

New York State Department of Financial Services

ISSUED: March 30, 2021

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

LICENSEE	ADDRESS	PENALTY
American Family Connect Insurance Company	3500 Packerland Drive DePere, WI 54115	\$23,000 fine Respondent represents, and has demonstrated to the Department, that it has implemented the necessary actions to prevent recurrences of the violations described below and represents that Respondent is now compliant with the applicable section of the Insurance Law.
For the calendar year 2019, Respondent failed to comply with the two percent (2%) limitation for private passenger automobile non-renewals in the calendar year. [Consent Order approved February 22, 2021.]		

LICENSEE	ADDRESS	PENALTY
Erie Insurance Company of New York	120 Corporate Woods Suite 150 Rochester, NY 14623	<p>\$22,000 fine</p> <p>The Company has implemented necessary actions to prevent recurrences of the cited violation and is compliant based on the following:</p> <p>Respondent agrees to restore the market starting in calendar year 2021 for the excess non-renewals. Respondent will be permitted to non-renew no more than one percent (1%) of its in-force private passenger automobile book of business in the rating territories where it had excessive non-renewals until the market is restored to its position had there been appropriate compliance with New York Insurance Law Section 3425(f).</p>
<p>For the calendar year 2019, Respondent failed to comply with the two percent (2%) limitation for private passenger automobile non-renewals in the calendar year. [Consent Order approved February 22, 2021.]</p>		

LICENSEE	ADDRESS	PENALTY
Farm Family Casualty Insurance Company	P O Box 656 Albany, NY 12201	\$60,000 fine
United Farm Family Insurance Company	Same as above	
Respondents, for the time period May 2016 to February 2019 issued and delivered an endorsement to business package program policyholders that failed to contain the exact verbiage of the approved form. [Consent Order approved February 22, 2021.]		

LICENSEE	ADDRESS	PENALTY
Mercury Casualty Company	1700 Greenbriar Lane Brea, CA 92821	\$11,000 fine Respondent represents, and has demonstrated to the Department, that it has implemented the necessary actions to prevent recurrences of the violations described below and represents that Respondent is now compliant with Section 3425(f) of the New York Insurance Law.
For the calendar year 2018, Respondent failed to comply with the two percent (2%) limitation for private passenger automobile non-renewals in the calendar year. [Consent Order approved July 28, 2020.]		

LICENSEE	ADDRESS	PENALTY
National General Insurance Online, Inc.	PO Box 3199 Winston-Salem, NC 27102-3199	<p>\$20,000 fine</p> <p>The Company has implemented necessary actions to prevent recurrences of the cited violation and is compliant based on the following:</p> <p>Respondent agrees to restore the market starting in calendar year 2021 for the excess non-renewals. Respondent will be permitted to non-renew no more than one percent (1%) of its in-force private passenger automobile book of business in the rating territories where it had excessive non-renewals until the market is restored to its position had there been appropriate compliance with New York Insurance Law Section 3425(f).</p>
<p>For the calendar year 2019, Respondent failed to comply with the two percent (2%) limitation for private passenger automobile non-renewals in the calendar year. [Consent Order approved February 22, 2021.]</p>		

LICENSEE	ADDRESS	PENALTY
New South Insurance Company	PO Box 3199 Winston-Salem, NC 27102-3199	<p>\$52,000 fine</p> <p>The Company has implemented necessary actions to prevent recurrences of the cited violation and is compliant with the Insurance Law.</p>
<p>For the time period 2017-2018, Respondent failed to comply with the two percent (2%) limitation for private passenger automobile non-renewals in the calendar year; and failed to properly report cancellation and renewal activity in periodic reports as prescribed. [Consent Order approved February 22, 2021.]</p>		

LICENSEE	ADDRESS	PENALTY
Platte River Insurance Company	P.O. Box 5900 Madison, WI 53705	<p>\$50,000 fine</p> <p>Respondent represents, and has demonstrated to the Department, that it has implemented the necessary actions to prevent recurrences of the violations described below and represents that Respondent is now compliant with the applicable sections of the New York Insurance Law and Regulations.</p>
<p>Respondent, for the time period January 2008 to August 2017:</p> <p>a. issued impermissible group commercial theft/crime policies providing fidelity crime coverage to member companies of auto repossession associations; and</p> <p>b. with respect to the aforementioned impermissible group policies issued and delivered policy forms that were not filed for approval and used rates and rating rules prior to submitting appropriate filing. [Consent Order approved February 22, 2021.]</p>		

