

New York State Department of Financial Services

ISSUED: July 1, 2015

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES TAKES DISCIPLINARY ACTIONS AGAINST COMPANIES, AGENTS, BROKERS & ADJUSTERS

The New York State Department of Financial Services 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
21 st Century Centennial Insurance Company	3 Beaver Valley Road Wilmington, DE 19803	\$36,500 fine
<p>During the period January 2011 to December 2011, in connection with its termination practices for its personal automobile insurance policies, Respondent, in certain instances, failed to timely send named insureds written notice of its intention not to renew or to condition its renewal and failed to include a statement of the specific reasons for the non-renewal with its notice. [Stipulation approved April 15, 2015.]</p>		

LICENSEE	ADDRESS	PENALTY
21 st Century National Insurance Company	21 st Century Plaza 3 Beaver Valley Road Wilmington, DE 19803	\$25,000 fine
<p>Respondent, in connection with its termination practices for its personal automobile insurance policies, violated Section 3425(c)(1) of the Insurance Law that states after a covered policy has been in effect for sixty days, no notice of cancellation shall be issued or effective unless it is based on one of the reasons enumerated therein, and Department Regulation 152 [11 NYCRR 243.2(b)] that states insurers shall maintain a policy record for each insurance contract or policy for six calendar years after the date the policy is no longer in force or until after the filing of the report on examination in which the record was subject to review, whichever is longer. [Stipulation approved April 15, 2015.]</p>		

LICENSEE	ADDRESS	PENALTY
21 st Century Security Insurance Company	21 st Century Plaza 3 Beaver Valley Road Wilmington, DE 19803	\$25,000 fine
Respondent, in connection with its termination practices for its personal automobile insurance policies, violated Section 3425(c)(1) of the Insurance Law that states after a covered policy has been in effect for sixty days, no notice of cancellation shall be issued or effective unless it is based on one of the reasons enumerated therein, and Department Regulation 152 [11 NYCRR 243.2(b)] that states insurers shall maintain a policy record for each insurance contract or policy for six calendar years after the date the policy is no longer in force or until after the filing of the report on examination in which the record was subject to review, whichever is longer. [Stipulation approved April 15, 2015.]		

LICENSEE	ADDRESS	PENALTY
AXA Art Insurance Corporation	4 West 59 th Street New York, NY 10019	\$70,000 fine
Respondent, in connection with certain commercial and personal inland marine insurance policies, failed to maintain records including the proof of mailing for all cancellation notices and issued cancellation notices that failed to include the amount of the premium due. [Stipulation approved May 1, 2015.]		

LICENSEE	ADDRESS	PENALTY
Bankers Consec Life Insurance Company	11825 North Pennsylvania Street Carmel, IN 46032	\$10,270 fine
<p>Respondent violated Department Regulation No. 60 [11NYCRR 51] by failing to require a completed “Definition of Replacement” signed by the applicant and agent, and proof of receipt by the applicant of the “IMPORTANT Notice Regarding Replacement or Change of Life Insurance Policies or Annuity Contracts” and the completed “Disclosure Statement”, examine Disclosure Statements to ascertain that they were accurate and met the requirements of the Regulation, to have deficiencies corrected or reject the application within ten days from the date of receipt of the application, and notify the applicant of such rejection and the reason for such rejection, implement its established procedures that would ensure compliance with Section 51.5(c)(2) of Department Regulation No. 60, furnish the insurer whose coverage was being replaced, within ten days of receipt of the application, a copy of any proposal, and a completed “Disclosure Statement”, comply with the orderly working of this Regulation in accomplishing its intended purpose in the protection of policyholders and contractholders; Department Regulation No. 152 [11NYCRR 243.2], maintain an illustration for the replaced policy or contract, or any other information from the company being replaced that was used to complete the Disclosure Statement; and Section 3224-a (b) of the New York Insurance Law by failing to provide a notification of denial of the payment of long-term care claims within the required 30 days of receipt of the claim. [Stipulation approved May 29, 2015.]</p>		

LICENSEE	ADDRESS	PENALTY
Metropolitan Group Property and Casualty Insurance Company	700 Quaker Lane P.O. Box 350 Warwick, RI 02887	\$30,000 fine
<p>Respondent, in connection with certain personal automobile and homeowner insurance policies, failed, in certain instances, to send timely cancellation notices to its insureds, failed to include the correct name and address of the Department on its termination notices, and failed to provide numerous insureds with the Certification of Automobile repairs form. [Stipulation approved May 29, 2015.]</p>		

