

# Looking forward as seasons change...

Dear friends,

With the change of the season also comes the approach of the conclusion of the 2012 Hurricane Season. As we are witnessing with Hurricane Sandy, cooler weather does not always mean a decrease in storm activity. For the next 30 days, all coastal U.S. residents should remain vigilant of potential threats caused by severe windstorms. I urge you to review your disaster plans and be prepared for the worst. We hope you never encounter a disaster, but if you do, the information on our <u>disaster preparedness site</u> can help you or your customers.



As with every issue, we have lots of new information, particularly regarding compliance matters. We welcome your <u>feedback</u> and we look forward to hearing from you on how we can better serve you.

Thank you,

Jeff Atwater Chief Financial Officer

State of Florida



# **News You Can Use**

- Updating you on what's going on

# **CFO Atwater Invites Teens to Submit Essay Describing Strategies to Meet Financial Goals as Part of Statewide Essay Contest**

As part of his mission to educate Floridians about critical financial issues that affect the security and prosperity of their futures and families, Florida Chief Financial Officer Jeff Atwater announced the launch of his Florida Students \$ave Essay Contest. The contest will award hundreds of dollars to Florida students who present the best research and planning in response to scenarios that reflect short- and long-term financial goals.

To find out more information about the essay contest, including a list of contest rules, regions and how to submit an essay, visit <a href="www.MyFloridaCFO.com/YMM">www.MyFloridaCFO.com/YMM</a> or you may call the Division of Consumer Services helpline at 1-877-MY-FL-CFO (693-5236).

Click here to read the press release >>

# On Guard for Seniors Website Arms Florida's Fastest-Growing Population with Tools to Fight Fraud

Florida Chief Financial Officer Jeff Atwater's Department of Financial Services has launched a website, <u>On Guard for Seniors</u>, devoted to helping seniors, their family members and their caregivers identify the right questions to ask to avoid becoming a victim of fraud or misleading sales tactics. Agents can also use it as a resource to help their customers.

The On Guard for Seniors website educates seniors on topics such as annuities, reverse mortgages, long-term care insurance, and identity theft as well as success stories from seniors who sought help from the Department on these topics. The website also explains key terms, outlines important questions to ask and provides videos on how some popular insurance and financial products work.

Florida ranks first in the nation in the percentage of residents age 60 or older and has more than 1.7 million citizens who are 75 and older. According to the Department of Elder Affairs, seniors age 85 and older are currently the state's fastest-growing age group. And every day, more seniors are turning to the Internet to find information.

To report fraud or to learn more about the many other services offered by the Department of Financial Services, visit <a href="https://www.MyFloridaCFO.com">www.MyFloridaCFO.com</a> or call 1-877-My-FL-CFO.

# Florida Announces a \$11 Million Multi-Agency Agreement with the AIG Companies to Protect Life and Annuity Beneficiaries

Florida Insurance Commissioner Kevin McCarty announced that an \$11 million settlement has been reached with 10 companies collectively referred to as AIG. The agreement is the fifth agreement Florida has settled that requires large national insurers to appropriately use the U.S. Social Security Death Master File (DMF) to locate life and annuity beneficiaries, and promptly remit payment to the unclaimed property division of each state for beneficiaries that cannot be located.

Click here to read the press release >>

# Office Approves Up to 100,000 Policies for Citizens December Take-Out

The Florida Office of Insurance Regulation (Office) announced the approval of up to 100,000 policies to be removed from Citizens Property Insurance Corporation (Citizens) by two Florida domestic insurance companies starting on December 4, 2012. American Integrity Insurance Company of Florida was approved to take-out 50,000 policies in November and is approved for an additional 40,000 in December. Heritage Property & Casualty Insurance Company, recently licensed in August 2012 and with a home office in St. Petersburg, FL, has been approved to remove 60,000 policies.

