

BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF: )  
 )  
 DONALD IRA PINANSKY; )  
 )  
 DYLAN BRENT SPORN; )  
 )  
 MARC SHAYE SPORN; )  
 )  
 BRYANA STARR SPORN; )  
 )  
 CONSOLIDATED USA INSURANCE, INC.; )  
 )  
 STARR INSURANCE GROUP INC.; )  
 )  
 AMERCO GROUP, INC. fka AMERCO )  
 INSURANCE, INC.; )  
 )  
 XCHANGE BENEFITS, LLC; and )  
 )  
 SELECTED MARKET INSURANCE )  
 GROUP, LLC; )  
 )  
 Respondents. )

Division File No. 85163

**CONSENT ORDER TO CEASE AND DESIST AND OTHER RELIEF AS TO RESPONDENTS PINANSKY, DYLAN SPORN, MARC SPORN, CONSOLIDATED USA INSURANCE, INC., AND AMERCO GROUP, INC.**

Upon motion of the Iowa Insurance Division and by the consent of Respondents Donald Pinansky, Dylan Sporn, Marc Sporn, Consolidated USA Insurance Group, Inc., and Amerco Group, Inc. without admitting or denying any fact, and pursuant to the provisions of the Iowa Unfair Trade Practices Act – Iowa Code Chapter 507B, the Iowa Licensing of Insurance Producers Act – Iowa Code Chapter 522B, the Iowa Unauthorized Insurers Act – Iowa Code Chapter 507A, and Chapter 191—3 of the Iowa Administrative Code, the Commissioner enters the following consent order to cease and desist and other relief:

**I. PARTIES AND JURISDICTION**

1. The Commissioner of Insurance, Nick Gerhart, pursuant to Iowa Code § 505.8, administers the Iowa Unfair Trade Practices Act – Iowa Code Chapter 507B, the Iowa Licensing of Insurance Producers Act – Iowa Code Chapter 522B, and the Iowa Unauthorized Insurers Act – Iowa Code Chapter 507A, and has jurisdiction to issue this order.

2. Donald Pinansky is an individual and a resident of Florida. Pinansky was born on March 19, 1952. Pinansky receives mail at 4730 Boca Raton Boulevard, 2<sup>nd</sup> Floor, Boca Raton, FL 33431, and is not and has not been licensed in the state of Iowa as a non-resident producer.

3. Dylan Sporn is an individual and a resident of Florida. Dylan Sporn was born on August 6, 1989. Dylan Sporn is the son of co-respondent Marc Sporn. Dylan Sporn receives mail at 4730 Boca Raton Boulevard, 2<sup>nd</sup> Floor, Boca Raton, FL 33431, and has been licensed in the state of Iowa as a non-resident producer under national producer number 9611638.

4. Marc Sporn is an individual and a resident of Florida. Marc Sporn was born on November 10, 1962. Marc Sporn receives mail at 4730 Boca Raton Boulevard, 2<sup>nd</sup> Floor, Boca Raton, FL 33431, and is not and has not been licensed in the state of Iowa as a non-resident insurance producer.

5. Consolidated USA Insurance, Inc. (Consolidated USA) is a Nevada corporation. Co-respondent Dylan Sporn is president, secretary, treasurer and director of Consolidated USA. Consolidated USA receives mail at 4730 Boca Raton Boulevard, 2<sup>nd</sup> Floor, Boca Raton, FL 33431. Consolidated USA has been licensed in the state of Iowa as a non-resident business entity producer with a national producer number of 16829950. Dylan Sporn is the Designated Licensed Producer for Consolidated USA.

6. Amerco Group, Inc. (Amerco) is a Florida corporation and was formerly known as Amerco Insurance, Inc. Co-respondent Dylan Sporn is president, secretary, treasurer and director of Amerco. Amerco receives mail at 4730 Boca Raton Boulevard, 2<sup>nd</sup> Floor, Boca

Raton, FL 33431. Amerco has been a business entity producer with a national producer number of 17143739. Amerco has not been licensed as a business entity producer in the state of Iowa. For those states in which Amerco has been licensed, Dylan Sporn has been the Designated Licensed Producer.

