

Can You Pass the Test?

Dear Friends,

Recently, I introduced our latest financial literacy program called "[Finance Your Future](#)," and I'm happy to say that we received a sundry of emails asking for more information about the program and inquiring if we offer other similar programs for younger children or adults.

While we have financial literacy programs aplenty that you can [check out here](#), Finance Your Future's greatest asset is that it can be used in different ways to help reach different audiences. Each of the program's eight core lessons contain chapters that cover progressively more advanced topics like insurance and benefits. A middle schooler could easily absorb the first few lessons and then move on once the material got too advanced.

We've heard from many of you who say that, even in your 30s, 40s, and 50s, you're still learning about personal finance because it was never taught to you. Adults can learn from the program as well. Whether as a refresher or seeing the content for the first time, adults who have paid their bills for years and even purchased homes can learn new information.

For example, here's just one question from the Budgeting & Saving lesson that has stumped adults:

Knowledge Check

11 of 20

Having an interest-bearing account can protect you from the effects of inflation.

True

False

SUBMIT

After making your selection, click the Submit button to continue.

Here's another question from our Debt lesson that can shine light on the nuances of managing borrowed money:

**VERIFY
BEFORE
YOU SELL**

Agents should **routinely** verify the licensure of the companies for which they're selling. If you suspect an entity is not authorized or licensed to transact insurance in Florida, from Florida or with residents of Florida, please notify our office. Report suspected unlicensed activity. Call 877-MY-FL-CFO (1-877-693-5236). [Read more >>](#)

Knowledge Check

3 of 20

In a _____ agreement, you agree to pay the full amount you owe, including penalties and fees, but at a later date.

forbearance

bankruptcy

Chapter 13

lump-sum

SUBMIT

After making your selection, click the Submit button to continue.

With more than 80 individual chapters and 200 randomly-selected quiz questions, Floridians of all ages can learn more about becoming financially fit. Some of our own staff -- people who work in finance and insurance every day -- have mentioned that they've learned more online than they ever did in school.

With no fees and accessibility from anywhere with an internet connection (yes, even from your smartphone), this is one class you can't afford to miss.

Visit <http://financeyourfuture.myfloridacfo.com/> today. Read a little bit after work, or use it as an educational family fun night.

If you have success with a program or have ideas on what we can do next, let us know. We're always looking for feedback and we have the same goal: to help you do more with your money!

Sincerely,



Jeff Atwater
Chief Financial Officer
State of Florida



News You Can Use

- Updating you on what's going on

CFO and State Fire Marshal Jeff Atwater Honors Florida Fire Service Award Winners



Chief Financial Officer and State Fire Marshal Jeff Atwater honored the winners of the 2017 Fire Service Awards during a reception hosted April 10 at the Florida Capitol. The annual award ceremony honors those in the fire service community who have shown excellence in their profession. Award winners were also recognized by Governor Rick Scott, Attorney General Pam Bondi, Commissioner Adam Putnam, and CFO Jeff Atwater during Tuesday's Cabinet meeting.

[Click here to continue reading the press release>>](#)

Office of Insurance Regulation Launches Assignment of Benefits (AOB) Resource Webpage

The Florida Office of Insurance Regulation (Office) today launched an Assignment of Benefits (AOB) resource webpage with information to educate Florida's consumers about changes needed to discourage fraudulent AOB activity. The new webpage provides a sobering projection of insurance rate increases homeowners can expect to see in the next five years without any legislative reform. It also includes various presentations, video links, and news articles related to this issue.

To learn more, visit the Office's "Assignment of Benefits" webpage at:

<http://www.floir.com/Sections/PandC/AssignmentofBenefits.aspx>

[Click here to continue reading the press release>>](#)

CONSUMER ALERT: It's Time to Evaluate Your Flood Insurance Coverage Before the Start of Hurricane Season

Insurance Commissioner David Altmaier is encouraging consumers to have flood insurance protection in place for their homes and businesses prior to the start of this year's hurricane season. A basic homeowners insurance policy does not provide coverage for flooding. This coverage must be purchased separately through either the federally-administered National Flood Insurance Program (NFIP) or a private insurance company.

