

New York State Insurance Department

ISSUED: 6/9/08

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 COMPANIES

LICENSEE	ADDRESS	PENALTY
Great American Alliance Insurance Company	580 Walnut Street Cincinnati, OH 45202	\$9,400 fine
Respondent exceeded the maximum number of automobile private passenger non-renewals permitted for the year 2006. [Stipulation approved May 20, 2008.]		

LICENSEE	ADDRESS	PENALTY
Great American Security Insurance Company	580 Walnut Street Cincinnati, OH 45202	\$17,900 fine
Respondent exceeded the maximum number of private passenger automobile non-renewals permitted in 2006. [Stipulation approved May 20, 2008.]		

LICENSEE	ADDRESS	PENALTY
Harleysville Insurance Company of New York	PO Box 767 Watertown, NY 13601	\$4,800 fine
Respondent exceeded the maximum number of private passenger auto insurance non-renewals permitted for the year 2006. [Stipulation approved May 16, 2008.]		

LICENSEE	ADDRESS	PENALTY
NGM Insurance Company	55 West Street Keene, NH 03431	\$4,000 fine
Respondent exceeded the maximum number of automobile private passenger non-renewals permitted for the year 2006. [Stipulation approved April 30, 2008.]		

LICENSEE	ADDRESS	PENALTY
Travelers Indemnity Company	One Tower Square Hartford, CT 06183	\$4,000 fine
Respondent exceeded the maximum number of automobile private passenger non-renewals permitted for the year 2006. [Stipulation approved May 6, 2008.]		

AGENT AND BROKER HEARINGS

Region: Buffalo

LICENSEE	ADDRESS	PENALTY
Brett W. Snyder (Independent Adjuster)	7963 Batavia Starrod TL Road Batavia, NY 14020	Licenses Revoked
Respondent failed to report to the Superintendent within 30 days that he was convicted of a crime and failed to respond to Departmental investigatory letters thereby hampering and impeding the Department's investigation. [Order issued April 8, 2008.]		

Region: Nassau County

LICENSEE	ADDRESS	PENALTY
Carl Rouzier t/b/a Rouzier Financial Services (Agent)	167-16 Hillside Avenue Jamaica, NY 11432	\$2,525 fine
Respondent facilitated rate fraud in connection with his submission of automobile insurance applications to the New York Automobile Insurance Plan that contained incorrect addresses for the applicants. Respondent also issued insurance premium payment transmittal checks that were dishonored by the bank upon which they were drawn and failed to notify the Department of an address change within 30 days. [Order issued December 20, 2007]		

Region: New York City

LICENSEE	ADDRESS	PENALTY
Mohassan Insurance Agency inc. (Broker)	2780 Wilson Avenue Bronx, NY 10469	\$1,350 fine
Mohamed H. Mabrouk (Broker and Sublicensee)	Same as Above	
<p>Respondents issued three premium payment checks that were dishonored by the bank upon which they were drawn; commingled monies by using their operating checking account to issue both premium and operating or personal expense checks; and failed to provide all the documents requested at an audit by the Department thereby hampering and impeding the Department's investigation. [Order issued April 9, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Moncion Brokerage Corp. (Agent)	102-17 Northern Blvd. Corona, NY 11368	Licenses Revoked
Elis A. Estevez (Broker and Sublicensee)	Same as Above	
<p>Respondents failed to appear at the Department for an examination under oath as directed thereby hampering and impeding the Department's investigation. [Order issued April 11, 2008.]</p>		

Region: Rochester

LICENSEE	ADDRESS	PENALTY
Leo C. Porter III (Agent)	133 Florendin Drive Henrietta, NY 14467	Licenses Revoked
<p>Respondent was convicted of attempted grand larceny in the fourth degree, a class A misdemeanor, for unlawfully collecting unemployment insurance benefits from the New York State Department of Labor while knowing that he was not entitled to the benefits. Respondent also failed to disclose the pending criminal action on his renewal application for his agent's license. [Order issued April 3, 2008.]</p>		