**II. STIPULATIONS OF FACT**

7. Pinansky, Dylan Sporn, Marc Sporn, Consolidated USA, and Amerco without any admission or denial of facts voluntarily stipulate and agree to the entry of this final order.

**III. ORDERS**

**NOW THEREFORE, IT IS ORDERED** that Respondents Donald Pinansky, Dylan Sporn, Marc Sporn, Consolidated USA Insurance, Inc., Amerco Group, Inc. and their contracted producers, agents, employees and representatives are prohibited from transacting any insurance business in this state or from selling, soliciting or negotiating insurance; advising, counseling or servicing any policy of insurance; managing, supervising, compensating, hiring, employing, approving or evaluating any persons required to be licensed insurance producers in this state; or providing any other insurance services to, receiving any compensation, fee or remuneration for any such insurance services from, or being employed by any person or entity engaged in the business of insurance in this state. This provision does not prohibit any Respondent from (a) providing non-insurance services to a third party for which the Respondent may receive compensation from such third party's insurer, or (b) making claims directly to an insurance company for benefits due the Respondent pursuant to a policy of insurance under which the Respondent is a beneficiary. Further, this order does not prohibit Consolidated USA Insurance, Inc. from receiving residual compensation for insurance services provided prior to March 2, 2015.

**IT IS FURTHER ORDERED** that Respondents Donald Pinansky, Dylan Sporn, Marc Sporn, Consolidated USA Insurance, Inc., Amerco Group, Inc., and their contracted producers, agents, employees and representatives are prohibited from engaging in any act or practice that violates Iowa Code §§ 507A.10 and 522B.2, and specifically from the following acts or practices:

- A. Selling, soliciting or negotiating insurance into or from this state without an effective license as an insurance producer in the state of Iowa;
- B. Advising, counseling or servicing any policy of insurance in or from this state without an effective license as an insurance producer in the state of Iowa and without the insurance policy being issued by an insurance company effectively authorized by the Commissioner; and/or
- C. Managing, supervising, compensating, hiring, employing, approving or evaluating any persons required to be licensed insurance producers in this state; or providing any other insurance services to, receiving any compensation, fee or remuneration for any such insurance services from, or being employed by any person or entity engaged in the business of insurance in this state. This provision does not prohibit the Respondent from (a) providing non-insurance services to a third party for which the Respondent may receive compensation from such third party's insurer, or (b) making claims directly to an insurance company for benefits due the Respondent pursuant to a policy of insurance under which the Respondent is a beneficiary. Further, this order does not prohibit Consolidated USA Insurance, Inc. from receiving residual compensation for insurance services provided prior to March 2, 2015.

**IT IS FURTHER ORDERED** that Respondents Donald Pinansky, Dylan Sporn, Marc Sporn, Consolidated USA Insurance, Inc., Amerco Group, Inc., and their contracted producers,

agents, employees and representatives, in connection with any matter within the enforcement jurisdiction of the Commissioner, are prohibited from engaging in any unfair or deceptive act or practice that violates Iowa Code §§ 507B.3 and 507B.4, including the making of any deceptive or misleading statements concerning the benefits, conditions or terms of an insurance policy.

**IT IS FURTHER ORDERED** that the insurance producer licenses of Respondents Dylan Sporn and Consolidated USA Insurance, Inc. in the state of Iowa are hereby revoked.

**IT IS FURTHER ORDERED** that Respondents Donald Pinansky, Dylan Sporn, Marc Sporn, Consolidated USA Insurance, Inc., and Amerco Group, Inc. are hereby notified that a willful violation of this order shall constitute a willful act and a felony crime under Iowa Code § 507A.10.

#### **IV. CONSUMER RESTITUTION**

**IT IS FURTHER ORDERED** that Respondents Donald Pinansky, Dylan Sporn, Marc Sporn, Consolidated USA Insurance, Inc., Amerco Group, Inc. shall pay contemporaneous with their consent to this order the amount of \$30,000 to the state of Iowa to the credit of the Restitution Fund of the Iowa Insurance Division, to be held by the Division as restitution for Iowa consumers who submit claims or complaints demonstrating the person was aggrieved by the unlawful acts or practices alleged in this action. To be eligible for restitution under this program each such complaint or claim must be accompanied by a signed statement from the consumers made under penalty of perjury, in a form approved by the Commissioner. The Commissioner shall have discretion to make pro rata distribution of such restitution funds as he determines is appropriate. In the event that the total amount of the Restitution Fund from all sources is not subject to consumer claims filed within six months of the date of this order, the Respondents hereunder shall be entitled to a refund of the unclaimed portion of the Restitution

Fund, pro rata, in an amount calculated based on the percentage of the total amount they contributed to such Fund.