"Many residents of our state experienced substantial property damage and losses last year from flooding caused by Hurricanes Hermine and Matthew," stated Altmaier. "Even a small amount of rising water can cause serious flooding, so it is important to evaluate your insurance coverage now and plan ahead for the upcoming hurricane season."

[Click here to continue reading the press release>>](#)

Punta Gorda Man Sentenced to Three Years in Prison for Investment Fraud

The Florida Office of Financial Regulation announced that Phillip St. John pled no contest to charges of securities fraud and grand theft for his role in an investment scam. St. John was sentenced to three years in prison to be followed by 10 years of probation. St. John was also ordered to pay restitution to his victims and all associated court costs.

[Click here to continue reading the press release>>](#)

CFO Atwater's Office Teams Up with Quality Parenting Initiative (QPI) to Protect Foster Youth from Financial Mistakes

The Office of Chief Financial Officer Jeff Atwater recently hosted a webinar in partnership with the Florida Quality Parenting Initiative (QPI) to help protect current and former foster youth from ending up in financial trouble. The live webinar, entitled "Your Future, Your Finances," included topics about budgeting, saving, credit scores and credit safety that are tailored to the experience of aging out of foster care.

"Florida's foster youth deserve the same opportunities for success as every other child in our state, and we must work together to make sure that happens," said CFO Atwater. "Financial literacy is one way to set youth up for success from the start."

[Click here to continue reading the press release>>](#)

CFO Jeff Atwater Unveils New Financial Literacy Program Tailored to Teach Middle and High School Students

Chief Financial Officer Jeff Atwater recently announced the release of [Finance Your Future](#), his latest and most advanced financial literacy program yet. Designed with middle and high school students in mind, CFO Atwater is connecting the free program to the classroom and encouraging Florida teachers to incorporate it into their lesson plans. Built to be as interactive as a video game, Finance Your Future's engaging content, animation,

games and activities offer a relevant refreshing approach to learning about financial literacy for adolescents and adults alike.

[Click here to continue reading the press release>>](#)

[Click to read more recent news >>](#)

Make Sure You Don't Miss Important Information From Us

We highly recommend licensees routinely check their [MyProfile](#) accounts for messages from the Department. We send an email notification when a message has been sent to remind you to check your [MyProfile](#) account, but on rare occasions you may not receive that email. For this reason, we suggest you add our domains **dfs.state.fl.us** and **MyFloridaCFO.com** to your email software's Trusted or Safe Senders List to ensure you are able to receive email notifications from us. Licensees who have a valid email address on file with the Department, as required by law, are sent important email notifications when something affecting their application, license, continuing education, or appointment(s) occurs. Additionally, we will keep you informed with warnings regarding new schemes and scams being marketed to licensees. You can update your contact information through your [MyProfile](#) account. We want to keep you informed in a timely manner of pertinent information. You are still required to abide by the Florida Insurance Code regardless of whether you read the information we provide or attempt to provide.

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In The Know

- Keeping you informed is what it's all about

Appointments and Insurance Transactions

A licensee may not transact insurance or adjust claims until he or she is appointed by an insurer, adjusting firm, general lines agent or the licensee (in the case of a self-appointed licensee), in accordance with the class(es) of licensure held. For instance, if an individual is licensed in the classes of life, including variable annuity and health, and wishes to market all three types of products, he or she must be appointed by either an insurance company authorized under its Certificate of Authority to transact all three of these lines of business or by separate companies for each line. For example, if Company ABC appoints an agent to sell only life insurance, then the agent will still be required to obtain an additional appointment(s) with an appropriate company for each of the variable annuity and health portions of his or her license, if the agent intends to market these products.

Who can appoint licensees?

1. Insurance companies appoint agents and insurance company employee adjusters.
2. Licensed and appointed General Lines (Property & Casualty) insurance agents appoint customer representatives, crop hail and multiple-peril crop insurance agents.
3. Adjusting firms appoint independent and public adjusters.
4. Surplus lines agents, reinsurance intermediaries, professional bail bond agents, viatical settlement brokers, and self-employed independent or public adjusters are responsible for appointing themselves.
5. A temporary bail bond agent is appointed by the limited surety (bail) agent employing the temporary bail bond agent.