LICENSEE	ADDRESS	PENALTY
Plymouth Rock Assurance Corporation of New York (F/K/A Mapfre Insurance Company of New York)	901 Franklin Avenue Garden City, NY 11530	\$791,000 fine Respondent agrees that, in order to restore the marketplace, it will non-renew no more than one percent (1%) of its in-force private passenger automobile book of business in its current underwriting rating program ("Prime") for calendar year 2022 in six specified rating territories as provided in the prescribed reports pursuant to Insurance Law Section 3425(1)(1).
Respondent, for the time period 2012 to 2019; failed to comply with the two percent (2%) limitation for private passenger automobile non-renewals in a calendar year, and pursuant to Insurance Law Section 2352(a)(2) said requirement is applicable to each rating program separately; and failed to properly report cancellation and renewal activity in periodic reports as prescribed. [Consent Order approved November 16, 2020.]		

LICENSEE	ADDRESS	PENALTY
Truck Insurance Exchange and Farmers New Century Insurance Company	6301 Owensmouth Avenue Woodland Hills, CA 91367	\$100,000 fine Respondents represent, and have demonstrated to the Department, that they have implemented the necessary actions to prevent recurrences of the violations described below and represent that Respondents are now compliant with Section 2350(b) of the New York Insurance Law.
Respondents, for the approximate time period December 2016 to January 2017, failed to issue written notices of their intention to change the rates for numerous insureds. [Consent Order approved July 28, 2020.]		

STIPULATIONS/CONSENT ORDERS

Region: Mid-Island

LICENSEE	ADDRESS	PENALTY
Robert S. Fede Insurance Agency Inc. (Agent and Broker)	23 Green St Ste #102 Huntington, NY 11743	\$12,000 fine
Robert S. Fede Sr. (Agent, Broker, and Sublicensee)	Same as above	
<p>During the approximate period November 4, 2008 to October 30, 2020, Respondents employed in the business of insurance Thomas R. Fede, an individual who had been convicted of a criminal felony on or about November 3, 2008, and who did not have the written consent of an insurance regulatory official required by Title 18, United States Code, Section 1033(e). [Stipulation approved January 28, 2021.]</p>		

LICENSEE	ADDRESS	PENALTY
Christina Jamie Giugliano (Agent)	54 Timber Ridge Drive Holbrook, NY 11741	\$5,000 fine
<p>Respondent submitted to an insurer applications for homeowner's insurance that contained incorrect information relating to the homes' characteristics. [Stipulation approved January 28, 2021.]</p>		

Region: Nassau

LICENSEE	ADDRESS	PENALTY
Michael C. Colletti (Agent)	27 Jaegger Drive Glen Head, NY 11545	\$750 fine
<p>Respondent failed to report to the Superintendent within thirty days of the final disposition of the matter that Respondent was the subject of an administrative action taken by the Florida Department of Financial Services. [Stipulation approved January 28, 2021.]</p>		

LICENSEE	ADDRESS	PENALTY
Veritas Administrators II LLC (Independent Adjuster)	340 Rushmore Avenue Carle Place, NY 11514	\$18,000 fine
Gary L. Limoncelli (Sublicensee)	Same as above	
Respondent Veritas Administrators II LLC, during the approximate period August 17, 2017 to July 31, 2018, acted as an insurance adjuster in the State of New York without a license issued and in force pursuant to the provisions of the Insurance Law. Additionally, Respondents, during the approximate period January 1, 2019 to September 25, 2019, acted as insurance adjusters in the name of Respondent Veritas Administrators II LLC in the State of New York while Respondent Veritas Administrators II LLC had no license issued and in force pursuant to the provisions of the Insurance Law. [Stipulation approved February 10, 2021.]		

LICENSEE	ADDRESS	PENALTY
Alliance Brokerage Corp. (Agent and Broker)	990 Westbury Road Westbury, NY 11590	\$1,000 fine
Jonathan J. Zack (Broker and Sublicensee)	Same as above	
Respondents submitted to an entity requesting proof of workers' compensation insurance coverage, the New York City Department of Buildings, a Certificate of NYS Workers' Compensation Insurance Coverage that failed to contain the insured's policy number. [Stipulation approved January 28, 2021.]		