Click here to read the press release >>

Click to read more recent news >>

# Make Sure You Don't Miss Important Information From Us

Add our domain **MyFloridaCFO.com** to your email software's Trusted or Safe Senders List to ensure you are able to receive all notifications from us. Licensees who have a valid email address on file with the Department, as required by law, receive important email notifications when something that affects your 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 <a href="MyProfile">MyProfile</a> 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.



# In The Know

- Keeping you informed is what it's all about

# **Getting Out of the Insurance Business: Surrendering Your License**

The editor of *Insurance Insights* occasionally receives emails from licensees who are no longer active in the insurance industry, and wish to cease receiving *Insurance Insights* and other communications from the Department. If you no longer transact insurance or adjust claims in the state of Florida, you should surrender your license to the Department. As long as you hold a license, the Department must continue to send communications relating to your license. If you hold a license that requires continuing education, even if you are not using it, the Department can hold you responsible for completing the required continuing education hours.

You can surrender your license by mailing a letter to the Bureau of Licensing stating that you wish to surrender. Please include the following:

- Your name
- Florida license ID number
- Mailing address
- Telephone number
- Enclose your Florida insurance license ID or a statement indicating that you do not have the ID any longer
- Your signature

The address to mail the letter is: Florida Department of Financial Services, Division of Agent and Agency Services, Bureau of Licensing, 200 East Gaines St., Room 419, Tallahassee, FL 32399-0319. You may also fax it to (850) 413-3291.

As always, you may verify your license and appointment status by logging in to your <u>MyProfile</u> account or using our <u>public licensee search</u>. Tips on closing an insurance agency can also be found on our website at <u>www.MyFloridaCFO.com/Division/Agents/Newsletter/Articles/AgencyClosing.htm</u>.

# **GAO Report: Unsuitable Annuities Putting Veterans in Harm's Way**

According to a recent <u>Government Accountability Office (GAO) Report</u> some insurance agents, financial planners and lawyers are taking advantage of veterans by putting their money in financial products that may not be suitable. The report claims that the sale of inappropriate products to vets seeking to qualify for military pensions is not the only issue at hand, but also trolling retirement communities and nursing homes to sell unsuitable products.

According to the GAO report, some agents and planners were placing senior veterans in products that may not be age-appropriate or are being persuaded to buy an annuity or move assets into a trust to qualify for VA benefits. Such a decision can lock up money the individual might need for future expenses.

The GAO reports that some agents may lead potential pension claimants and their family members to believe they are veterans advocates representing a nonprofit organization or endorsed by the VA when, in fact, they are insurance agents trying to sell a product for a commission. The GAO also highlighted a concern that some attendees at presentations by these agents may have degenerative mental states and therefore are not in a position to make decisions about their finances, leaving them vulnerable to suggestions that they must purchase a financial product to qualify for a VA pension. These practices are unacceptable and violate the law.

Please know that the Florida Department of Financial Services will not tolerate these practices and will seek enforcement action, including criminal sanctions, against any licensee found to be taking unlawful advantage of our veteran and senior population.

# The 2013 Annual Title Administrative Surcharge is Coming Up

Subsection 624.501(27)(e)2, Florida Statutes, requires any title insurance agency licensed in Florida on January 1 of each year to remit an administrative surcharge of \$200 to the Florida Department of Financial Services. Therefore, we are reminding all title agencies that the 2013 administrative surcharge due date will soon be approaching. Any title insurance agency licensed in Florida on January 1, 2013, will be emailed an invoice a few days afterward to the agency's email address on file with the Department. To ensure you receive the invoice and avoid failing to pay by the January 30 due date, please log in to the MyProfile account for your title agency and make sure the correct email address is on file. While doing so, we also recommend you do the same for your individual MyProfile account. Failure to pay the surcharge on or before January 30 will result in administrative action and/or a fine of \$500, in addition to the original surcharge. To assure that your payment is properly credited, please return all invoices covered with your check.

## **Knowing More About the Mediation Process**

We believe the information below may be helpful for our property and casualty agents to know more about how mediations should be conducted, as it might help them in consulting with their policyholders who request mediation.