To verify your license and appointment status, you can log in to your [MyProfile](#) account or use our [public licensee search](#)

Public Adjusters - Are You Ready For Hurricane Season?

The time to be sure your license is in compliance is now - not when a storm is heading our way! This is a short checklist to ensure your license is in good standing:

- Is your license active?
- Are you self-appointed or appointed by an adjusting firm?
- Do you have the required \$50,000 surety bond?
- Are you compliant with your continuing education requirements?
- Has a primary adjuster been designated for your firm?

- Is all contact information up-to-date? You can update it at [MyProfile](#).
- Are any apprentices licensed and appointed?
- Do you have your Department issued license with you?

Department Access to Licensee Records

The Department's right to conduct investigations and attain access to the accounts, records, documents, and transactions pertaining to or affecting the insurance affairs of any licensee is addressed in [s.624.317](#), F.S.

Every person being investigated, and its officers, attorneys, employees, agents, and representatives, shall make freely available to the Department or Office or its examiners or investigators the accounts, records, documents, files, information, assets, and matters in their possession or control. If records relating to the insurance transactions are maintained by an agent on premises owned or operated by a third party, the agent and the third party must provide the Department with access to the records. [[s.624.318](#), F.S.]

Any individual who willfully obstructs or denies the Department or investigator access to business records is guilty of a misdemeanor, and upon conviction shall be punished as provided in [s.624.15](#), F.S.

The Department and its investigators make every attempt to secure access to licensee business records in an amicable manner, however, should a licensee refuse to provide access, the Department will obtain a subpoena which is enforceable in circuit court. Refusing to honor a court order can result in contempt of court and other charges being filed against the licensee.

Unlicensed Agency Personnel

Unlicensed personnel have limited discretion as to how they can support the operations of an insurance agency. Permitted and prohibited activities are described in Rule Chapter [69B-222](#), F.A.C. Incidental activities and compensation are two of the most important points to remember when employing unlicensed personnel. Incidental activities as described in the rules cannot exceed 10% of an employee's overall activities and compensation cannot be made based on the individual production of the unlicensed person. **The following actions are never allowable by unlicensed personnel:**

- Comparing insurance products; advising as to insurance needs or insurance matters; or interpreting policies or coverage.
- Binding new, additional or replacement coverage for new or existing customers; or binding coverage on or recording additional property under existing policies.
- Soliciting the sale of insurance by telephone, in person, or by other communication. However, the unlicensed person may telephone persons to set appointments for licensed and appointed agents, customer representatives, or to obtain basic policy information as to existing insurance coverage. The unlicensed person may not engage in a substantive discussion of insurance products.

Transacting insurance without the appropriate license and appointment, regardless of the line of business, is a third-degree felony, punishable as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#), F.S.

The Florida Statutes Now Available Online

The most current Florida Statutes can now be viewed at [Online Sunshine - Title XXXVII Insurance](#).

Education Central

- Things to know about your continuing education

Are You Compliant with Your CE or Not?

To be CE compliant requires more than just taking CE courses. Below are a few suggestions for remaining CE compliant:

- **CE requirements change.** You should regularly review your CE status through your [MyProfile](#) account. Your total hours have specific allocation requirements that must be met. Be sure to take all the right categories of CE courses.
- **Check for late hours.** Hours taken after your due date will still post on your compliance evaluation screen, but they will be noted as "Late". Though your hours requirement may have been met, late completion of your continuing education requirement will result in penalties.
- **Check prior evaluation periods.** Always check previous compliance periods to make sure you are not delinquent for a prior period. Be sure to click on **VIEW ENFORCEMENT NOTICE** just below the **Not Compliant** text to check for any outstanding fines.
- **Check your transcript.** The **same course** cannot be taken with the **same provider** within a three-year period and receive credit. This is noted on your transcript as a duplicate course. You will need to take a different course to meet your CE requirement.

We wish you success in completing your hours to remain knowledgeable in an ever-changing insurance market. And remember, your CE compliance date is your **DUE** date, not your **DO** date.