Region: Suffolk County

LICENSEE	ADDRESS	PENALTY
Robert A. Regina (Agent)	1240 Oak Avenue West Islip, NY 11795	Licenses Revoked
Respondent was convicted of petit larceny, a class A misdemeanor, for stealing, while acting as an agent for an insurer, insurance premium cash payments that were made to him by clients. Respondent also fraudulently collected overtime wages from the insurer by submitting false billing records to the insurer, and failed to respond to Departmental investigatory letters, thereby hampering and impeding the Department's investigation. [Order issued April 3, 2008.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Cindy Cornwall (Agent)	12310 WoodLake Road Elbert, CO 80106	Licenses Revoked
Respondent failed to notify the Department within 30 days that she was the subject of administrative actions by the States of Florida, Virginia, Louisiana and Connecticut; failed to notify the Department of an address change within 30 days; and hampered and impeded the Department's investigation by failing to respond to Departmental investigatory letters. [Order issued April 2, 2008.]		

AGENT AND BROKER STIPULATIONS**Region: Albany**

LICENSEE	ADDRESS	PENALTY
Stephen P. Hartmann (Agent)	69 Coventry Court Vorheesville, NY 12186	\$2,142 fine
Respondent issued a five year principal guarantee on a deferred variable annuity without authorization from the insurer. [Stipulation approved May 12, 2008.]		

LICENSEE	ADDRESS	PENALTY
Taj-Malik Hinton (Independent Adjuster - license application pending)	85A Veis Road Albany, NY 12208	\$500 fine
Respondent failed to disclose on his original application for his independent adjuster's license that he was convicted of a crime. [Stipulation approved May 20, 2008.]		

Region: Buffalo

LICENSEE	ADDRESS	PENALTY
Philip W. Cowan (Agent and Broker)	11 Mt. Airy Court Orchard Park, NY 14127	Licenses Revoked
Respondent failed to file disclosure statements with the Department concerning commissions he received from a school district in violation of Section 2324 of the Insurance Law and Department Regulation 87 (11 NYCRR §29.5) . [Stipulation approved April 17, 2008.]		

LICENSEE	ADDRESS	PENALTY
Robert Joseph Kindred Sr. (Agent)	75 Rosedale Street Buffalo, NY 14207	\$500 fine
Respondent failed to notify the Department within 30 days that he was convicted of a crime. [Stipulation approved April 30, 2008.]		

Region: Mid-Hudson

LICENSEE	ADDRESS	PENALTY
Kimberley E. Bianchi (Agent)	6848 Route 9 Hudson, NY 12534	\$500 fine
Respondent failed to disclose on her original application for her agent's license that she was convicted of a crime. [Stipulation approved April 28, 2008.]		

Region: Nassau County

LICENSEE	ADDRESS	PENALTY
Steven M. Brasner (Agent)	3492 Howard Road Baldwin, NY 11510	\$4,022.50 fine
Respondent sold a life insurance policy in this State on behalf of an insurer not licensed to do business in this State. [Stipulation approved May 9, 2008.]		

Region: Rochester

LICENSEE	ADDRESS	PENALTY
Meghan Marie O'Dell (Agent)	3899 Ridge Road Williamson, NY 14589	License Revoked
Respondent was convicted of attempted grand larceny in the fourth degree, a class A misdemeanor. [Stipulation approved May 14, 2008.]		

LICENSEE	ADDRESS	PENALTY
Charles C. Ritger (Agent and Broker)	1134 Titus Avenue Rochester, NY 14617	\$500 fine
Respondent violated Section 2119 of the Insurance Law by collecting a service fee from a prospective insured for the placement of insurance coverage without first obtaining a signed memorandum from the insured specifying the amount of the service fee. [Stipulation approved April 30, 2008.]		