Mediation assignments are made through the Department's Mediation Manager Program. Mediation conferences must occur within 45 days of the mediation request. Upon receipt of a mediation request, the parties have 21 days to resolve the dispute before a mediation conference can be scheduled. Upon expiration of the 21 days and if the dispute has not been resolved, the mediation request is assigned to a mediator. The initial 21 days is included within the 45-day timeframe.

The Florida Administrative Code requires mediators to notify the insured, insurer, and the Department in writing of the exact time, date and location of the mediation conference. The mediation conference must be held at a reasonable location specified by the mediator within a reasonable proximity of the insured's property. It is inappropriate for a mediation conference to be held in a restaurant, in a mediator's hotel room, or in any location that is inconvenient or impractical.

If the insured fails to appear at the mediation conference, the conference shall be considered to have been held and the insurance company must pay for the mediation. However, if the insured wishes to schedule a new mediation conference, the total cost of mediation for the new conference must be paid by the insured. If the insurance company fails to appear at the mediation conference, the insurance company must pay for the mediation.

The mediation conference should only include the items that are listed in the mediation assignment. The parties cannot add new claims at the time of mediation. Claims must go through the regular process before they can be mediated. The insurance company cannot waive the process.

This information has been provided to briefly outline the mediation process. If you have additional questions regarding mediation assignments or the mediation process, please feel free to contact the Department's Mediation Unit via email at <a href="Mediation@MyFloridaCFO.com">Mediation@MyFloridaCFO.com</a> or by phone at (850) 413-5818.



# **Education Central**

- Things to know about your continuing education

### Save Your Postage, Save Your Time

You finally found time to break away from work and complete your CE course. Great!

**Now what?** Of course, you want to make sure the Department is made aware that you have successfully taken this CE course. If you are sending a copy of your certificates of completion to the Department to make certain of this, you may be unnecessarily spending time and money.

The mandatory certificate of completion given to you by the course provider is for your records. The responsibility to notify the Department falls on the course provider. The course provider has 21 days from the completion date to upload a roster. The course will automatically post to your records with the corresponding date of completion.

So how do I know if the course provider notified the Department? The Department has a database to track the completion of all approved CE courses. Each licensee must create their own <a href="MyProfile">MyProfile</a> account to view their records, if they have not already. You may log in to your <a href="MyProfile">MyProfile</a> account to securely check your continuing education requirements, verify the hours you have completed by reviewing your transcript, search for approved courses being offered and see important information about your license.

The Department encourages you to monitor your MyProfile account and make certain that your completed CE courses are updated.

What if the course provider has not notified the Department? If you find that a course was not updated to your account, it is best to contact the course provider immediately and make them aware.

If a course provider does not add you to the roster or you are unsuccessful in reaching them, contact the Department by emailing <a href="mailto:Education@MyFloridaCFO.com">Education@MyFloridaCFO.com</a>. The Department may request your certificate of completion as documented proof of your course completion.

As always, if you believe that any course provider is not complying with their requirements outlined in the Florida Insurance Code, you are encouraged to inform us.

# **How to Search for Approved CE Courses**

Looking for continuing education (CE) courses to be sure you get all your hours completed? Our online course search can easily help you out and lists those courses approved by the Department.

- 1. Go to our website at <a href="https://www.MyFloridaCFO.com/Division/Agents">www.MyFloridaCFO.com/Division/Agents</a>.
- 2. Click on MyProfile on the left panel and log in to your account.
- 3. Once in your MyProfile inbox, click on Locate at the top left. Then click on Future Course Offerings.
- 4. Select the **Course Authority** for the type of license held or course you need to take.
- 5. You can also make other choices, like **Study Method** and **Location**, to narrow your search results.
- 6. If you click on **Perform an Advanced Search**, you will have additional options to narrow your search results, such as **Course Date** and **Course Level**.

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 <a href="MyProfile">MyProfile</a> 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 as the public search limits the results to the first 100 course offerings.