Because many factors may affect your continuing education requirement (e.g. licenses held, number of years licensed, etc.), we encourage you to periodically check your [MyProfile](#) account to determine your individual continuing education compliance requirements and status. You will also be able to find more approved CE courses after logging in to your [MyProfile](#) account versus the [public search option](#), which limits the results to the first 100 course offerings.



Volume 6, No. 4 - April 2017

Compliance Corner

This section has been created to assist you in keeping your insurance business in compliance. The items are intended as reminders only. Note: Division publications may include references to the [Florida Statutes](#) and/or the [Florida Administrative Code](#). The laws noted in our publications are/were in effect at the time of publication but may have been repealed, amended or replaced and new laws may have been enacted subsequently.

Compliance Topic of the Month: Insurance Agency Requirements

It is important to remember that an insurance agency is required to be licensed by the Department of Financial Services. The Florida Insurance Code defines “agency” a little different for certain license types.

Title insurance agency means an insurance agency under which title insurance agents and other employees determine insurability in accordance with underwriting rules and standards prescribed by the title insurer represented by the agency, and issue and countersign commitments, endorsements, or policies of title insurance, on behalf of the appointing title insurer. The term does not include a title insurer. [See [s.626.841\(2\)](#), F.S.]

Life, health, and general lines insurance agencies are defined as a business location at which an individual, firm, partnership, corporation, association, or other entity, other than an employee of the individual, firm, partnership, corporation, association, or other entity and other than an insurer... or an adjuster... engages in any activity or employs individuals to engage in any activity which by law may be performed only by a licensed insurance agent. [[s.626.015\(8\)](#), F.S.]

Bail bond agency means the building where a licensee maintains an office and where all records required... are maintained; or an entity that charges a fee or premium to release an accused defendant or detainee from jail; or engages in or employs others to engage in any activity that may be performed only by a licensed and appointed bail bond agent. [[s.648.25\(1\)](#), F.S.]

Each location must be under the full time charge of a properly licensed and appointed agent for the insurance being transacted at the agency. Each agency must notify the department of the physical address of each agency location and the name and license number of the agent designated to be in charge of each location. [[s.626.0428\(4\)\(a\)\(f\)](#), [648.387](#), [648.44\(4\)](#), F.S.]

ALL insurance agencies are required to be open and accessible to the public.

General lines and **title** insurance agents may have an agency located in their home if -

- a separate room is set aside and actually used as the office or place of business;
- the room is easily accessible to the public and used by the agent to deal with the public;
- the location is suitably advertised to allow the public to locate it. [[s.626.749](#), F.S.]

Bail bond agencies must have an entrance that is easily accessible to the public with a sign, or other display, that is visible from a reasonable distance and it provides at least the name of the agency. If the agency is in a building that has a uniform office directory, the directory must show no less than the name of the bail bond agency. The bail bond agency must be open to the public at least 8 hours daily between 8:00 AM and 6:00 PM, Monday through Friday. [[69B-221.051](#), F.A.C.]

Penalties for violations of the above range from a minimum of a \$1,500 fine to a maximum of a 12-month suspension for a willful violation. These penalties may be directed to the agency, the owner, and/or the agent in charge, or primary bail bond agent.

Agent in Charge - Requirements, Changes and Responsibilities

Each person operating an insurance agency and each location of a multiple location agency must designate a licensed and appointed agent in charge for each location.

An agent in charge (AIC) is defined as the licensed and appointed agent responsible for the supervision of all individuals within an insurance agency.

Requirements

Each business location established by an agent or insurance agency must be in the active full-time charge of a licensed and appointed agent holding the required licenses for the lines of insurance transacted at the location. The AIC of an insurance agency may be the AIC of additional branch locations if: (1) insurance activities requiring licensure as an insurance agent do not occur at the location(s) when either the AIC or an appropriately licensed agent is *not* physically present and (2) unlicensed employees at the location(s) do not engage in insurance activities that require licensure as an insurance agent or customer representative.

