

New York State Department of Financial Services

ISSUED: September 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.

AGENT/BROKER HEARINGS

LICENSEE	ADDRESS	PENALTY
Juan Mendez (Agent)	1139 Nelson Ave Highbridge, NY 10452	License Revoked
Respondent engaged in acts of incompetence and untrustworthiness in that he failed to comply with his obligation to pay court ordered child support; Respondent submitted materially untrue information on his supplemental and renewal life insurance agent applications in that he failed to disclose he was more than four months in arrears with respect to his child support obligation; and Respondent failed to respond to Departmental investigatory letters, thereby hampering and impeding the Department's investigation. [Order issued April 30, 2021.]		

STIPULATIONS/CONSENT ORDERS

Region: Albany

LICENSEE	ADDRESS	PENALTY
Fort Orange Claim Service Inc. (Independent Adjuster)	635 Plank Road Clifton Park, NY 12065	\$65,000 fine
Respondent violated Section 2108(a)(4) of the Insurance Law in that Respondent paid compensation to an unlicensed person for acting as an independent adjuster. Respondent also violated its agreement, in a prior Department Stipulation dated January 2, 2020, that Respondent would take all necessary steps to prevent the recurrence of violations of Section 2108(a)(4) of the Insurance Law. [Stipulation approved July 28, 2021.]		

Region: Chemung

LICENSEE	ADDRESS	PENALTY
Perry & Carroll Inc. (Agent and Broker)	100 West Church Street P.O. Box 307 Elmira, NY 14902	\$1,000 fine
Respondent made a payment to a client in order to offset the increase in the client's policy premium, in violation of Section 2324 of the Insurance Law. [Stipulation approved July 28, 2021.]		

Region: Mid-Island

LICENSEE	ADDRESS	PENALTY
Brian A. Carswell (Agent, Broker and Life Broker)	78 Turkey Lane Cold Spring Harbor, NY 11724	\$6,500 fine
Respondent's producer appointment was terminated for cause by State Farm Insurance Company ("State Farm") for, among other things, adding unrelated drivers to customer automobile insurance quotes. Additionally, Respondent failed to disclose in his original application for a broker's license and his original application for a life broker's license that his producer appointment was terminated for cause by State Farm as aforesaid. [Stipulation approved July 28, 2021.]		

Region: Nassau

LICENSEE	ADDRESS	PENALTY
Matthew J. Minichelli (Independent Adjuster – Relicensing Pending)	90 S. Park Avenue Rockville Centre, NY 11570	\$15,000 fine
Respondent acted as an independent adjuster in the State of New York without the benefit of a license. [Stipulation approved August 11, 2021.]		

Region: New York

LICENSEE	ADDRESS	PENALTY
Kalra Insurance Agency Inc. (Agent and Broker)	37-05 74 th Street P.O. Box 568 Jackson Heights, NY 11372	\$3,000 fine
Sanjay Kalra (Agent, Broker and Sublicensee)	Same as above	
<p>Respondents violated Section 2122(b) of the Insurance Law in that they utilized advertisements that referred to insurers without setting forth in the advertisements the full name of each insurer and the name of the city, town or village in which each insurer has its principal office in the United States. Respondents also violated Section 2122(a)(1) of the Insurance Law in that they utilized advertisements that purported to make known the financial condition of insurers and that failed to conform with the requirements of Section 1313 of the Insurance Law. Respondents also utilized advertisements that contained misleading statements regarding rates for insurance. [Stipulation approved August 5, 2021.]</p>		

Region: Westchester

LICENSEE	ADDRESS	PENALTY
Tracey Hairston (Agent)	87 High Street Yonkers, NY 10703	\$1,250 fine
<p>Respondent failed to report to the Superintendent within thirty days of the final disposition of the matter that Respondent's producer license was revoked by the Connecticut Insurance Department. Respondent also failed to disclose the Connecticut revocation in her relicensing application for an agent's license. [Stipulation approved August 18, 2021.]</p>		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
The Cone Company (Agent)	PO Box 230549 Montgomery, AL 36123	\$2,500 fine
Loui P. Cone III (Agent and Sublicensee)	Same as above	
Respondent The Cone Company's appointments were terminated by Travelers Insurance Company and its affiliates, based upon conduct by which Respondents misrepresented the terms of an actual or proposed insurance contract or application for insurance. Additionally, Respondents failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent The Cone Company was the subject of an administrative action taken by the Indiana Department of Insurance and that Respondents were the subjects of an administrative action taken by the Louisiana Department of Insurance. [Stipulation approved May 19, 2021.]		