Region: New York

LICENSEE	ADDRESS	PENALTY
One Spirit Insurance Agency Inc. (Broker)	1618 Nostrand Avenue Brooklyn, NY 11226	Licenses Revoked
Rohan K. Bramble (Broker and Sublicensee)	Same as above	
<p>Respondent Rohan K. Bramble, while licensed as an insurance broker, stole property having a value of more than \$3,000.00. As a consequence of the foregoing criminal conduct, Respondent Rohan K. Bramble was convicted of a felony, upon plea of guilty. Respondent One Spirit Insurance Agency Inc., while licensed as an insurance broker, misappropriated monies received in the course of business from several insureds. Respondents One Spirit Insurance Agency Inc. and Rohan K. Bramble issued a fraudulent Certificate of Liability Insurance which falsely stated that a Workers Compensation and Employer's Liability Policy had been issued for a specific insured, by a specific insurer, with a specific policy effective date, when in fact no such insurance policy had been issued. Respondent Rohan K. Bramble provided materially untrue information in a Department license application by falsely answering a question in the application. [Stipulation approved January 29, 2021.]</p>		

LICENSEE	ADDRESS	PENALTY
Praxedes Jimenez (Agent)	87-67 Francis Lewis Blvd Queens Village, NY 11427	License Revoked
<p>Respondent was terminated for cause by an insurer for failing to disclose her criminal convictions for Attempted Promoting Gambling in the Second Degree, Possession of Gambling Records in the Second Degree, Assault and Battery, and Bribery of a Public Servant; and Respondent failed to disclose her aforesaid criminal convictions in her original application for an agent's license. [Stipulation approved January 22, 2021.]</p>		

LICENSEE	ADDRESS	PENALTY
Admiral Abstract LLC (Title Agent)	1605 Voorhies Avenue Brooklyn, NY 11235	\$15,500 fine
Jonathan Koren (Title Agent and Sublicensee)	Same as above	
<p>Respondents commingled funds they received as a title agent with their own funds, without the consent of the persons, firms or corporations for whom the funds were held in a fiduciary capacity. Respondents made withdrawals from Respondent Admiral Abstract LLC's escrow account and transferred funds from such escrow account to Respondent Admiral Abstract LLC's operating account for purposes other than those set forth in 11 NYCRR §20.3(b)(4). Respondents failed to maintain books, records and accounts in connection with Respondent Admiral Abstract LLC's business in accordance with the requirements in 11 NYCRR §20.4(b)(1). [Stipulation approved February 12, 2021.]</p>		

LICENSEE	ADDRESS	PENALTY
Blue Green Insurance Brokerage Inc. (Agent and Broker)	37-18 73rd Street Ste 501 Jackson Heights, NY 11372	\$1,500 fine
Atm Salah Uddin (Agent, Broker, and Sublicensee)	Same as above	
<p>Respondents used written and television advertisements which referred to an insurer, through the use of the phrases "Insurance with low premium" and "Low Cost Insurance", and such advertisements did not set forth the name of the insurer referred to and the name of the city, town or village in which it has its principal office in the United States; and Respondent used Blue Green Insurance Brokerage Inc. advertisements which advertised life insurance during a period when Respondent Blue Green Insurance Brokerage Inc. did not have a license as a life broker or life agent. [Stipulation approved February 3, 2021.]</p>		

Region: Rochester

LICENSEE	ADDRESS	PENALTY
Damon A. Garfield (Agent – Application Pending)	270 E. Westview Commons Blvd Rochester, NY 14624	\$1,500 fine
Respondent failed to disclose on his applications for an agent's license that the New York State Department of Taxation and Finance filed tax warrants against him in the Office of the Clerk of Monroe County in connection with tax found to be due. [Stipulation approved February 10, 2020.]		

Region: Westchester

LICENSEE	ADDRESS	PENALTY
NFP Property & Casualty Services, Inc. (Agent, Broker, and Excess Line Broker)	707 Westchester Avenue, Suite 201 White Plains, NY 10604	\$2,150 fine
Michael D. Lapre (Agent, Broker, Excess Line Broker and Sublicensee)	Same as above	Respondents have 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. 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 2007 to December 2018 failed to timely file documents with the excess line association for recording and stamping. [Consent order approved February 22, 2021.]		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Arthur J. Gallagher & Co. Insurance Brokers of California Inc. (Agent, Broker, and Excess Line Broker)	505 North Boulevard, 6th Floor Glendale, California 91203	\$2,150 fine
Douglas B. Bowring (Agent, Broker, Excess Line Broker, and Sublicensee)	Same as above	Respondents represent, and have demonstrated to the Department, that they have implemented the necessary actions to prevent recurrences of these violations; and represent that Respondents are now compliant with the applicable Regulations.
Respondents for the time period January 2016 to December 2017 procured, from an unauthorized insurer, coverage which is not liability insurance to a risk purchasing group and its members. [Consent Order approved December 4, 2020.]		

