

# New York State Department of Financial Services

**ISSUED: August 31, 2020**

## 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 ORDERS

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Berkshire Hathaway Specialty Insurance Company	1314 Douglas Street Suite 1400 Omaha, NE 68102	\$20,000 fine  Respondent represents, and has demonstrated to the Department, that it has implemented the necessary actions to prevent recurrences of the violations described above including having made restitution in the total amount of \$24,604 including interest to policyholders who were improperly overcharged; and also represents that Respondent is now compliant with the Sections 160.2(c) and 160.2(g) of the New York Insurance Regulation 57. Respondent will also take all necessary steps to comply with the New York Insurance Law and Regulations with respect to its insurance products in the future.
Respondent, for the time period May 2017 to April 2019; failed to charge rates in accordance with its filed and approved rates and rating rules resulting in both premium overcharges and undercharges to policyholders; and failed to maintain adequate procedures to minimize the occurrence of improperly charged rates. [Consent Order approved July 28, 2020.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Lemonade Insurance Company	5 Crosby Street New York, NY 10013	\$160,000 fine Respondent represents, and has demonstrated to the Department, that it has implemented the necessary actions to prevent recurrences of the violations described above and represents that Respondent is now compliant with New York Insurance Regulation 57.
Respondent, for the time period September 2016 through May 2019; failed to charge rates in accordance with its filed and approved rates and rating rules; and failed to maintain adequate procedures to minimize the occurrence of improperly charged rates. [Consent Order approved July 28, 2020.		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Mid-Century Insurance Company	6301 Owensmouth Avenue Woodland Hills, CA 91367	\$200,000 fine Respondent represents, and has demonstrated to the Department, that it has implemented the necessary actions to prevent recurrences of the violations described above and represents that Respondent is now compliant with the Section 2350(b) of the New York Insurance Law. Respondent will also take all necessary steps to comply with the New York Insurance Law and Regulations with respect to its insurance products in the future.
Respondent, for the approximate time period July 2015 to August 20 2017, either failed to issue written notices of its intention to change the rates; or where a written notice was issued, failed to provide required information in the written notices of its intention to change the rates for numerous insureds. [Consent Order approved July 28, 2020.		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Praetorian Insurance Company	One General Drive Sun Prairie, WI 53596	<p>\$20,000 fine</p> <p>Respondent represents, and has demonstrated to the Department, that it has implemented the made restitution in the total amount of \$85,899 including interest to policyholders who were improperly overcharged; and also represents that Respondent is now compliant with New York Insurance Regulation 57. Respondent will also take all necessary steps to comply with the New York Insurance Law and Regulations with respect to its insurance products in the future.</p>
<p>Respondent, for the time period June 2014 to November 2018; failed to charge rates in accordance with its approved homeowners insurance multi-tier program resulting in both premium overcharges and undercharges to policyholders; and failed to maintain adequate procedures to minimize the occurrence of improperly charged rates. [Consent Order approved July 28, 2020.]</p>		

## STIPULATIONS/CONSENT ORDERS

### Region: Mid-Hudson

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Catanzaro J. Adjustment Inc. (Public Adjuster)	11 Francis Street Newburgh, NY 12550	\$2,000 fine
Jeffrey A. Catanzaro (Sublicensee)	Same as above	
<p>Respondents acted as insurance adjusters in the name of Respondent Catanzaro J. Adjustment Inc. in the State of New York while Respondent Catanzaro J. Adjustment Inc. had no license issued and in force pursuant to the provisions of the Insurance Law. [Stipulation approved March 11, 2020.]</p>		

### Region: Mid-Island

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Fatima E. Emiliano (Broker)	8 Norwalk Lane Selden, NY 11784	\$6,750 fine
<p>Respondent failed to disclose in her original individual license applications that her license to act as a broker t/b/a Arelis Insurance Agency was revoked by the New York Insurance Department (“NYID”) in 1996, and that her application for a license to act as a broker t/b/a Arelis Insurance Agency was denied by the NYID in 1998. Respondent also violated Section 2111(a)(1) of the Insurance Law in that after Respondent’s license was revoked by the NYID in 1996 as aforesaid, Respondent was employed by insurance producers without the prior written approval of the Superintendent. [Stipulation approved May 19, 2020.]</p>		

### Region: New York

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Intercare of New York Insurance Services Inc. (Independent Adjuster)	c/o Spiegel Leffler PLLC 135 West 29 <sup>th</sup> Street New York, NY 10001	\$4,500 fine
<p>Respondent acted as an independent adjuster on New York claims without the benefit of a license. [Stipulation approved July 22, 2020.]</p>		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
New York Adjustment Bureau, Inc. (Public Adjuster)	66-19 Woodhaven Boulevard Rego Park, NY 11374	\$1,000 fine
Angelo J.C. Luparello (Sublicensee)	Same as above	
Respondents received an insurance claim payment check from an insurer and failed to timely send the check to the insureds. [Stipulation approved July 22, 2020.]		

**Region: Syracuse**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Ann McGrath (Title Agent- License Application Pending)	408 Glenwood Avenue Syracuse, NY 13207	\$2,000 fine
Respondent, during the approximate period November 3, 2019 to December 30, 2019, acted as a title agent and sold policies without the benefit of a license. [Stipulation approved July 22, 2020.]		