We wish you success as you continue to complete your hours to keep your knowledge current in an ever-changing insurance market. And remember, your CE compliance date is your **DUE** date, not your **DO** date.

# **Updated Study Manuals**

The Department has just completed a review and approved revisions made to all the following study manuals used in preparation for examinations for licensure:

- Life, Health, and Variable Annuity
- General Lines
- Adjusters
- Surplus Lines
- Title
- Industrial Fire and Burglary

These manuals will be available for sale through the authorized vendors starting November 1, 2012.

Contact information for each authorized vendor may be found on the Department's website at www.MyFloridaCFO.com/Division/Agents/Licensure/Examinations/studyManuals.htm.

### **Education Providers: Conference Call Set for November 6**

Please join us on November 6, 2012, 2:00pm - 3:00pm ET for the Education Bi-monthly Conference Call and Webinar. The first 250 callers will be able to participate. Documents for the conference call will be available at www.MyFloridaCFO.com/Division/Agents/Licensure/Education on or before November 2, 2012.

The agenda has discussion topics, which include the following:

- 1. Self Study Submissions
- 2. Information Required for Instructor Resume
- 3. Course Ownership
- 4. Information on Certificate of Completion
- 5. Adding Course Authorities
- 6. Exam Content Outline

To prevent any inadvertent change to the meeting URL address, the Department will email out the login URL and Passcode on Monday, November 5, 2012, if not earlier.

Any questions regarding the conference call can be addressed to <a href="mailto:Education@MyFloridaCFO.com">Education@MyFloridaCFO.com</a>.

#### **New Exam Content Outlines**

Every year the Department, along with its exam vendor and subject matter experts in the industry, thoroughly review exams for licensure. This past year several changes were made to the content outline of some of the exams. These changes will impact exams that are taken January 1, 2013 or after.

Pre-licensing course providers are advised to update their study manual versions and be aware of the content outline changes. The new content outlines are available on Pearson VUE's website at <a href="http://www.pearsonvue.com/fl/insurance">http://www.pearsonvue.com/fl/insurance</a>.

The Education Unit will have a brief discussion on the new content outlines during our November 6th conference call. For more information about our conference calls please continue to monitor your email, MyProfile notifications, and our website at <a href="https://www.MyFloridaCFO.com/Division/Agents/Licensure/Education">www.MyFloridaCFO.com/Division/Agents/Licensure/Education</a>.

#### **Education Providers: Monitor Your Contact Information**

Have you had any changes in staff recently?

Education providers are reminded to monitor your contact information and lists with the Department through your <a href="MyProfile">MyProfile</a> account. This includes adding and removing contacts and school officials from your records when appropriate.

Whenever someone new comes on board and will be acting as a school official, be sure to apply for them to be a school official on your account. Under the "Apply" menu tab found at the top of the home page of your MyProfile provider account, select 'School official'. Then fill out and submit the application.

When a school official leaves, be sure to email the Education Unit at <a href="Education@MyFloridaCFO.com">Education@MyFloridaCFO.com</a> with a request to remove that individual's approval as a school official on your account.

When was the last time you verified who is on your account? You can do that anytime. Under the "Maintenance" menu tab found at the top of the home page of your MyProfile provider account, select 'Contact List'. This will pull up a list of all individuals listed as school officials or contact persons. If there is anyone listed who is no longer a part of your company, please notify the Department immediately to have him/her removed.



# **Compliance Corner**

We continue to see a pattern of noncompliance in the areas noted below. This section has been created to assist you in keeping your insurance business in compliance. The items are intended as reminders only and are not necessarily the exact text of the <u>Florida Statutes</u> or <u>Florida Administrative Code</u>. The legal cites have been provided for your further reference.

