

Honoring Florida's Fallen Firefighters

Dear Friends,

Earlier this month, I was blessed yet again with the opportunity to attend our annual Florida Fallen Firefighter Memorial event at the Florida State Fire College in Ocala. The combined efforts of all those who are involved in the planning of this event have ensured that a standard of excellence is present when providing consolation for our firefighters who have fallen while pursuing one of the most noble professions known to humanity.

As the sun shined bright and a cool fall breeze swept through the ceremony grounds, I knew each of the individuals who are represented by the 184 names engraved on our memorial's marble slate were looking down on us. With each of their histories staring back at me through the eyes of their friends and family, it brought me great joy to announce at this year's event that Florida did not lose a single firefighter in the line of duty since we met at the ceremony grounds one year ago.



This year, we honored Captain Glen Rhodes of the Sanibel Fire Control District who lost his life while trying to save that of another more than 45 years ago. Along with his son, a fellow professional, Captain Rhodes was fulfilling a call to rescue an individual who was undergoing cardiac arrest. The captain passed away doing what he loved, with someone he loved -- his family. Once you join the firefighter family, it is one that you never leave and this year's event showed just that.

Again, to all of those who worked tirelessly to make this year's event one to remember, thank you. To all those who were in attendance, thank you. To our firefighters, the noble among us who have chosen to live the calling of a fire servicemember, thank you. And for everyone else in our great state, remember, every 11 seconds our emergency responders are racing to a call. Inside that fire engine or ambulance is a cabin filled with individuals who risk their own lives to protect us. So when you see the lights, and when you hear the sirens, pause and pray for those who have committed to ensuring the safety and well-being of you, and me, and our fellow Floridians.



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 >>](#)

Sincerely,



Jeff Atwater
Chief Financial Officer
State of Florida



© 2016 Florida Department of Financial Services



Volume 5, No. 10 - October 2016

News You Can Use

- Updating you on what's going on

Multi-Agency Sting Leads to 11 Arrests in Manatee County

The Department of Financial Services' Division of Investigative and Forensic Services (DIFS) announced 11 arrests following a multi-agency undercover workers' compensation and unlicensed contracting sting in Manatee County. The individuals arrested were found to have advertised their ability to perform jobs such as plumbing and electrical work without the proper licensing or training, and without having workers' compensation coverage to protect their employees in the event of an accident or injury.

"When contractors knowingly neglect the law, a major liability risk is created for property owners," said CFO Jeff Atwater. "Not only are homeowners liable for any injuries that occur to uncovered workers on their property, but sub-par work performed by unlicensed and untrained contractors also creates a direct hazard for the property. This is a practice we, along with our local and state law enforcement partners, are working diligently to stop."

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

CFO Jeff Atwater Named Florida's 2016 Consumer Champion by the Florida Association for Insurance Reform

Chief Financial Officer Jeff Atwater was named Florida's 2016 Consumer Champion during an annual awards ceremony hosted by the Florida Association for Insurance Reform. The annual FAIR awards recognize insurance and policy leaders whose work has made a meaningful difference in the lives of Floridians. During the 2015 legislative session, CFO Atwater championed several consumer-oriented insurance bills, including significant policy changes in life insurance and health insurance.

"I believe that Floridians need strong representation when insurance issues are discussed, and it's my privilege to go to bat for the people I've been elected to represent," said CFO Atwater. "I am honored to receive this award, and I thank the FAIR team for the work that they do on behalf of Florida's more than 20 million residents."

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

CONSUMER ALERT: FEMA Extends Filing Deadline from 60 Days to 90 Days for NFIP Flood Insurance Claims Associated with Hurricane Hermine

After productive discussions between Insurance Commissioner David Altmaier and representatives of the Federal Emergency Management Agency (FEMA) on ways to assist Floridians impacted by the widespread flooding caused by Hurricane Hermine, an extension of 30 days has been granted for National Flood Insurance Program (NFIP) policyholders to file claims. Typically, NFIP policyholders have 60 days to file a “Proof of Loss” claim with their insurance company following the date of loss. This extension gives Florida NFIP policyholders a total of 90 days to make a claim for flooding damages sustained as a result of Hurricane Hermine.