AGENT AND BROKER HEARINGS

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Rodrigo Diaz (Agent)	1463 Frio Run San Antonio, TX 78245	License Revoked
<p>Respondent, while employed as an agent with an insurance company, used the credit card of an insured on two occasions to pay his personal expenses without the insured's knowledge or authorization and was terminated for cause by the insurance company. Respondent failed to respond to the Department letter of inquiry requesting information and documentation regarding the foregoing termination. Respondent had his insurance producer licenses revoked in four states. [Order issued May 4, 2015.]</p>		

LICENSEE	ADDRESS	PENALTY
Tavonnah Akia Williams (Agent)	6408 Carlton Street Philadelphia, PA 19139	License Revoked
<p>Respondent failed to disclose a criminal prosecution in her original application for an agent's license. Respondent had insurance licenses revoked in three states, two of which, Washington and Virginia, she failed to notify the Department. Respondent also failed to respond to Departmental investigatory letters, thereby hampering and impeding the Department's investigation. [Order issued May 14, 2015.]</p>		

STIPULATIONS

Region: Binghamton

LICENSEE	ADDRESS	PENALTY
Thomas A. Sbarra (Agent, Life Broker and Broker)	c/o Century 21 Sbarra and Wells, 201 Oakdale Road Johnson City, NY 13790	\$1,500 fine
<p>Respondent failed to disclose in his original application for a life broker's license and his original application for an agent's license that he was fined by the New York State Department of State, Division of Licensing Services. [Stipulation approved March 27, 2015.]</p>		

Region: Mid-Island

LICENSEE	ADDRESS	PENALTY
Corvel Enterprise Comp. Inc. (Independent Adjuster)	320 Carleton Avenue Central Islip, NY 11722	\$1,500 fine
Derek J. Carney (Independent Adjuster and Sublicensee)	Same as above	
<p>Respondents failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent Corvel was the subject of administrative actions in other states. Respondents also failed to disclose administrative actions in other states in Respondent Corvel's renewal application for an independent adjuster's license. [Stipulation approved March 27, 2015.]</p>		

LICENSEE	ADDRESS	PENALTY
Justin Charles Lasalla (Broker – License Pending)	21 Wolfhollow Road Centereach, NY 11720	\$3,000 fine
<p>Respondent failed to disclose in his original application for a life broker's license that he was the subject of administrative actions taken by the States of Washington and Colorado and that he had an outstanding tax obligation. Respondent, while previously licensed, failed to notify the Department that he was the subject of a criminal prosecution with thirty days of the initial pretrial hearing date and while previously licensed, failed to respond to Department investigatory letters, thereby hampering and impeding the Department's investigation. [Stipulation approved May 29, 2015.]</p>		

Region: New York City

LICENSEE	ADDRESS	PENALTY
Mabadeje Demu (Agent and Broker)	c/o Demu Insurance Agency 700 Fulton Street Brooklyn, NY 11217	\$1,500 fine
<p>Respondent failed to report to the Superintendent within 30 days of the initial pretrial hearing that he was the subject of a criminal prosecution. Respondent also failed to disclose in his renewal application for a broker's license that the aforementioned criminal prosecution was pending. [Stipulation approved April 15, 2015.]</p>		

LICENSEE	ADDRESS	PENALTY
Rosalia Keller (Broker)	214-33 Jamaica Ave. Queens Village, NY 11428	\$10,000 fine
Respondent acted as an insurance producer in the state of New York without having authority to do so by virtue of a license issued and in force pursuant to the provisions of the Insurance Law. [Stipulation approved May 1, 2015.]		

LICENSEE	ADDRESS	PENALTY
Thomas M. La Guidice (Broker)	3 Rene Drive Staten Island, NY 10306	\$3,000 fine
Respondent used an unapproved name in conducting business as an insurance producer in the State of New York, and commingled insurance premium fiduciary funds with business operating and/or personal funds. [Stipulation approved March 27, 2015.]		