Each insurance agency and branch office is required to designate an AIC and to file the agent's name, license number, and physical address of the insurance agency location with DFS at the DFS website. Adding and removing an AIC can be done by going to www.MyFloridaCFO.com/Division/Agents and logging in to the agency's account in [MyProfile](#).

Changes

A change of the designated AIC must be reported to DFS within 30 days, and becomes effective upon notification to DFS. An insurance agency location is precluded from conducting the business of insurance unless an AIC is designated by, and providing services to, the agency at all times. When the agent in charge ends her/his affiliation with the agency, the agency must designate another AIC within 30 days. If the agency fails to make such designation within 90 days after the designated agent has ended their affiliation with the agency, the agency license will automatically expire.

Responsibilities

The AIC of an insurance agency is accountable for misconduct or violations committed by the licensee or agent or by any person under her or his supervision acting on behalf of the agency. However, the AIC is not criminally liable for the misconduct unless she or he personally committed the act or knew or should have known of the acts and of the facts that constitute the violation.

For complete information on the duties and responsibilities of the AIC, see [s.626.0428](#), F.S.

Agency License Cancellation for Failure to Designate an Agent in Charge

An insurance agency location may not conduct the business of insurance unless an agent in charge is designated by, and providing services to, the agency at all times. If the agent in charge designated with the Department ends his or her affiliation with the agency for any reason **the agency must designate another agent in charge within 30 days**. If there is no agent in charge designated within **90 days**, the agency license shall automatically expire on the **91st** day from the date the designated agent in charge ended his or her affiliation with the agency [[s.626.0428\(4\)\(f\)](#), F.S.]

State of Emergency Claims - Special Requirements Upon Governor's Declaration

Hurricane Season is just around the corner. During the "Mean Season" and other incidents of natural disasters, the Governor may issue a "State of Emergency". Claims that are based on events that are the subject of a declaration of a state of emergency by the Governor, and during the year after the declaration of emergency have the following additional statutory requirements:

- A public adjuster may not charge, agree to, or accept from any source compensation, payment, commission, fee, or any other thing of value in excess of ten percent (10%) of the amount of insurance claim payments made by the insurer for claims for one year after the declaration of emergency is issued.
- The insured or claimant has 5 business days after the date on which the contract is executed to cancel a public adjuster's contract.

The following are excerpts of the standards of conduct that define ethical behavior, and are included in the code of ethics:

- The work of adjusting insurance claims engages the public trust. An adjuster shall put the duty for fair and honest treatment of the claimant above the adjuster's own interests in every instance.
- An adjuster shall not attempt to negotiate with or obtain any statement from a claimant or witness at a time that the claimant or witness is, or would reasonably be expected to be, in shock or serious mental or emotional distress as a result of physical, mental, or emotional trauma associated with a loss.
- An adjuster shall not directly or indirectly refer or steer any claimant needing repairs or other services in connection with a loss to any person with whom the adjuster has an undisclosed financial interest.
- A public adjuster shall not prevent, or attempt to dissuade or prevent, an insured or claimant from speaking privately with the insurer, company employee adjuster, independent adjuster, attorney, or any other person, regarding the settlement of the claim.
- A public adjuster shall not enter into a contract or accept a power of attorney which vests in the public adjuster the effective authority to choose the persons who shall perform repair work.

Please refer to [Section 69B-220.201](#), Florida Administrative Code for the full Adjuster Code of Ethics.

Accepting Referral Fees from Property Inspectors or Inspection Companies is Prohibited

An insurance agent, insurance agency, customer representative, or insurance agency employee is prohibited from directly or indirectly accepting any compensation, inducement, or reward from an inspector for the referral of the owner of the inspected property to the inspector or inspection company. This prohibition applies

to an inspection intended for submission to an insurer in order to obtain property insurance coverage or establish the applicable property insurance premium. [[s.626.621\(15\)](#), F.S.]

