

New York State Department of Financial Services

ISSUED: September 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.

COMPANY CONSENT ORDER

LICENSEE	ADDRESS	PENALTY
Bankers Consec Life Insurance Company	11825 N. Pennsylvania Street Carmel, IN 46032	\$27,900 fine Respondent will correct the violations cited herein and demonstrate to the Department's satisfaction that it has taken the necessary corrective action within three months from the date of Respondent's signing of this Stipulation & Consent Order. Respondent will also take all necessary steps to comply with the New York Insurance Law and Insurance Regulations with respect to its insurance products in the future.
Respondent, for the time period 2009 to 2013: failed to require with or as part of each application the completed Disclosure Statement; failed to maintain a copy of the agent authorization form, which includes a list of all life insurance policies or annuity contracts proposed to be replaced, in the policy record; and failed to furnish the existing insurer with a copy of the sales material used in the sale of the proposed life insurance policy or annuity contract and the completed Disclosure Statement within ten days of receipt of the application. [Consent Order approved August 8, 2019.]		

STIPULATIONS/CONSENT ORDERS

Region: New York

LICENSEE	ADDRESS	PENALTY
Clifford J. Moss (Agent)	8116 5 th Avenue Brooklyn, NY 11209	\$1,250 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent's insurance producer license was revoked by the New Jersey Department of Banking and Insurance. Respondent also failed to disclose the New Jersey revocation in his renewal application for an agent's license. [Stipulation approved July 11, 2019.]		

LICENSEE	ADDRESS	PENALTY
Robert Rickheeram (Independent Adjuster)	83-59 263 rd Street Glen Oaks, NY 11004	\$1,000 fine
Respondent failed to disclose in his relicensing application for an independent adjuster's license that his employment with an insurer was terminated for alleged misconduct. [Stipulation approved July 9, 2019.]		

Region: Rochester

LICENSEE	ADDRESS	PENALTY
Stan Steele Agency Inc. (Agent and Broker)	55 State Street Bloomfield, NY 14469	\$2,500 fine
Joel D. Steele (Sublicensee)	Same as above	
Respondents employed in the business of insurance an individual who had been convicted of a criminal felony involving dishonesty or a breach of trust and who did not have the written consent of an insurance regulatory official as required by Title 18, United State Code, Section 1033(e). [Stipulation approved July 30, 2019.]		

Region: Suffolk

LICENSEE	ADDRESS	PENALTY
John J. Haskins (Agent)	12 Walnut Avenue Setauket, NY 11733	\$750 fine
Respondent failed to disclose in his 2018 relicensing application for an agent's license that he was the subject of an administrative action taken by the New York State Insurance Department, on or about February 1, 1996. [Stipulation approved July 9, 2019.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Hengyu Chang (Agent)	13610 Mills Farm Road Rockville, MD 20850	\$500 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent's request for licensure was denied by the Indiana Department of Insurance. [Stipulation approved August 2, 2019.]		

LICENSEE	ADDRESS	PENALTY
SMB Insurance Agency LLC (Agent)	100 E. Campus View Boulevard Columbus, OH 43235	\$1,500 fine
Michael C. Chapman (Agent and Sublicensee)	Same as above	
Respondents acted as insurance producers in the name of Respondent SMB Insurance Agency LLC in the State of New York while Respondent SMB Insurance Agency LLC had no license issued and in force pursuant to the provisions of the Insurance Law. Respondents also commingled insurance premium fiduciary funds with business operating expense funds, and failed to appropriately identify their premium bank account. [Stipulation approved July 11, 2019.]		

LICENSEE	ADDRESS	PENALTY
Deborah J. Diehl (Independent Adjuster)	227 Kristy Shay Lane Brick, NJ 08723	\$14,250 fine
Respondent allowed an unlicensed employee, Jeffrey J. Maffucci, to act as an insurance adjuster in the State of New York. Respondent also used an unlicensed name, Sweet Claims Company, in conducting business as an insurance adjuster. [Stipulation approved July 30, 2019.]		

LICENSEE	ADDRESS	PENALTY
Kirk Horse Insurance Services LLC (Broker)	129 Walton Avenue Lexington, KY 40508	\$3,140 fine
Ronald Kenneth Kirk (Agent and Sublicensee)	Same as above	
Respondents during the approximate period November, 2016 through November 14, 2018, acted as an insurance broker in the state of New York after the expiration of Respondent Kirk Horse Insurance Services LLC's insurance broker's license had expired. [Stipulation approved August 6, 2019.]		

LICENSEE	ADDRESS	PENALTY
Occupant Shield LLC (Agent)	35 Cambridge Drive Prospect, CT 06712	\$500 fine
Robert Lesko (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 Occupant Shield LLC was fined by the North Carolina Department of Insurance. [Stipulation approved July 19, 2019.]		

LICENSEE	ADDRESS	PENALTY
Sedgwick Claims Management Services Inc. (Independent Adjuster)	1100 Ridgeway Loop, Suite 200 Memphis, TN 38120	\$75,000 fine
Henry F. Salmaggi (Independent Adjuster)	Same as above	
<p>Respondents, during the approximate period February 2018 through December 2018, allowed various individuals to adjust claims in the State of New York without an adjuster's license issued and in force. [Stipulation approved July 30, 2019.]</p>		

LICENSEE	ADDRESS	PENALTY
Bruce Strongwater (Public Adjuster)	177 Sherwood Place Englewood, NJ 07631	\$2,000 fine
<p>Respondent violated Section 2108(p) of the Insurance Law and Regulation 10 (11 NYCRR 25) by utilizing public adjuster compensation agreements and notice of cancellation forms that failed to comply with the requirements set forth in Sections 25.6(a) and 25.9 of Regulation 10. Respondent also used an unapproved name in conducting business as an insurance adjuster. [Stipulation approved July 11, 2019.]</p>		