# Agent in Charge/Primary Adjuster Required for Branch Offices/Firms

Each branch of a multiple-location insurance agency or adjusting firm must be supervised full-time by a licensed agent or adjuster, according to Florida law. As stated in ss. 626.747(1), F.S.,: "Each branch place of business established by an agent or agency, firm, corporation, or association shall be in the active full-time charge of a licensed general lines agent or life or health agent who is appointed to represent one or more insurers. Any agent or agency, firm, corporation, or association which has established one or more branch places of business shall be required to have at least one licensed general lines agent who is appointed to represent one or more insurers at each location of the agency including its headquarters location."

The primary adjuster law, s. <u>626.8695</u>, F.S., states that each person operating an adjusting firm and each location of a multiple location adjusting firm must designate a primary adjuster for each such firm or location. The statute also defines a primary adjuster as the licensed adjuster who is responsible for the hiring and supervision of all individuals within an adjusting firm location who deal with the public and who acts in the capacity of a public adjuster as defined in s. <u>626.854</u>, or an independent adjuster as defined in s. <u>626.855</u>. An adjuster may be designated as a primary adjuster for only one adjusting firm location.

Bail bond agencies, as well, must have a designated primary bail bond agent for each location at all times per s. <u>648.387</u>, F.S. The primary bail bond agent is responsible for the overall operation and management of a bail bond agency location, whose responsibilities may include, without limitations, hiring and supervising of all individuals within the location, whether they deal with the public in the solicitation or negotiation of bail bond contracts or in the collection or accounting of moneys. A person may be designated as primary bail bond agent for only one location.

[See Sections 626.747, 626.854, 626.855, 626.8695, and 648.387, Florida Statutes]

# **Assessing Credit Card Fees to Consumers**

Agents may charge and collect the exact amount of the fee imposed by a credit card facility in connection with the use of a credit card in addition to the *premium* required by the insurer. The exception to this is with the issuance of bail bonds, where a bail bond agent may not charge any fee above or less than the approved *premium* rate. However, bail bond agents may charge the credit card fee imposed when the credit card is used to provide *collateral* on the bail bond written as long as the fee is clearly shown on the collateral receipt, is posted on a notice in the bail bond agency and is acknowledged by the consumer.

[See Subsections 626.9541(1)(0)2 and 648.571(3)(b), Florida Statutes]

# **Charging Consumers for Motor Vehicle Reports (MVRs)**

An agent/agency may charge a consumer the actual cost of the MVR for each licensed driver. However, you may not include subscription or access fees associated with obtaining the MVR in the cost to the consumer.

[See Subsection 627.7295(5)(b), Florida Statutes]

### All Licensees: Appointments and the Easy Way to Do Them Online

Appointments must be completed online (except bail bond agents). Depending on the type of license and appointment, the steps to complete the appointment may be different. Please view the appropriate category below for instructions:

- Customer Representative: Customer representatives (4-40) and limited customer representatives (4-42) must be appointed through the <a href="MyProfile">MyProfile</a> account of the supervising general lines agent (2-20) OR the licensed/registered insurance agency where the customer representative works. To do this:
  - 1. Go to MyProfile and log in to the supervising general lines agent's or the agency's account.
  - 2. Select the "Access eAppoint" link under "Apply". If you have never used eAppoint, you must first register and will need to select "Register to become an appointing entity".
  - 3. Once in the eAppoint Workbench, select the required tab (New Appointment, Renew Appointment, or Terminate Appointment) and follow the instructions on the page. You will need to remit the appropriate appointment fee(s). Appointments must be renewed every 24 months during the birth month for the appointee.
- Self-Appointing Surplus Lines Agent, Viatical Settlement Broker, Public or All-Lines Adjuster:
   Self-appointing surplus lines agents, viatical settlement brokers, public or all-lines adjusters must log in to their own MyProfile account and complete an appointment. To do this:
  - 1. Go to MyProfile and log in to your account.
  - 2. Select the "Access eAppoint" button under "Apply". If you have never used eAppoint, you must first register and will need to select "Register to become an appointing entity".
  - 3. Once in the eAppoint Workbench, select the required tab (New Appointment, Renew

Appointment, or Terminate Appointment) and follow the instructions on the page. You will need to remit the appropriate appointment fee(s). Appointments must be renewed every 24 months during the birth month for the appointee.