What's the Difference? Referral Fees, Marketing/Advertising Gifts and Unlawful Inducements

We are frequently asked about referral fees, marketing or advertising gifts, and what constitutes an unlawful inducement. These three topics are often confused by licensees. Let's review the definition and practical use of each, lawful and unlawful:

Referral fees - referral fees are either cash or an item given to the source of a referral provided for the referral of a prospective insurance customer. The fees are lawful **provided** they are given for **every** referral, not just those that result in insurance sales. Acceptable fees can be paid in cash, with a gift card, merchandise, lottery tickets, etc. There is NO limit on the amount of a cash referral fee or the value of merchandise. [[s.626.112\(8\)](#), F.S.]

Marketing/Advertising Gifts - these are items of **merchandise** given to prospective or current policy holders or to the public that market or advertise a licensee or agency. Acceptable items include coffee mugs, golf balls, golf towels, mouse pads, calendars, etc., and generally include the name of the agent or agency. Cash, gift cards, lottery tickets, etc., are not acceptable advertising gifts. The value of the merchandise given to each person cannot exceed \$25. There is no annual cap or limit [[s.626.9541\(1\)\(m\)](#), F.S.]

Unlawful Inducements - the definition of an unlawful inducement in its simplest terms is to give a prospective customer, existing customer or any other entity or person a "thing of value" in exchange for something of value to the licensee. An example is giving any person or entity cash, a gift card, merchandise, lottery tickets, tickets to a sporting event, etc. in exchange for the ability to produce an insurance quote or sell insurance. If another agent or agency sells the same product for the same price, the consumer may choose to work with the licensee that offers a gift card. The law was created in part to deter unfair competition among licensees. [[s.626.9541\(1\)\(h\)](#), F.S.]

Title Agency Data Call 2017

Title insurance agencies are required to submit information to the Florida Office of Insurance Regulation (OIR) under the data call required by section [627.782\(8\)](#), Florida Statutes. **Title agencies have until June 1, 2017 to make their submission to the OIR.** The OIR has sent an email to each licensed title agency in Florida to remind them of the new law with instructions on how to complete the process accurately.

The Title Agency Data Call is performed by the title agency by first downloading the template from the OIR website to complete offline. To do this, the agency will need to create an account and subscribe to your agency in the Data Collection and Analysis Modules (DCAM) used by the OIR, which is located at <https://apps8.fldfs.com/DCAM/Logon.aspx>.
(The user's guide for DCAM is located at: <https://apps8.fldfs.com/DCAM/Help/DCAMUserGuide.pdf>)

Once the agency's data template form is completed and the agency is ready to certify it is accurate, the agency must upload the form to the OIR before the deadline, **June 1, 2017**.

The data template has seven tabs or worksheets:

1. **Version:** includes the OIR contact information and reporting date reminder

2. **Instructions:** data template must be downloaded from DCAM for the purpose of reporting information
3. **Report_Lines:** Two columns extend down a series of questions and required responses (enter either text or numeric in the two columns, as shown)
4. **Schedule A:** Additional agency information
5. **Schedule B:** Agent activities
6. **Schedule C (Residential):** Title agent statistical information submission for 1-4 residential units
7. **Schedule C (Commercial):** Title agent statistical information submission for commercial units

Each agency's submission must contain a Filing Certification signed by an agency officer (electronic signature accepted), stating the information provided is accurate to the best of their knowledge and belief. A sample copy is available on the OIR's website at:

www.flor.com/siteDocuments/CertificationOfTitleDataSubmissionExample.pdf

The agency may include a cover letter, but this is an optional component for the filing.

Each agency is encouraged to include any additional or optional information that is deemed important to the overall submission. These optional items may be uploaded as PDF documents under the "Other Information/Documents" component.

It is important to know that the agency's submission is not considered to be complete until the agency receives an email receipt showing the agency's file log number.

If you have any questions regarding this filing process, please contact the OIR's Market Data Collections Unit at 850-413-3147 or via email: TitleAgencyReporting@flor.com.

Compliance Information

Department licensees and consumers can access compliance information at the Division of Insurance Agent and Agency Services' web page [Compliance Information](#). Additional information is available by type of license at our [Frequently Asked Questions](#) web page.

Note: Some information in archived articles may now be out-of-date or superseded by changes in Florida law. Please be sure you refer to the most current law.