Region: Suffolk

LICENSEE	ADDRESS	PENALTY
Cavallino Risk Management, Inc. (Broker)	315 Walt Whitman Road Huntington Station, NY 11746	\$1,000 fine
Frank L. Caponi (Broker, Excess Line Broker, and Sublicensee)	Same as above	
Respondents collected a service fee from an insured for an insurance policy without obtained a signed memorandum specifying the amount of the fee and failed to timely respond to Departmental investigatory letters regarding the aforementioned matter thereby hampering and impeding the Department's investigation. [Stipulation approved May 20, 2008.]		

LICENSEE	ADDRESS	PENALTY
Vanessa G. Frison (Broker)	120 Evergreen Avenue Brentwood, NY 11717	Licenses Revoked
Respondent allowed unlicensed individuals to transact insurance business and failed to appear at the Department for a Statement under Oath thereby hampering and impeding the Department's investigation. [Stipulation approved April 30, 2008.]		

Region: Syracuse

LICENSEE	ADDRESS	PENALTY
Pomco, Inc. (General Consultant, Life Consultant, Independent Adjuster, and Agent)	2425 James Street Syracuse, NY 13206	\$750 fine
Kathleen E. Lamb Tso (Independent Adjuster, Agent, and Sublicensee)	Same as Above	
Respondents conducted business as independent adjusters under an unlicensed name. [Stipulation approved May 13, 2008.]		

Region: Utica

LICENSEE	ADDRESS	PENALTY
Pamela Bellair (Broker)	2 Campion Road New Hartford, NY 13413	\$500 fine
Respondent signed an authorization letter requesting loss runs from an insurer on behalf of an insured without getting the insured's permission. [Stipulation approved May 5, 2008.]		

LICENSEE	ADDRESS	PENALTY
Lee A. Staelens (Agent)	865 N. Hillsboro Road Camden, NY 13316	\$2,250 fine
In connection with the sale of Medicare supplemental insurance policies, Respondent paid an application fee on behalf of the insureds. [Stipulation approved May 8, 2008.]		

Region: New York City

LICENSEE	ADDRESS	PENALTY
Asian Insurance Brokerage, Inc. (Broker and Excess Line Broker)	5 Court Square Long Island City, NY 11101	\$2,000 fine
Harpreet Singh (Broker and Sublicensee)	Same as Above.	
Respondents failed to disclose on their renewal applications for broker's licenses and on Respondent Asian Insurance Brokerage's renewal application for excess line broker's license that they were fined by the Department and circulated advertisements to potential insureds that contained misleading statements regarding the cost of insurance and that specified a rate without providing the full name and city in which the insurer had its principal place of business. [Stipulation approved April 23, 2008.]		

LICENSEE	ADDRESS	PENALTY
Angela Bencosme (Agent and Broker)	2032 Madison Avenue New York, NY 10035	\$3,000 fine
Respondent issued sixteen checks transmitting insurance premium payments that were dishonored by the bank upon which they were drawn and respondent's premium account had negative balances on numerous occasions. [Stipulation approved May 21, 2008.]		

LICENSEE	ADDRESS	PENALTY
The Bennett Brokerage, Inc. (Agent and Broker)	220 North Franklin Street Hempstead, NY 11550	\$3,250 fine
Gary P. Bennett (Sublicensee)	Same as Above	
Respondents charged a service fee in excess of that allowed by the New York Automobile Insurance Plan Rules; did not have a licensed person at their satellite offices on numerous occasions; and did not provide the Superintendent with written notice of the locations of their satellite offices. [Stipulation approved April 22, 2008.]		

LICENSEE	ADDRESS	PENALTY
Cousins Brokerage, Inc. (Agent and Broker)	23-20 24 th Avenue Astoria, NY 11102	\$750 fine
Raja M. Quaiser (Broker and Sublicensee)	Same as Above	
Respondents issued advertisement fliers for black car insurance that contained misleading language with respect to the rates for insurance and utilized business cards that contained misleading language with regard to the types of insurance that they were licensed to procure. Respondent Cousins Brokerage, Inc. transacted insurance business as a broker in the State of New York without a license. [Stipulation approved April 28, 2008.]		

