

# New York State Department of Financial Services

**ISSUED: August 19, 2019**

## NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES TAKES DISCIPLINARY ACTIONS AGAINST LICENSEES OR REGISTRANTS UNDER THE INSURANCE LAW

The New York State Department of Financial Services has taken disciplinary action against the following licensees and registrants. Those categorized as stipulations or consent orders have been agreed to by the licensee or registrant. Department actions that result from Department hearings are subject to judicial review and possible stay of enforcement.

### STIPULATIONS/CONSENT ORDERS

**Region: Mid-Island**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Garden Insurance Agency Corp. (Broker)	214 5 <sup>th</sup> Avenue Bay Shore, NY 11706	Licenses Revoked
Thelma Y. Rodriguez-Garden (Agent, Broker and Sublicensee)	Same as above	
<p>Respondent Thelma Y. Rodriguez-Garden, while acting as the sole sublicensee of Respondent Garden Insurance Agency Corp., prepared, for client-taxpayers, false federal income tax returns which included grossly inflated or wholly fictitious deductions for employee expenses, and submitted the tax returns to the Internal Revenue Service knowing that they contained falsified information. Based on the foregoing, Respondent Thelma Y. Rodriguez-Garden was convicted of a felony, upon plea of guilty. Respondent Thelma Y. Rodriguez-Garden also failed to notify the Department that she was the subject of the foregoing criminal prosecution within thirty days of the initial pretrial hearing date. Respondent Thelma Y. Rodriguez-Garden, without obtaining written consent of the Superintendent as required by U.S. law, engaged in the business of insurance or participated in such business through employment at Respondent Garden Insurance Agency Corp. [Stipulation approved June 24, 2019.]</p>		

**Region: Westchester**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Bruen Deldin Didio Associates Inc. (Agent and Broker)	3 Starr Ridge Road Brewster, NY 10509	\$3,900 fine
Respondent violated Section 2119 of the Insurance Law by collecting service fees from insureds without obtaining from the insureds a signed memorandum specifying the amount of the service fee. Respondent subsequently either refunded the service fee to the insured or obtained from the insured a signed memorandum specifying the amount of the service fee. [Stipulation approved June 7, 2019.]		

**Region: White Plains**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Pentegra Insurance Agency, Inc. (Agent)	701 Westchester Avenue White Plains, NY 10604	\$500 fine
Charles W. Coldwell (Sublicensee)	Same as above	
Stephen A. Hughes (Sublicensee)	Same as above	
Respondents failed to report to the Superintendent within 30 days of the final disposition of the matter that the State Corporation Commission of the Commonwealth of Virginia ("Commission") revoked Respondent Pentegra Insurance Agency, Inc.'s license, for failing to designate a licensed employee, officer or director to serve as the "designated licensed producer" and for failing to report the removal of its designated licensed producer to the Commission within 30 calendar days. [Stipulation approved June 24, 2019.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Moises Rivera-Castillo (Agent)	721 Lake Street West Harrison, NY 10604	License Revoked
Respondent, while working for JPMorgan Chase, N.A., misappropriated funds in that he issued bank debit cards in the names of his private banking clients and personally used those debit cards to make purchases and withdrawals. Respondent also hampered and impeded the Department's investigation by failing to answer three Department letters. [Stipulation approved June 17, 2019.]		

**Region: Out of State**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
ARS Insurance Agency (Agent)	P.O. Box 3646 Omaha, NE 68103	\$1,500 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent was the subject of administrative actions taken by the State of Wisconsin, Office of the Commissioner of Insurance. Respondent also failed to disclose in its renewal application for an agent's license the aforementioned administrative actions taken by the State of Wisconsin, Office of the Commissioner of Insurance. [Stipulation approved July 9, 2019.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Certus Claims Administration LLC (Independent Adjuster)	771 East Daily Drive Camarillo, CA 93010	\$9,500 fine
Respondent acted as an insurance adjuster 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 June 17, 2019.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Cruise One Inc. (Agent)	100 Fordham Road Building C Wilmington, MA 01887	\$50,000 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, during the approximate period December 5, 2010 through December 3, 2013; Respondent thereafter became licensed as an agent on December 4, 2013. [Stipulation approved June 7, 2019.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Brian D. McClure (Broker)	2067 Burlington Avenue Lisle, IL 60532	\$1,000 fine
Respondent failed to notify the Department within thirty days that he was the subject of administrative actions by the States of Illinois and Louisiana. Respondent also failed to disclose on his relicensing application for his agent license that he was the subject of the above administrative action by the State of Illinois. [Stipulation approved June 25, 2019.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
David Rasak (Agent and Life Broker)	900 South Figueroa Street Los Angeles, CA 90015	\$750 fine
Respondent failed to disclose in his original application for an agent's license that he was convicted of a misdemeanor. [Stipulation approved June 17, 2019.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
World Travel Holdings Inc. (Agent)	100 Fordham Road Building C Wilmington, MA 01887	\$220,000 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, during the approximate period May 1, 2009 through April 29, 2012; Respondent thereafter became licensed as an agent on April 30, 2012. [Stipulation approved June 7, 2019.]		