**V. COSTS AND CONSUMER PROTECTION**

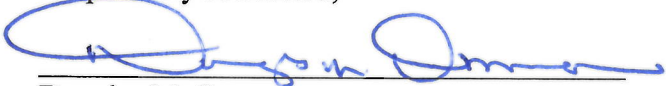
**IT IS FURTHER ORDERED** that that Respondent Donald Pinansky, Dylan Sporn, Marc Sporn, Consolidated USA Insurance, Inc., Amerco Group, Inc. shall pay contemporaneous with their consent to this order the amount of \$15,000 payable to the state of Iowa to the credit of the Insurance Enforcement Fund to provide funds for insurance enforcement and education.

**VI. FINANCIAL RELEASE**

**IT IS FURTHER ORDERED** that the Commissioner and the Iowa Insurance Division acknowledge that this order is a full and final settlement of disputed claims and all its claims are fully compromised and settled by this final order and, upon payment of the required funds, the Respondents shall have no further financial liability for these claims.

**SO ORDERED** on this 24 day of September, 2015.

  
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NICK GERHART  
Commissioner of Insurance


Respectfully submitted,  
  
\_\_\_\_\_  
Douglas M. Ommen  
Deputy Commissioner

**CONSENT TO ORDER**

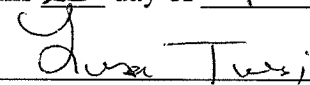
The Respondents in this matter, who have placed their signatures below, have read, understood, and do knowingly consent to this final order in its entirety. By executing this consent, the signatories understand that they are waiving their rights to a hearing on this order and to the rights to confront and cross-examine witnesses, to produce evidence, and to judicial review of this order.

The signatories further understand that this final order is an administrative action that may be reported to the National Association of Insurance Commissioners and to all insurance companies with which any Respondent has been appointed. The signatories also understand that this Order is a public record under Iowa Code chapter 22, that will be disclosed to other state regulatory authorities, upon request, pursuant to Iowa Code § 505.8(8)(d). Finally, the signatories also understand that the information contained in the order will be posted to the Insurance Division's web site and a notation will be made to the publicly available web site record that administrative action has been taken against the Respondents.

This final order shall constitute a full and final settlement of a disputed claim and by their consent to the entry of such order, the Respondents do not admit any allegation contained in the Statement of Charges or elsewhere in this action.

  
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Donald Pimansky

Subscribed and sworn before me on this 22 day of September, 2015.

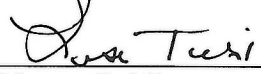
  
\_\_\_\_\_  
Notary Public



  
\_\_\_\_\_  
Marc Sporn

Subscribed and sworn before me on this 23 day of September, 2015.

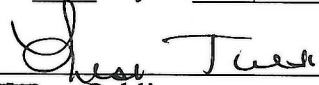


  
\_\_\_\_\_  
Notary Public

  
\_\_\_\_\_  
Dylan Sporn

Subscribed and sworn before me on this 23 day of September, 2015.



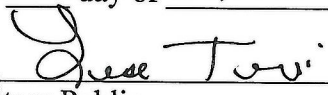
  
\_\_\_\_\_  
Notary Public

CONSOLIDATED USA INSURANCE, INC.

By:   
\_\_\_\_\_  
Dylan Sporn, President

Subscribed and sworn before me on this 23 day of September, 2015.



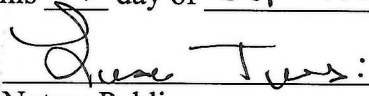
  
\_\_\_\_\_  
Notary Public

AMERCO GROUP, INC.

By:   
\_\_\_\_\_  
Dylan Sporn, President

Subscribed and sworn before me on this 23 day of September, 2015.



  
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Notary Public