LICENSEE	ADDRESS	PENALTY
Fox Brokerage Inc. (Broker)	122 Beverly Road Brooklyn, NY 11218	
Michael B. Fox t/b/a Michael B. Fox Insurance (Broker and Sublicensee)	Same as Above	Licenses Revoked
Michael B. Fox (Broker)	Same as Above	
<p>Respondents issued insurance premium payment transmittal checks that were dishonored by the bank upon which they were drawn; commingled premium funds with operating funds in their premium account; and Respondent Michael B. Fox failed to report to the Superintendent within 30 days he was the subject of a criminal prosecution. [Stipulation approved May 16, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Interwest United Insurance Brokerage Inc. (Broker and Excess Line Broker)	703 Avenue U Brooklyn, NY 11223	
Daniella A. Kirfeld (Agent and Sublicensee)	Same as Above	\$1,500 fine
<p>Respondents mailed advertisements to potential insureds that contained misleading language and specified an insurance rate without giving the full name of the insurer and the city in which it had its principal place of business; issued an insurance premium payment transmittal check that was dishonored by the bank upon which it was drawn; and commingled insurance premium funds with operating expense funds in their premium account. [Stipulation approved May 6, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
M & D Business Group Inc. (Broker)	1548 McDonald Avenue Brooklyn, NY 11230	
Mikhail D. Kagansky (Agent and Sublicensee)	Same as Above	\$500 fine
<p>Respondents made announcements on a local radio station that contained misleading statements with respect to rates for insurance. [Stipulation approved April 28, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
New York Acuity Insurance Brokerage Inc. (Agent)	152-53 10 th Avenue Whitestone, NY 11357	\$1,550 fine
Sean F. Haffey (Broker and Sublicensee)	Same as above	
<p>Respondents failed to notify the Department of an address change within 30 days; commingled premium funds with operating expense funds in their premium account; issued advertisement fliers for black car insurance that contained misleading language with respect to rates for insurance; and failed to timely respond to Departmental investigatory letters thereby hampering and impeding the Department's investigation. [Stipulation approved May 8, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Manuel Peguero (Agent)	575 West 18 th Street New York, NY 10033	\$500 fine
<p>Respondent failed to disclose on his original application for an agent's license that he was adjudged bankrupt. [Stipulation approved April 15, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Samy & Associates Brokerage Inc. (Broker)	7110 13th Avenue Brooklyn, NY 11228	\$500 fine
Sammy Khalil (Broker and Sublicensee)	Same as Above	
<p>Respondents mailed advertisements to potential insureds that contained misleading statements with respect to rates for auto insurance. [Stipulation approved May 15, 2008.]</p>		

LICENSEE	ADDRESS	PENALTY
Miguel J. Toimil (Broker)	c/o Solutions Driving School 80 W. Kingsbridge Road Bronx, NY 10468	\$5,500 fine
Respondent conducted business using unlicensed agency names; commingled premium funds and operating funds in his premium account; issued insurance premium transmittal checks that were honored through overdraft privileges since there were insufficient funds; failed to notify the Department within thirty days of an address change; and failed to timely respond to Departmental investigatory letters thereby hampering and impeding the Department's investigation. [Stipulation approved May 12, 2008.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Associated Securities Corp. (Agent- relicensing application pending)	222 North Sepulveda El Segundo, CA 90245	\$1, 750 fine
Todd Andrew Clark (Agent and Proposed Sublicensee)	Same as Above	
Respondents failed to disclose on their relicensing and renewal applications for agents' licenses that Respondent Associated Securities Corp of which Respondent Todd Andrew Clark is an officer was censured and fined by the Financial Industry Regulation Authority and Respondent Associated Securities Corp failed to notify the Department of said administrative action. [Stipulation approved April 30, 2008.]		

