRESS	PENALTY
Dianna Dale Poindexter (Agent)	PO Box 754 Wayne, WV 25570	License Revoked
Respondent failed to disclose on her application for her agent's license that the State of Washington denied her application for a permanent individual intermediary agent's insurance license and that the State of Iowa suspended her Iowa insurance agent license, fined her and assessed costs against her. [Stipulation approved November 9, 2006.]		

LICENSEE	ADDRESS	PENALTY
World Access Service Corporation (Agent)	2805 N. Parham Road – Suite 100 Richmond, VA 23294	\$250 fine
Jonathan M. Ansell (Sublicensee)	8208 Kimbershell Place Richmond, VA 23229	
<p>Respondents failed to notify the Department that Respondent World Access Service Corporation was fined by the State of Nevada Department of Business and Industry, Division of Insurance within thirty days of the final disposition of the matter. [Stipulation approved October 31, 2006.]</p>		

LICENSEE	ADDRESS	PENALTY
Michael Andrew Wolpert. (Agent)	3455 E Paris Avenue, SE Grand Rapids, MI 49512	\$2,000 fine
<p>Respondent failed to notify the Department that he was fined by the Commonwealth of Massachusetts for misrepresenting insurance coverage information to an insured within thirty days of the final disposition of the matter. Respondent also transacted insurance business under an unlicensed name. In addition, Respondent maintained a website that contained misleading language with respect to the types of insurance that Respondent is licensed to procure. [Stipulation approved November 13, 2006.]</p>		