- Adjusting Firm Appointing a Public or All-lines Adjuster: Adjusting firms that are attempting to appoint a public or all-lines adjuster must use eAppoint by logging in with an email address and password. To do this:
  - Go to eAppoint at <a href="https://iportal.fldfs.com/eappoint">https://iportal.fldfs.com/eappoint</a>. If you are having a problem logging in, try clicking the "Retrieve lost password" link on the left side of the screen. If this does not resolve the issue, please contact our Licensing Help Line at (850) 413-3137.
  - 2. Once in the eAppoint Workbench, select the required tab (New Appointment, Renew Appointment, or Terminate Appointment) and follow the instructions on the page. You will need to remit the appropriate appointment fee(s). Appointments must be renewed every 24 months during the birth month for the appointee.
- Insurance Companies and All Other Entities: Insurance companies and all other entities must use eAppoint and will log in using an email address and password. To do this:
  - 1. Go to eAppoint at <a href="https://iportal.fldfs.com/eappoint">https://iportal.fldfs.com/eappoint</a>. If you are having a problem logging in, try clicking the "Retrieve lost password" link on the left side of the screen. If this does not resolve the issue, please contact our Licensing Help Line at (850) 413-3137.
  - 2. Once in the eAppoint Workbench, select the required tab (New Appointment, Renew Appointment, or Terminate Appointment) and follow the instructions on the page. You will need to remit the appropriate appointment fee(s). Appointments must be renewed every 24 months during the birth month of the appointee.



# **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 <u>Division of Insurance Fraud</u> for criminal investigation.

**Case:** An agent perpetrated a complex financial scheme to defraud numerous consumers and a major homeowners insurance company. After a thorough investigation, it was uncovered that the agent's scheme was two-fold. The first phase involved the agent's systematic practice of charging his customers for wind mitigation inspections and four-point inspections on their dwellings that were never actually



performed. In numerous cases, the four-point inspections were not even required and contained consumer signatures that were forged by the agent. The second phase of the scheme involved the agent's routine practice of manipulating underwriting information for consumers on numerous homeowners' insurance applications that were then submitted to an insurance company. The false information included incorrect years that the dwellings were built to further justify the inclusion of the bogus inspection forms.

**Disposition:** License revoked. He was arrested by the Division of Insurance Fraud and charged with Organized Fraud in excess of \$50,000. He was later sentenced to a four-year prison term, followed by 20 years of probation, and ordered to pay restitution totaling more than \$100,000.

**Case:** A life, health, and variable annuity agent was investigated and alleged to have submitted more than 100 fraudulent insurance applications using fictitious identities, resulting in her receiving advanced commissions. Premium payments were never received by the insurance company, which led to policy cancellations and the discovery of the fraud. She also failed to license her insurance agency and failed to update her addresses with the Department.

**Disposition:** License revoked and is permanently ineligible for licensure. She was arrested by the Division of Insurance Fraud and is currently facing felony charges of Organized Scheme to Defraud as well as False and Fraudulent Insurance Claim.

Case: An investigation centered on an agent's transactions with an 87-year-old widowed consumer. The agent worked the scam in tandem with her husband, also an agent. The wife, who was also a loan officer, convinced the consumer to take out a loan against her paid-for home, and to use \$175,000 of the proceeds to purchase an annuity. This transaction netted the agent commissions and caused the consumer to incur a large debt in the form of a new mortgage. Later, the agent again approached the consumer and convinced her to surrender the annuity for its cash value and to sign

the proceeds over to the agent's husband's insurance agency. The check was notated as a "business loan". The surrender of the annuity incurred more than \$30,000 in surrender charges. The multiple transactions left the consumer with new mortgage debt, no income stream other than social security and her net worth severely depleted.

**Disposition:** The wife's license was revoked and she is permanently ineligible for licensure. The husband's license was suspended for one year.