LICENSEE	ADDRESS	PENALTY
Brandon Carey (Agent)	1911 SW 17th St Ankeny, IA 50023	License Revoked
Respondent provided materially incorrect information on his original application for an agent's license and on his renewal application for an agent's license in that he failed to disclose that Respondent pled guilty to Theft in the Fourth Degree. [Stipulation approved January 29, 2021.]		

LICENSEE	ADDRESS	PENALTY
Jessica Delisca (Agent and Life Broker)	2808 Crescent Place Miramar, FL 33025	\$500 fine
Respondent failed to report to the Superintendent within thirty days of the final disposition of the matter that Respondent was the subject of administrative action taken by the Louisiana Department of Insurance. [Stipulation approved February 17, 2021.]		

LICENSEE	ADDRESS	PENALTY
K2 Placements LLC (Agent, Broker, and Excess Line Broker)	26 Park Street Suite 2055 Montclair, NJ 07042	\$3,000 fine
Lucas Dietrich (Agent, Broker, Excess Line Broker, and Sublicensee)	Same as above	
<p>Respondents provided materially incomplete information in that Respondent Lucas Dietrich failed to disclose his criminal history in his original license applications to act as an agent and broker; and Respondents failed to disclose the same criminal history on Respondent K2 Placements LLC's original license applications to act as an agent, broker, excess line broker and on Respondent K2 Placements LLC's renewal application to act as an agent. [Stipulation approved February 10, 2021.]</p>		

LICENSEE	ADDRESS	PENALTY
United Behavioral Health (Independent Adjuster)	P.O. Box 9472 Minneapolis, MN 55440	\$1,750 fine
Gina L. Fejeran (Sublicensee)	Same as above	
<p>Respondents violated Section 2110(i) of the Insurance Law in that they failed to report to the Superintendent within 30 days of the final disposition of the matter that on or about August 21, 2019, the Oregon Department of Consumer and Business Services took administrative action against Respondent United Behavioral Health. Respondent United Behavioral Health also violated its agreement in a New York Insurance Department Stipulation dated January 23, 2008 that Respondent United Behavioral Health would take all necessary steps to prevent the recurrence of violations of Section 2110(i) of the Insurance Law. [Stipulation approved January 22, 2021.]</p>		

LICENSEE	ADDRESS	PENALTY
Charley McGuire Goldun (Agent)	1505 Robinwood Avenue Lakewood, OH 44107	\$1,250 fine
<p>Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent was the subject of an administrative action taken by the California Department of Insurance. Respondent failed to disclose in his original application for an agent's license that he was convicted of a misdemeanor in Strongsville Mayor's Court, State of Ohio. [Stipulation approved January 29, 2021.]</p>		

LICENSEE	ADDRESS	PENALTY
Donald Herron Hardison (Agent)	10309 Thrift Drive Louisville, KY 40223	\$1,000 fine
Respondent failed to report to the Superintendent within 30 days of the initial pretrial hearing date that he was the subject of a criminal prosecution in the Jefferson County District Court in Louisville, Kentucky. Respondent also failed to timely and/or sufficiently respond to the Department's investigatory letter, thereby hampering and impeding the Department's investigation. [Stipulation approved January 27, 2021.]		

LICENSEE	ADDRESS	PENALTY
Sylvester Knox (Agent)	62 Blazier Road Martinsville, NJ 08836	\$3,000 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 Michigan Corporations, Securities, and Commercial Licensing Bureau, and that he was the subject of administrative action taken by the Florida Office of Financial Regulation. Respondent also failed to disclose in his relicensing application for an agent's license that at the time of the submission of said application, he was a party to a Financial Industry Regulatory Authority arbitration proceeding. [Stipulation approved February 10, 2021.]		