LICENSEE	ADDRESS	PENALTY
Patrick Joseph O Beirne (Agent)	1304 South Mountain Avenue Duarte, CA 91010	Licenses Revoked
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that the State of Washington, Office of Insurance Commissioner revoked his insurance license. Respondent also failed to notify the Department within 30 days that he changed his business address, and failed to respond to Departmental investigatory letters, thereby hampering and impeding the Department's investigation. [Stipulation approved April 15, 2008.]		

LICENSEE	ADDRESS	PENALTY
Shep R. Cutler (Agent- License Pending)	6204 East Shore Road Columbia , SC 29206	\$1,500 fine
Respondent failed to disclose on his relicensing application for his agent's license that he was the subject of administrative action by the State of Missouri Department of Insurance; failed to notify the Department within 30 days of the aforementioned administrative action; and transacted insurance business under unlicensed agency names. [Stipulation approved April 16, 2008.]		

LICENSEE	ADDRESS	PENALTY
Johnson Insurance Services LLC (Agent-License Application Pending)	555 Main Street Racine, WI 53403	\$50,000 fine
Patrick R. Kelly (Agent and Sublicensee)	Same as Above.	
Respondents acted as insurance producers without a license in connection with the placements of numerous insurance policies with an insurer. [Stipulation approved May 9, 2008.]		

LICENSEE	ADDRESS	PENALTY
Juan Manuel Macias, Jr. (Agent)	5839 Woodman Avenue Van Nuys, CA 91401	License Revoked
Respondent failed to report to the Superintendent within 30 days of his arraignment that he was the subject of a criminal prosecution. [Stipulation approved May 15, 2008.]		

LICENSEE	ADDRESS	PENALTY
Scott L. Miller (Agent)	2430 Cromwell CR # 302 Austin, TX 78741	\$1,500 fine
Respondent failed to disclose on his original application for his agent's license that he was adjudged a bankrupt and failed to report to the Superintendent within 30 days of the final disposition that he was the subject of administrative actions by the States of California and Hawaii. [Stipulation approved May 6, 2008.]		

LICENSEE	ADDRESS	PENALTY
Paul Muniz (Agent)	502 West Roeser Road Phoenix, AZ 85041	\$250 fine
Respondent failed to notify the Department within 30 days that he was denied a producer's license by the State Of California Department of Insurance. [Stipulation approved May 8, 2008.]		

LICENSEE	ADDRESS	PENALTY
New England Brokerage Corporation (Broker, Excess Line Broker and Agent)	411 West Putnam Avenue Greenwich, CT 06830	\$1,500 fine
Mary Ann Strolin (Sublicensee)	Same as Above	
Respondents procured numerous policies providing excess line insurance coverage for which they failed to timely file a declaration page and an accompanying affidavit with the Excess Line Association of New York. [Stipulation approved April 24, 2008.]		

LICENSEE	ADDRESS	PENALTY
Jay M. Pollack (Agent)	660 Wilmot Road Deerfield, IL 60015	\$250 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition that the Illinois Department of Financial and Professional Regulation, Division of Insurance suspended his license. [Stipulation approved April 28, 2008.]		

LICENSEE	ADDRESS	PENALTY
Steven Lamar Swords (Agent and Broker)	c/o Accordia, inc. 1100 Johnson Ferry Road Atlanta, GA 30342	\$250 fine
Respondent failed to notify the Department within 30 days that he was fined by the State of Alabama Department of Insurance. [Stipulation approved April 28, 2008.]		

LICENSEE	ADDRESS	PENALTY
Ashley Nicole Tipton (Agent)	11919 Foundation Place Gold River, CA 95670	\$250 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition that the State of Colorado, Department of Regulatory Agencies, Division of Insurance denied her application for a license as a non-resident insurance producer with accident and health authority. [Stipulation approved April 15, 2008.]		

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