**Case:** A title agent's agency escrow account was closed by a title insurance company when about \$400,000 in premium funds went missing. The agent allegedly claimed medical problems caused her to overlook acts by others in her agency, in a transparent attempt to deflect responsibility for the money she took from consumers. The agent pretended to cooperate with the insurer when she signed a promissory note to pay back the missing funds. The agent did not keep her "promise" and did not pay back the misappropriated money. The insurance company was successful in obtaining a judgment against the agent and her agency in an amount totaling more than \$300,000.

Disposition: License revoked.

**Case:** An investigation of an automobile warranty and service warranty firm licensee alleged it knowingly collected premiums for motor vehicle service agreements for which were cancelled. The licensee failed to refund the premiums to the consumers and failed to pay a final judgment rendered against itself in the state within 90 days after the judgment became final. In addition, they failed to respond to the Department's administrative complaint.

**Disposition:** License revoked.

**Case:** A public adjuster was overcharging on Citizen's Property Insurance Corporation claims despite Florida law. Florida law restricts a public adjuster to 10% of any payments above the initial offer by Citizens. The public adjuster was charging 20% on the entire claim.

**Disposition:** License suspended for three months and required to reimburse the consumer the overpayment on the claim.

Case: An investigation of a life, health and variable annuity agent alleged that he failed to report an administrative action taken against him by the Florida Office of Financial Regulation (OFR), which fined him \$10,000. The OFR received a complaint on the agent filed on behalf of an estate. The complainant alleged that after the death of a consumer the agent liquidated the eight remaining options without prior written discretionary authority.

**Disposition:** Fined \$1,500 and placed on probation for one year.



# **Enforcement Actions**

#### - September 2012

Some of the following disciplinary actions were resolved through a settlement process resulting in an order for discipline. Notification of disciplinary 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.

Copies of disciplinary actions can be located by searching the <u>Division of Legal</u> <u>Services' database</u>. For further information, you may make a public records request via email.

INVESTIGATOR

RIMENTO

SUBJECTION

SUBJECT

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 do so is in violation of Section 626.9541(1)(c), Florida Statutes.

LAST/BUSINESS NAME	FIRST NAME	LICENSE#	LICENSE TYPE	DISPOSITION	FINE	CITY, STATE	DOCUMENT
Adler	Scott	A001851	Bail Bond	Fined	\$1,000	Miami, FL	Consent Order
Aguilera	Paulino	P175208	Public Adjuster	License Suspended 3 Months		Hialeah, FL	Order of Suspension
Avalon Title Services, Inc.		P078939	Title Agency	License Suspended 3 Months		Orlando, FL	Order of Suspension
C&M Title Inc		E032247	Title Agency	License Suspended 3 Months		Hialeah, FL	Order of Suspension
Capua	John	P163166	General Lines	License Revoked		Sarasota, FL	<u>Consent</u> <u>Order</u>
Castano	Tamara	P170774	Public Adjuster	License Suspended 3 Months		Miami, FL	Order of Suspension
Cogent Closing Associates, LLC		P086724	Title Agency	License Suspended 3 Months		Atlanta, GA	Order of Suspension