LICENSEE	ADDRESS	PENALTY
Susan C. Connor (Title Insurance Agent)	81 Mill Street Gahanna, OH 43230	\$750 fine
Respondent failed to disclose in her original application for a title insurance agent's license that she was the subject of administrative action taken by the Ohio Department of Insurance. [Stipulation approved July 28, 2021.]		

LICENSEE	ADDRESS	PENALTY
Highland Risk Services Inc. (Broker and Excess Line Broker)	30 South Wacker Drive Chicago, IL 60606	\$1,000 fine
Brian G. Daly (Sublicensee)	Same as above	
Respondents failed to report to the Superintendent within 30 days of the final disposition of the matter that Respondent Highland Risk Services Inc. was the subject of an administrative action taken by the Texas Department of Insurance, and that Respondents were the subjects of an administrative action taken by the Louisiana Department of Insurance. [Stipulation approved July 28, 2021.]		

LICENSEE	ADDRESS	PENALTY
Richard Dorso (Agent)	1401 South Palmetto Avenue Daytona, FL 32114	License Revoked
Respondent failed to pay state income tax due to the New York State Department of Taxation and Finance ("New York DTF") for each of the periods ending December 31, 2008, December 31, 2011, December 31, 2012, and December 31, 2013. Respondent failed to disclose on his applications for an agent's license that he was the subject of New York DTF tax warrant(s) related to the aforementioned unpaid state income tax. [Stipulation approved August 11, 2021.]		

LICENSEE	ADDRESS	PENALTY
Daniel C. Field (Independent Adjuster)	10077 Tesla Road Livermore, CA 94550	\$500 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that he was the subject of an administrative action taken by the Texas Department of Insurance. [Stipulation approved August 11, 2021.]		

LICENSEE	ADDRESS	PENALTY
Robert E. Gill (Agent and Life Broker)	197 Cambridge Avenue Fair Haven, NJ 07704	\$3,000 fine
Respondent failed to disclose in his relicensing application for a life broker's license that: (a) in 2004, the National Association of Securities Dealers ("NASD") fined Respondent and suspended Respondent from association with any member firm in any capacity for a period of 10 business days; (b) in 2010, the Alabama Department of Insurance ("Alabama DOI") ordered that Respondent pay \$300.00 to the Alabama DOI as reimbursement for the value of certain time expended and costs incurred; (c) in 2011, Respondent's application for a license was denied for a period of 31 days by the Wisconsin Office of the Commissioner of Insurance; (d) in 2013, Respondent was fined by the Department; and (e) in 2015, the Financial Industry Regulatory Authority ("FINRA") fined Respondent and suspended Respondent from associating with any FINRA member firm in all capacities for a period of one month. Respondent also failed to disclose the aforementioned NASD fine and suspension in his original application for a life broker's license. [Stipulation approved April 28, 2021.]		

LICENSEE	ADDRESS	PENALTY
Gowrie Group Inc. (Agent, Broker and Excess Line Broker)	160 Federal Street Boston, MA 02110	\$1,500 fine
Respondent failed to disclose in its renewal application for an agent's license pursuant to Section 2103(b) of the Insurance Law, submitted June 19, 2020, that Respondent's owner was fined by the Kentucky Department of Insurance on or about April 16, 2020. Respondent failed to disclose in its renewal application for an agent's license pursuant to Section 2103(a) of the Insurance Law submitted May 7, 2019 that at the time of the submission of said application, Respondent was a party to a lawsuit in the United States District Court for the District of Colorado. [Stipulation approved March 4, 2021.]		