Region: Syracuse

LICENSEE	ADDRESS	PENALTY
Meghan A. Sheehan (Agent)	308 Myron Road Syracuse, NY 13219	\$1,500 fine
Respondent acted as an insurance producer in the State of New York after her license to act as an agent expired. [Stipulation approved May 1, 2015.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Kuldip S. Bagga (Agent)	85 Campau NW Grand Rapids, MI 49501	\$500 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent's application for a permanent individual intermediary agent's insurance license was denied by the Wisconsin Office of the Commissioner of Insurance. [Stipulation approved May 29, 2015.]		

LICENSEE	ADDRESS	PENALTY
United States Pharmaceutical Group LLC (Agent)	13621 NW 12 th Street Sunrise, FL 33323	\$2,000 fine
Nicole L. Bailey (Agent and Sublicensee)	Same as above	
Respondents transacted insurance business under an unlicensed agency name. [Stipulation approved May 29, 2015.].		

LICENSEE	ADDRESS	PENALTY
Dolly Faye Bilyeu-Palen (Agent)	5224 35 th Avenue S Minneapolis, MN 55417	\$1,500 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that the California Department of Insurance denied her application for an unrestricted license to act as an agent, issued to her a restricted license to act as an agent, and fined her. Respondent also failed to disclose the aforementioned California administrative action in her renewal application for an agent's license. [Stipulation approved April 15, 2015.]		

LICENSEE	ADDRESS	PENALTY
Sabrina Marie Brittain (Agent)	c/o Permanent General Assurance Corp. 5005 s. 40 th Street Phoenix, AZ 85040	License Revoked
Respondent failed to disclose on her original and renewal applications for an agent's license that she had been convicted of a crime and failed to notify the Department within thirty days that she was the subject of an administrative action by the State of Louisiana, Department of Insurance. [Stipulation approved April 15, 2015.]		

LICENSEE	ADDRESS	PENALTY
Yolanda Clarke (Agent)	90 Northfield Avenue West Orange, NJ 07052	License Revoked
Respondent failed to notify the Department within thirty days that she was the subject of an administrative action taken by the State of New Jersey Department of Banking and Insurance, and she had her insurance producer's license revoked by the State of New Jersey. [Stipulation approved May 29, 2015.]		

LICENSEE	ADDRESS	PENALTY
N. P. A. Insurance Agency Inc. (Agent)	115 W. Century Road Paramus, NJ 07652	\$1,500 fine
Michael J. Depol (Agent and Sublicensee)	Same as above	
Respondents failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent N. P. A. Insurance Agency Inc. was fined by the Florida Department of Financial Services in 2007 and in 2014. Respondents also failed to disclose the 2007 Florida fine in the renewal application for an agent's license of Respondent N. P. A. Insurance Agency Inc. [Stipulation approved April 15, 2015.]		

LICENSEE	ADDRESS	PENALTY
Richard G. Gebhardt (Agent)	1790 38 th Street Boulder, CO 80301	License Revoked
Respondent was terminated from an insurance company. [Stipulation approved April 15, 2015.]		

LICENSEE	ADDRESS	PENALTY
Rafael Golan (Agent)	c/o RS Golan Consulting Services Inc. 7499 W. Atlantic Ave. Delray Beach, FL 33446	\$6,000 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that he was fined by the Florida Department of Financial Services and by the Florida Office of Financial Regulation. Respondent also failed to disclose in his renewal applications for an agent's license that he was a defendant in a lawsuit involving allegations of fraud and breach of fiduciary duty. [Stipulation approved March 27, 2015.]		

LICENSEE	ADDRESS	PENALTY
Griffith Catlett Hampton Inc. (Broker)	2250 Thunderstick Drive Lexington, KY 40505	\$4,250 fine
Herbert Russell Griffith (Agent and Sublicensee)	Same as above	
Respondents acted as insurance producers in the State of New York in the name of Respondent Griffith Catlett Hampton Inc., which had no license pursuant to any provision of the Insurance Law. Respondent Herbert Russell Griffith failed to disclose in his renewal application for an agent's license that Respondent Griffith Catlett Hampton Inc. was fined by the Florida Department of Financial Services. [Stipulation approved April 15, 2015.]		

LICENSEE	ADDRESS	PENALTY
Jason Halpert & Associates LLC (Agent)	29 Montano Road Enfield, CT 06082	\$1,500 fine
Jason M. Halpert (Agent and Sublicensee)	Same as above	
Respondents failed to disclose in license applications submitted to the Department that Respondent Jason M. Halpert was fined by the Massachusetts Division of Insurance. [Stipulation approved May 29, 2015.]		