Case Notes

The following are instances in which licensees or other persons violated the Florida Insurance Code and the administrative action the Department has taken against them. Note: All administrative investigations are subject to referral to the [Division of Investigative and Forensic Services](#) for criminal investigation.

Case: An investigation was opened based on a complaint alleging an unlicensed individual was transacting general lines insurance for a surplus lines agent. Department investigators attempted to conduct an agency audit and inspect records on two separate occasions. A subsequent subpoena was issued for the required documentation. When reviewed, the documentation provided by the agency was not responsive to the Department subpoena.



Investigators obtained documentation from insurers, witness interviews and consumer affidavits to establish the violation. The agency was steadfast in its refusal to cooperate with investigators, hired legal counsel and continued to contest the Department's authority for eight months, without producing the documentation requested. Florida Statute [s. 624.318\(s\)](#) states in part "Every person being examined or investigated, and its officers, attorneys, employees, agents, and representatives, shall make freely available to the department or office or its examiners or investigators the accounts, records, documents, files, information, assets, and matters in their possession or control relating to the subject of the examination or investigation".

Disposition: Fined \$40,000 and placed on probation for two years.

Case: An investigation was originally opened on a public adjuster alleging a conflict of interest. The insurer that filed the complaint alleged the adjuster was working on the claim in conjunction with his wife, who owned a water remediation company. Two additional complaints were made to the Department while our investigation was active.

Evidence obtained by investigators proved the public adjuster was submitting paperwork for his adjusting services and for his wife's company. One of the claim activity logs reviewed had no evidence the agent's wife had any direct contact with consumers, only the public adjuster. In each instance the public adjuster recommended his wife's company to the homeowner for remediation of damages.

Disposition: Fined \$1,500.

Case: A referral was received by investigators alleging the bail bond agent-owner of a bail bond agency had employed an unlicensed individual, who was a convicted felon, to perform bail bond functions on his behalf. Affidavits were obtained from consumers confirming the unlicensed individual had assisted in their transactions with the agency.

Disposition: Suspended for six months.

Case: An investigation was opened on a life, health and variable annuity agent based on an insurer's referral of a consumer complaint. The agent enrolled 23 applicants into products under the Affordable Care Act (ACA) with the intention of making fraudulent claims. Most of the people who signed up for the policies were homeless and did not live in Florida. The agent arranged for fraudulent claims to be submitted from an addiction recovery clinic based in California. The plan unraveled when Investigators discovered the agent used a vacant house in as the address for all 23 applicants.

Case: A complaint was filed with another government agency alleging misleading advertising by a automobile warranty firm, reported by a senior consumer. The advertising piece caused a great deal of stress to the senior, who believed his automobile warranty was expiring and immediately began to call the firm. Investigation determined the firm was also in violation of a Consent Order previously issued by the Department for the same violation.

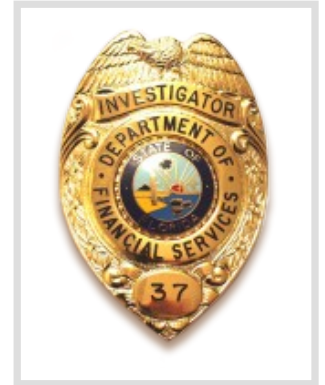
Disposition: Fined \$2,000.

Enforcement Actions

- March 2017

Some of the following enforcement actions were resolved through a settlement process resulting in an order for discipline. Notification of enforcement actions is in the public interest. While every effort is made to provide correct information, our readers are cautioned to check with the Department before making a decision based upon this listing. This listing does not reflect pending appeals or requests for hearings. The license or registration status may have changed since the filing of these orders. We suggest that you search the [Licensee Search](#) or make a [public records request](#) to verify the current status of any license or registration.

IMPORTANT NOTE: Actions taken before July 1, 2015 are located at [FLDFS Final Orders](#). Actions taken after July 1, 2015, can be searched for at the Florida Division of Administrative Hearings' (DOAH) [website](#). For further information, you may make a public records request via [email](#) or contact the [Public Records Unit](#).