**Region: Utica**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Darin R. Checchia (Public Adjuster)	17 Morris Circle New Hartford, NY 13413	\$500 fine
Respondent failed to report to the Superintendent within thirty days of the final disposition of the matter that he was the subject of administrative action taken by the Florida Department of Financial Services. [Stipulation approved June 24, 2020.]		

**Region: Out of State**

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
James T. Booth (Agent)	5 Greenhill Road Norwalk, CT 06850	License Revoked
<p>Respondent was convicted, upon a plea of guilty, in United States District Court, Southern District of New York, of Securities Fraud. Respondent also failed to report to the Superintendent within thirty days of the initial pretrial hearing date that Respondent was the subject of the criminal prosecution that resulted in the aforementioned conviction. Respondent also failed to report to the Superintendent within thirty days of the final disposition of the matter that he was the subject of administrative action taken by the Florida Department of Financial Services, and failed to respond to Departmental letters. [Stipulation approved June 15, 2020.]</p>		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Berkshire Insurance Agency (Broker and Excess Line Broker)  Steven Cronin (Agent, Broker, Excess Line Broker, and Sublicensee)	8 Top Tree Lane Southwick, MA 01077  Same as above	\$4,500 fine implemented the necessary actions to prevent recurrences of these violations; and represent that Respondents are now compliant with the aforementioned section of the Insurance Law and Regulations. Respondents will also take all necessary steps to comply with the Insurance Law and Regulations with respect to their brokerage activities in the future.
<p>Respondents, for the time period 2012 to 2018 failed to file documentation as required for certain policies with the excess line association for stamping and recording. [Consent Order approved July 28, 2020.]</p>		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Charles A. Flanagan (Broker)	12 Peck Street New Haven, CT 06473	License Revoked
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that Horton Insurance Services LLC was the subject of administrative action by the North Carolina Insurance Department, the Massachusetts Insurance Department and the Florida Department of Financial Services; Respondent failed to disclose on multiple license applications that he was convicted upon a plea of guilty of the charge of marketing and subscribing a False Internal Revenue Service Form; a felony; and he failed to disclose the aforesaid administrative action by the State of Florida in his renewal application for a broker's license. [Stipulation approved June 24, 2020.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
ITDC Insurance Agency LLC (Agent, Broker, and Excess Line Broker)	PO Box 920398 Norcross, GA 30010	\$20,500 fine
Steven H. Haase (Sublicensee)	Same as above	
Respondents used an unlicensed name, Insuretrust.com LLC, in conducting business as insurance producers in the State of New York. Respondents also failed to appropriately identify Respondent ITDC Insurance Agency LLC's premium bank account. [Stipulation approved July 13, 2020.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Healthcare Professional Services Inc. (Broker and Excess Line Broker)	313 Swanson Drive Lawrenceville, GA 30049	\$7,100 fine
Parker Harvey (Agent, Broker, and Excess Line Broker, Sublicensee)	Same as above	Respondent implemented the necessary actions to prevent recurrences of these violations, Respondents will also take all necessary steps to comply with the Insurance Law and Regulations with respect to their brokerage activities in the future.
Respondents, for the time period January 2011 through January 2019 failed to obtain the proper declination from the appropriate medical malpractice insurance association to satisfy the due diligence requirements for each such risk placed with an unauthorized insurer. [Consent Order approved July 28, 2020.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Horton Insurance Services LLC (Agent)	95 East Main Street, Suite B8 Meriden, CT 06450	\$500 fine
William I. Horton (Agent, Broker, and Sublicensee)	Same as above	
Respondents failed to report to the Superintendent within 30 days of the final disposition of the matter that Horton Insurance Services LLC was the subject of administrative action by the Massachusetts Division of Insurance. [Stipulation approved July 1, 2020.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Kristin De Bello Hummel (Life Broker)	62 Crest Avenue Alamo, CA 94507	\$500 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 July 22, 2020.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Joel Klenert (Agent and Life Broker)	113 Arrowhead Park Drive Brick, NJ 08724	\$1,500 fine
Respondent failed to disclose in his original application for a life broker's license that his producer license had been revoked by the New Jersey Department of Banking and Insurance, and that all licenses issued to the Respondent by the New York State Insurance Department (NYSID) were revoked by the NYSID on or about April 27, 1998. [Stipulation approved July 1, 2020.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Michell Barbara Padgett (Agent and Broker)	P.O. Box 187 Effingham, SC 29541	\$750 fine
Respondent failed to disclose on her original application for an agent's license that she was charged with a Fraudulent Check offense, and that she was required to pay \$212.89 in fees and fines. [Stipulation approved July 22, 2020.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Alan D. Sheketoff (Agent)	c/o Macman Insurance Associate 585 Villa Avenue Fairfield, CT 06825	\$750 fine
Respondent failed to notify the Superintendent within thirty days of the final disposition of the matter that Respondent was the subject of an administrative action by the Connecticut Insurance Department. [ Stipulation approved June 24, 2020.]		

<b>LICENSEE</b>	<b>ADDRESS</b>	<b>PENALTY</b>
Samantha Justine Woods-Battle (Agent)	724 6th Street NE Paris, TX 75460	\$750 fine
Respondent failed to report to the Superintendent within thirty days of the final disposition of the matter that she was the subject of administrative action by the Louisiana Department of Insurance. [Stipulation approved July 22, 2020.]		