

New York State Department of Financial Services

ISSUED: January 13, 2023

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
A. Central Insurance Company	1899 Central Plaza East Edmeston, NY 13335	\$106,900 fine
Respondent, for the period of investigation: failed to comply with the three percent (3%) limitation for personal automobile insurance policies that moved from a tier to a higher rated tier in a calendar year, and pursuant to Insurance Law Section 2352(a)(2) said requirement is applicable to each rating program separately; failed to comply with the two percent (2%) limitation for personal automobile insurance policy 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 December 9, 2022.]		

LICENSEE	ADDRESS	PENALTY
American Family Connect Insurance Company	3500 Packerland Drive De Pere, WI 54115	\$50,000 fine
Respondent, for the time period January 2018 to May 2019 improperly issued non-renewal notices to policyholders that erroneously indicated credit information as a basis for non-renewal. [Consent Order approved November 15, 2022.]		

LICENSEE	ADDRESS	PENALTY
Amica Mutual Insurance Company	100 Amica Way Lincoln, RI 0286	\$200,000 fine
Respondent, for the time period November 2016 to May 2020, failed to send notices of cancellation for non-payment of premium to policyholders at least 15 days in advance of the effective date of cancellation as per its filed and approved policy condition for cancellation. [Consent Order approved November 16, 2022.]		

LICENSEE	ADDRESS	PENALTY
New York Central Mutual Fire Insurance Company	1899 Central Plaza East Edmeston, NY 13335	\$130,750 fine
Respondent, for the period of investigation, 2013-2019; failed to comply with the three percent (3%) limitation for personal automobile insurance policies that moved from a tier to a higher rated tier in a calendar year, and pursuant to Insurance Law Section 2352(a)(2) said requirement is applicable to each rating program separately; failed to comply with the two percent (2%) limitation for personal automobile insurance policy 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 December 9, 2022.]		

STIPULATIONS/CONSENT ORDERS

Region: New York

LICENSEE	ADDRESS	PENALTY
Michael Alipio Arias (Agent)	8765 109th St Richmond Hill, NY 11418	\$3,000 fine
Respondent submitted at least three insurance applications in which he inaccurately certified he met with insureds and as a result of the foregoing conduct, the Respondent's appointment with an insurer was terminated for cause. [Stipulation approved November 30, 2022.]		

LICENSEE	ADDRESS	PENALTY
Eduardo Guilarte t/b/a BAIL NYC (Bail Agent)	75 Baxter Street New York, NY 10013	License Revoked
<p>In connection with bail bonds posted in criminal cases in which the bail had been exonerated, Respondent failed to return collateral to five indemnitors no later than 45 days after receipt of notice of exoneration, in violation of Regulation 42 (11 NYCRR § 28.11(d)(1)). Respondent failed to refund the full premium paid by an indemnitor within 14 days of receipt of notice that the principal was not released, in violation of Regulation 42 (11 NYCRR § 28.9). Respondent failed to respond or failed to respond in a complete manner to Department investigatory letters, thereby hampering and impeding the Department's investigation of five complaints against Respondent. [Stipulation approved December 12, 2022.]</p>		

LICENSEE	ADDRESS	PENALTY
Snyder Specialty LLC (Agent, Broker, and Excess Line Broker)	9217 Fifth Avenue Brooklyn, NY 11209	\$25,100 fine
Snyder, Lucas S. (Agent, Broker, Excess line Broker, and Sublicensee)	Same as above	
<p>Respondents, for the time period January 2017 to December 2020 failed to timely file documents with the Excess Line Association of New York ("ELANY") for recording and stamping pursuant to Section 2118(b)(1) of the New York Insurance Law; and improperly affixed an ELANY stamp on the declarations page of one specific renewal policy in violation of Section 2110(a)(10) of the New York Insurance Law. [Consent Order approved September 30, 2022.]</p>		

Region: Out of State

LICENSEE	ADDRESS	PENALTY
Renata D. Amaral (Agent- License Application Pending)	5 Bernlou Dr Danbury, CT 06811	\$2,250 fine
<p>Respondent failed to disclose on her original applications for an agent and broker's licenses that she was the subject of administrative action taken against her by the State of Connecticut Insurance Department in 2011 wherein her insurance licenses were placed on probationary status and fined, and her 2010 felony conviction for operating an unlicensed Money Remitting Business. [Stipulation approved December 15, 2022.]</p>		

LICENSEE	ADDRESS	PENALTY
Lissette Favela (Agent)	425 West Rome Boulevard North Las Vegas, NV 89084	License Revoked
Respondent's appointment with an insurer was terminated for cause for failing to follow stated underwriting procedures and policies, in violation of the insurer's code of ethics, including engaging in rate manipulation; and Respondent failed to disclose in her original application for a broker's license that her employment was terminated by the insurer for cause as stated above. [Stipulation approved December 5, 2022.]		

LICENSEE	ADDRESS	PENALTY
Lionel Naphier (Agent- License Application pending)	66 West Hudson Street Columbus, OH 43202	\$750 fine
Respondent failed to disclose an administrative action taken against him by the State of Ohio on his original application for an agent's license. [Stipulation approved November 7, 2022.]		

LICENSEE	ADDRESS	PENALTY
Hillary Anne Noble (Agent)	504 Parkview Drive New Castle, IN 47362	License Revoked
Respondent failed to report to the Department within 30 days of the initial pre-trial hearing dates held on or about January 25, 2021, and August 11, 2020, respectively, her criminal prosecutions, both in the State of Indiana; Respondent was notified by the State of Louisiana that due to her felony conviction in Indiana that her producer license would be revoked; and Respondent failed to respond to four Department investigatory letters, thereby hampering and impeding the Department's investigation. [Stipulation approved November 24, 2022.]		