Warning: No part of this listing may be used by a licensee to gain an unfair competitive advantage over any person named herein. Any licensee who does so could be in violation of Section 626.9541(1)(c), Florida Statutes.

LAST/BUSINESS NAME	FIRST NAME	LICENSE	LICENSE TYPE	DISPOSITION	FINE/COST	CITY, STATE	DOCUMENTATION
AFFINITY TITLE LLC		W078474	Title Agency	Suspension 3 Months		FORT MYERS, FL	ORDER OF SUSPENSION
ARTESIAN TITLE INC		W201137	Title Agency	Monetary Penalty	\$2,500	ORLANDO, FL	CONSENT ORDER
BELL	ROLAND	W063329	Life, Health, Variable Annuity	Revocation		FRUITLAND PARK, FL	ORDER OF REVOCATION
BOUCLE	SHAINA	W265256	Customer Representative	Revocation		MIAMI, FL	ORDER OF REVOCATION
CEPERO	LUIS	W094621	Life, Health, Variable Annuity	Revocation		MIAMI, FL	ORDER OF REVOCATION
CURRAN	JONATHAN	P164909	Life, Variable Annuity	Suspension 3 Months		PEMBROKE PINES, FL	CONSENT ORDER
DIVENUTO	RICHARD	E041079	Life, Variable Annuity	Revocation		NEW YORK, NY	CONSENT ORDER
DOWNS	JILL	W164364	Life, Health, Variable Annuity	Revocation		TAMPA, FL	ORDER OF REVOCATION
DREAM HOME TITLE CORP.		W071605	Title Agency	Monetary Penalty	\$2,500	FORT LAUDERDALE, FL	CONSENT ORDER

EUDELL	CARL	W189830	Life, Health, Variable Annuity	Indefinite Suspension		SANFORD, FL	NOTICE OF TEMPORARY SUSPENSION
FREDRICKSON	BLAIR	W019392	Life, Health, Variable Annuity	Revocation		VERO BEACH, FL	ORDER OF REVOCATION
GAZICA	STEPHANIE	D029143	Customer Representative	Revocation		INVERNESS, FL	NOTICE OF REVOCATION
GROSS	ALAN	E117859	Life, Health, Variable Annuity	Revocation		CORAL SPRINGS, FL	CONSENT ORDER
HALLECK	JENNIFER	P235306	Bail Bond	Monetary Penalty	\$500/\$2,000	PLANTATION, FL	CONSENT ORDER
LESLIE	HOWARD	W172761	Life, Health, Variable Annuity, Fire/Burglary	Revocation		YALAHA, FL	ORDER OF REVOCATION
RICHARDSON	AARON	A219612	Bail Bond, General Lines	Monetary Penalty	\$750/\$750	ST PETERSBURG, FL	CONSENT ORDER
RIVERVIEW TITLE & ESCROW SERVICES		P016227	Title Agency	Monetary Penalty	\$1,000	RIVERVIEW, FL	CONSENT ORDER
SIGNATURE TITLE PROFESSIONALS, INC.		P177546	Title Agency	Monetary Penalty	\$2,500	ORLANDO, FL	CONSENT ORDER
SIMS	RALPH	P225761	Bail Bond	Probation and Fine	\$2,000	PINELLAS PARK, FL	CONSENT ORDER
STRELAU	JEFFREY	W086957	Bail Bond	Probation and Fine	\$1,500	SARASOTA, FL	CONSENT ORDER
TERRELL	CHRISTINA	W198768	Customer Representative	Revocation		ST.PETERSBURG, FL	ORDER OF REVOCATION
VASQUEZ	GIOVANNY	P217885	Life, Health, Variable Annuity	Revocation		MIAMI, FL	NOTICE OF REVOCATION
WALL STREET TITLE GROUP INC		W211901	Title Agency	Monetary Penalty	\$1,000	MIAMI LAKES, FL	CONSENT ORDER
ZALDIVAR	CARLOS	A293180	General Lines	Indefinite Suspension		MIAMI, FL	NOTICE OF TEMPORARY SUSPENSION



Contact Us

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TitleAgencyReporting@flair.com - For questions about the filing process

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***Insurance Insights* Editor/Publisher**

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