Crespo	Catherine	A057586	Bail Bond	Fined	\$1,000	Fort Lauderdale, FL	
De La Cruz	Jinny	D028142	General Lines, Surplus Lines	License Suspended 3 Months		Jacksonville, FL	Order of Suspension
DeAza Sr	Alexis	E159421	Public Adjuster	Probation and Fined	\$4,500	Hollywood, FL	Consent Order
Delisser	Aamard	E159068	Life, Health, Variable Annuity	License Revoked		Miami, FL	Order of Revocation
Diligent Title, LLC		P146592	Title Agency	Fined	\$500	Tampa, FL	Consent Order
Emergency Services 24, Inc.			Not Licensed	Cease & Desist		Atlanta, GA	Consent Order
Esquire Land Services, Inc.		P116734	Title Agency	License Suspended 3 Months		Montvale, NJ	Order of Suspension
Fisher	Leroy	A300497	Life & Health	License Suspended 4 Months and Probation		Jupiter, FL	Consent Order
Florida Coast Title Corp.		D013347	Title	Fined	\$500	Fort Lauderdale, FL	Consent Order
Golladay	Joshua	E000671	Health	License Revoked		Sun City Center, FL	Consent Order
Gutierrez	Aileen	P173608	Public Adjuster	License Suspended 3 Months		North Miami, FL	Order of Suspension
Herrera	Lily	E020294	Customer Representative	Probation		Hialeah, FL	Consent Order
JMC Insurance Agency		L057424	Insurance Agency	License Revoked		Sarasota, FL	Consent Order
Keith Watson Title Services, Inc.		E014204	Title Agency	Fined	\$500	Ponte Vedra Beach, FL	Consent Order
Kelter	Jeremy	A139167	Life, Variable Annuity	Probation and Fined	\$1,750	Lake Worth, FL	Consent Order
Kornfeld	Barry	A144907	Life, Variable Annuity	License Revoked		Boynton Beach, FL	Consent Order
Lozada	Leonardo	P041784	Public Adjuster	License Suspended 3 Months		Hialeah, FL	Order of Suspension
Morales	Vivian	E037754	Public Adjuster, Health	License Suspended 3 Months		Miami, FL	Order of Suspension

Padron	Jesse	P191723	Public Adjuster	Fined	\$500	Miami, FL	Consent Order
Panczykowski	Rachel	P177403	Life, Health, Variable Annuity	License Revoked		Jacksonville, FL	Consent Order
Parrilla	Juan	P184647	Public Adjuster	License Suspended 3 Months		Miami, FL	Order of Suspension
Phipps	Colin	P000081	Public Adjuster	Fined	\$500	Lauderhill, FL	<u>Consent</u> <u>Order</u>
Poploff	Jeff	P172324	Health	License Revoked		Delray Beach, FL	Order of Revocation
Rosenberg	Brooke		Bail Bond	Temporary Permit Suspended Temporarily		Tampa, FL	Order of Suspension
Samolinski	Shelly	P006507	General Lines	Fined	\$1,500	Lasalle, IL	<u>Consent</u> <u>Order</u>
Shoreline Title Insurance Agency of Volusia, Inc.		E076492	Title Agency	License Suspended 2 Months		Edgewater, FL	Order of Suspension
Small	Robin	P172797	Public Adjuster	License Suspended 3 Months		Cutler Bay, FL	Order of Suspension
Thomas	Angelo	W077674	Bail Bond	License Suspended Temporarily		Orlando, FL	Notice of Temporary Suspension
Zevuloni	Abraham	P175543	Public Adjuster	License Suspended 2 Months		Plantation, FL	Order of Suspension



# **Contact Us**

- We're always here for you

# **Bureau of Licensing**

<u>AgentLicensing@MyFloridaCFO.com</u> - For general inquiries about licensing.

Education@MyFloridaCFO.com - For education-related questions (prelicensing, continuing education, providers, etc.)

MyProfile - Check your up-to-the-minute application status, education information, and more.

Licensees are reminded to update any change in their name, addresses (including email) or phone numbers by logging in to their <a href="MyProfile">MyProfile</a> account. If you also have an agency license, don't forget to log in to your agency's MyProfile account and update it as well.

200 East Gaines Street Larson Building, Room 419 Tallahassee, FL 32399-0319

### **Bureau of Investigation**

Title@MyFloridaCFO.com - For title insurance matters

BailBond@MyFloridaCFO.com - For bail bond matters

askDFS@MyFloridaCFO.com - For all other matters not related to licensing or education

200 East Gaines Street Larson Building, Room 412 Tallahassee, FL 32399-0320

# Insurance Insights Editor/Publisher

#### Matthew Guy

We welcome suggestions and inquiries concerning *Insurance Insights*. Please direct them to Matthew Guy.

200 East Gaines Street Larson Building, Room 419E Tallahassee, FL 32399-0319

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