LICENSEE	ADDRESS	PENALTY
Arthur J. Gallagher Risk Management Services, Inc. (Broker and Excess Line Broker)	2850 Golf Road Rolling Meadows, IL 60008	\$300,800 fine
Cynthia L. La Mantia (Agent, Broker, Excess Line Broker, and Sublicensee)	Same as above	Respondents represent, and have demonstrated to the Department, that they have implemented the necessary actions to prevent recurrences of these violations including discontinuing the procurement of the impermissible group policies mentioned below; and represent that Respondents are now compliant with the Insurance Law and Regulations.

Respondents, for the time period 2012 to 2019: annually procured an impermissible group employment practices liability policy for certain employees of one specific employer; and with respect to the aforementioned impermissible group policies failed to obtain the proper declinations from authorized insurers to satisfy the due diligence requirements for each risk placed with an unauthorized insurer and also failed to send a notice of excess line placement to each insured placed with an unauthorized insurer. [Consent Order approved December 4, 2020.]

LICENSEE	ADDRESS	PENALTY
<p>Arthur J. Gallagher Risk Management Services, Inc. (Broker and Excess Line Broker)</p> <p>Cynthia L. La Mantia (Agent, Broker, Excess Line Broker, and Sublicensee)</p>	<p>2850 Golf Road Rolling Meadows, IL 60008</p> <p>Same as above</p>	<p>\$39,750 fine</p> <p>Respondents represent, and have demonstrated to the Department, that they have implemented the necessary actions to prevent recurrences of these violations including discontinuing the procurement of the impermissible coverages; and represent that Respondents are now compliant with the applicable sections of the Insurance Law and Regulations.</p>

Respondents, for the time period 2015 to 2018: failed to timely file documents with the excess line association for recording and stamping; procured, from an unauthorized insurer, policies providing workers' compensation and employers' liability coverage and coverage which is not a kind of insurance authorized under Section 1113 or other sections of the Insurance Law; and procured, from an unauthorized insurer, coverage which is not liability insurance to a risk purchasing group and its members. [Consent Order approved December 4, 2020.]

LICENSEE	ADDRESS	PENALTY
Oderlie Moise (Agent)	322 Lanceolate Drive Winter Haven, FL 33880	\$500 fine
Respondent failed to report to the Superintendent within thirty days of the initial pretrial hearing date that she was the subject of a criminal prosecution in the Circuit Court of the Tenth Judicial Circuit of the State of Florida, in and for Polk County. [Stipulation approved January 27, 2021.]		

LICENSEE	ADDRESS	PENALTY
Jessica Marie Naioti (Agent- License Application pending)	31177 U.S. Highway 19 Palm Harbor, FL 34684	\$1,000 fine
Respondent provided materially incorrect information on her relicensing application for an agent's license in that she failed to disclose that her appointment with an insurance company had been terminated for cause; Respondent demonstrated incompetence in that she failed to timely and/or sufficiently respond to the Department's investigatory letters, thereby hampering and impeding the Department's investigation. [Stipulation approved January 27, 2021.]		

LICENSEE	ADDRESS	PENALTY
Rashard M. Poindexter (Agent)	3119 Rutrough Rd South Roanoke, VA 24014	\$1,000 fine
Respondent failed to timely respond to Department letters and thereby hampered and impeded the Department's investigation regarding the Respondent's license application. [Stipulation approved January 19, 2021.]		

LICENSEE	ADDRESS	PENALTY
PropertyPlus Insurance Agency Inc. (Agent)	21820 Burbank Blvd Suite 130 Woodland Hills, CA 91367	\$1,250 fine
Respondent failed to report to the Superintendent within thirty days of the final disposition of the matter that Respondent was the subject of administrative action taken by the State of Wisconsin, Office of Insurance Commissioner; and Respondent provided materially incomplete information on Respondent's license renewal application to act as an agent, in that Respondent failed to disclose that newly Designated Responsible Person and sole sublicensee Jana B. Bell was the subject of administrative action taken by the State of Minnesota Commissioner of Commerce. [Stipulation approved January 29, 2021.]		

LICENSEE	ADDRESS	PENALTY
Hanckel-Citizens Insurance Agency (Agent)	218 3 rd Street NE P.O. Box 96 Charlottesville, VA 22902	\$500 fine
John O. Watson (Agent and Sublicensee)	Same as above	
Respondents acted as insurance producers in the name of Respondent Hanckel-Citizens Insurance Agency in the State of New York while Respondent Hanckel-Citizens Insurance Agency had no license issued and in force pursuant to the provisions of the Insurance Law. [Stipulation approved January 27, 2021.]		