LICENSEE	ADDRESS	PENALTY
Christopher Harvey (Agent)	1730 S. Federal Highway Delray Beach, FL 33483	\$750 fine
Respondent failed to disclose in his original application for an agent's license that he was the subject of an administrative action taken by the California Department of Insurance. [Stipulation approved August 18, 2021.]		

LICENSEE	ADDRESS	PENALTY
Matthew McCann (Independent Adjuster – Relicensing Pending)	2-30 Kenneth Avenue Fair Lawn, NJ 07410	\$2,000 fine
Respondent acted as an independent adjuster in the State of New York without the benefit of a license. [Stipulation approved August 11, 2021.]		

LICENSEE	ADDRESS	PENALTY
Mark Steven Mears (Life Broker)	2345 Pendragon Road Kingsport, TN 37660	\$750 fine
Respondent failed to disclose in his original application for a life broker's license that he was the subject of an administrative action taken by the Virginia State Corporation Commission. [Stipulation approved August 25, 2021]		

LICENSEE	ADDRESS	PENALTY
Robin Maria Napper (Agent)	1145 Queen St N St. Petersburg, FL 33713	\$1,500 fine
Respondent failed to disclose in her original application for an agent's license that: (a) on or about April 18, 1988, in Pinellas County, Florida, Respondent pled guilty to a felony, and the Court withheld adjudication and placed Respondent on probation; (b) on or about April 18, 1988, in Pinellas County, Florida, Respondent was convicted of a misdemeanor; (c) on or about January 31, 2012, in Pinellas County, Florida, Respondent pled nolo contendere to a misdemeanor, and the court withheld adjudication; and (d) on or about September 22, 1999, the Insurance Commissioner and Treasurer of the State of Florida took administrative action against Respondent. [Stipulation approved May 12, 2021.]		

LICENSEE	ADDRESS	PENALTY
NBIS Construction and Transport Insurance Services Inc. (Independent Adjuster, Broker, Excess Line Broker and Agent)	2859 Paces Ferry Road SE, Suite 800 Atlanta, GA 30339	\$462,700 fine
Respondent acted as an independent adjuster in the State of New York during the approximate period April 2009 through 2020 without having a license issued and in force; Respondent, during the approximate period February 2, 2014 through June 10, 2020, allowed two unlicensed individuals to act as adjusters in the State of New York; and during the approximate period February 2, 2014 through June 10, 2020, Respondent paid compensation to the two aforementioned unlicensed individuals. [Stipulation approved June 3, 2021.]		

LICENSEE	ADDRESS	PENALTY
David Cottam Osborn (Agent)	Connexionpoint, 9490 S. 300 W. Sandy, UT 84070	License Revoked
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that he was the subject of an administrative action taken by the Indiana Department of Insurance and that he was the subject of an administrative action taken by the North Carolina Department of Insurance. Respondent failed to disclose in his renewal application for an agent's license that he was the subject of the aforementioned administrative action taken by the Indiana Department of Insurance. [Stipulation approved August 11, 2021.]		

LICENSEE	ADDRESS	PENALTY
Ivan Ramos (Agent)	14 King Street Hillside, NJ 07205	License Revoked
Respondent has been convicted of a felony within the meaning of Section 2110(a)(7) of the Insurance Law in that he was convicted, upon a plea of guilty, in United States District Court, District of New Jersey, of Securities Fraud, in violation of Title 15, United States Code, Sections 78j(b) and 78ff, Title 17, Code of Federal Regulations, Section 240.10b-5, and Title 18, United States Code, Section 2. [Stipulation approved February 24, 2021.]		

LICENSEE	ADDRESS	PENALTY
Kimberly Marie Zem (Agent and Broker)	500 La Terraza Blvd. Escondido, CA 92025	\$750 fine
Respondent failed to report to the Superintendent within 30 days of the final disposition of the matter that she was the subject of administrative action taken by the Oregon Division of Financial Regulation. [Stipulation approved July 28, 2021.]		