LICENSEE	ADDRESS	PENALTY
Steven Kramer (Broker)	607 Corporate Drive W Langhorne, PA 19047	License Revoked
Respondent transacted insurance business under an unlicensed agency name and failed to respond to Department investigatory letters, thereby hampering and impeding the Department's investigation. [Stipulation approved May 1, 2015.]		

LICENSEE	ADDRESS	PENALTY
Ilya Levitis (Public Adjuster – License Pending)	3201 NE 183 rd Street Aventura, FL 33160	\$750 fine
Respondent failed to disclose in his original application for a public adjuster's license that he was the subject of an administrative action taken by the State of Florida Department of Financial Services. [Stipulation approved May 1, 2015.]		

LICENSEE	ADDRESS	PENALTY
Conner Maurice (Agent)	W286N6467 Highland Court Hartland, WI 53029	\$750 fine
Respondent failed to disclose in his original application for an agent's license that his application for a permanent individual intermediary agent's insurance license was denied by the Wisconsin Office of the Commissioner of Insurance. [Stipulation approved March 4, 2015.]		

LICENSEE	ADDRESS	PENALTY
Charles D. Melita (Life Broker)	125 Lincoln Avenue Fair Haven, NJ 07704	\$750 fine
Respondent failed to disclose in his original application for a life broker's license that his license as an insurance agent in the State of Ohio was revoked by the Ohio Department of Insurance. [Stipulation approved March 27, 2015.]		

LICENSEE	ADDRESS	PENALTY
Louis V. Narciso (Broker)	16 James Road Randolph, NJ 07869	\$750 fine
Respondent failed to disclose in his renewal application for a broker's license that his licenses to transact the business of insurance as an insurance agent and a surplus lines broker in the Commonwealth of Virginia were revoked by the Virginia State Corporation Commission. [Stipulation approved May 1, 2015.]		

LICENSEE	ADDRESS	PENALTY
Kathleen Schurawich Parker (Agent – License Pending)	84 Grove Street Shelton, CT 06484	\$1,500 fine
Respondent failed to disclose in her original application for an agent's license that she was the subject of an administrative action taken by the Office of Commissioner of Insurance, State of Georgia, and that she was convicted of a crime. [Stipulation approved May 29, 2015.]		

LICENSEE	ADDRESS	PENALTY
Steven J. Potler (Title Insurance Agent)	2037 Liberty Road Eldersburg, MD 21784	\$750 fine
Respondent failed to disclose on his original application for a title insurance agent's license that a limited liability company of which Respondent is Chief Operating Officer and a Member was fined by the Florida Department of Financial Services. [Stipulation approved February 6, 2015.]		

LICENSEE	ADDRESS	PENALTY
USI Insurance Services LLC (Agent, Broker and Excess Line Broker)	601 Union Street Seattle, WA 98101	\$7,200 fine
Jose M. Rivera (Agent, Broker, Excess Line Broker and Sublicensee)	Same as above	
Respondents, in connection with the placement of excess line insurance coverage, collected insurance premium payments from insureds for which Respondents failed to timely submit the declaration pages to the excess line association, failed to timely file premium tax statements and failed to timely pay the premium taxes due. [Stipulation approved May 29, 2015.]		

LICENSEE	ADDRESS	PENALTY
Sharon K. Shaw (Title Insurance Agent)	8700 Perry Highway Pittsburgh, PA 15237	\$1,500 fine
Respondent failed to disclose administrative actions in other states in her original application for a title insurance agent's license. [Stipulation approved May 29, 2015.]		

LICENSEE	ADDRESS	PENALTY
R.M.A. Insurance Services Inc. (Broker)	110 Pine Avenue Long Beach, CA 90802	\$1,500 fine
Pine Avenue Partners LLC (Agent)	Same as above	
Richard Wesley Sierk (Broker and Sublicensee)	Same as above	
Respondents failed to disclose an administrative action in another state on license applications submitted to the Department. [Stipulation approved May 29, 2015.]		

LICENSEE	ADDRESS	PENALTY
Leigh Scott Silverstein (Broker)	1720 Royal Grove Way Weston, FL 33327	\$1,500 fine
Respondent failed to notify the Department within thirty days that he was the subject of an administrative action by the Florida Department of Financial Services and failed to disclose on his renewal application for a life broker's license the aforementioned administrative action. [Stipulation approved May 29, 2015.]		