For more information, read the FEMA bulletin at: <http://nfipiservice.com/Stakeholder/pdf/bulletin/w-16084.pdf>

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

CFO Atwater and Commissioner Altmaier Tour Hurricane Matthew’s Path of Damage in Northeast Florida

Chief Financial Officer Jeff Atwater and Insurance Commissioner David Altmaier were joined by multiple members of Florida’s Legislature, local leaders, and insurance company executives on a tour of Hurricane Matthew’s damage in St. John’s County. Following the tour, participants met to discuss the insurance industry’s claims-handling response. As of Wednesday morning, more than 39,302 insurance claims have been filed statewide, totaling an estimated \$218 million in losses.

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

CHOICES is Available to Help Consumers Shop for and Compare Prices of Medicare Supplement Policies

With the Medicare Advantage open enrollment period beginning this weekend, the Florida Office of Insurance Regulation (Office) wants to remind consumers aged 65 or older about a free online resource called the CHOICES system. This system helps consumers search for available Medicare Supplement (also known as Medigap) policies and provides the price of each for comparison purposes. The Office recently revised the rate information in this system to reflect the current pricing of these products by health insurance companies in the Medicare Supplement market.

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

Encore Bank Becomes Florida State-Chartered Institution

The Florida Office of Financial Regulation is pleased to announce that Encore Bank converted to a Florida state-chartered financial institution effective October 5, 2016. The bank is located in Naples, with branches in Bonita Springs, Fort Myers, Port Charlotte and Sun City Center. Encore Bank holds more than \$383 million in assets.

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

Office Issues Final Order Approving a 14.5% Increase to Workers' Compensation Insurance Rates in Florida

The Florida Office of Insurance Regulation (Office) has issued a Final Order granting approval to the National Council on Compensation Insurance (NCCI) for an overall combined statewide average rate increase of 14.5%. This rate increase applies to both new and renewal workers' compensation insurance policies effective in Florida as of December 1, 2016.

[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.

© 2016 Florida Department of Financial Services

In The Know

- Keeping you informed is what it's all about

Suspension and Revocation - All License Types Except Bail Bond

Immediate suspension

The Department shall, upon receipt of information or an indictment, immediately temporarily suspend a license or appointment when the licensee is charged with a felony enumerated in subsection [626.207\(3\)](#), F.S. Such suspension shall continue if the licensee is found guilty of, or pleads guilty or nolo contendere to, the crime, regardless of whether a judgment or conviction is entered, during a pending appeal. A person may not transact insurance business after suspension of his or her license or appointment. [See s.[626.112](#), F.S.]

Suspension

If your insurance license is suspended in accordance with an Order issued by the Division of Legal Services, you will receive notification from the Division of Agent and Agency Services, Bureau of Licensing that your insurance license has been suspended along with any appointments associated with the license.

Pursuant to section [626.641](#), F.S. as a suspended licensee you shall not:

- Engage in or attempt or profess to engage in any transaction or business for which a license or appointment is required under the Florida Insurance Code.
- Directly or indirectly own, control, or be employed in any manner by any insurance agent or agency or adjuster or adjusting firm.
- Serve as an officer or director of, or remain listed on any corporate records as an officer or director of, an insurance agency or adjusting firm.
- Be named on or affiliated with any bank account that relates in any manner to an insurance agent or agency or adjuster or adjusting firm.

Please note that an insurance license and/or appointment is valid only for the person named and it is not transferrable to another person. You may not allow any other person to transact insurance by utilizing the license or appointment that was issued to you by the Department. [See s.[626.441](#), F.S.]

After your suspension period has ended, you will be able to file an application for reinstatement of licensure; however, your application is subject to the same conditions as a first time applicant. The Department will not re-instate a license if the same circumstances for which the license was suspended still exist or are likely to re-occur. [See s.[626.641\(1\)](#), F.S.]

If you knowingly transact insurance or otherwise engage in insurance activities in this state without a license, or while your licenses are suspended you are committing a felony of the third degree. [See s.[626.112\(9\)](#), F.S.]

If you ever have your license suspended, you must file a reinstatement application via [MyProfile](#), submit new fingerprints (if previous fingerprint results are over 1 year old) and pay the applicable application and fingerprint processing fees at time of application. If your license is suspended, you are required to reveal the administrative action on the reinstatement application or be subject to additional administrative action.

Note: This section does not apply to bail bond agents under immediate *temporary* suspension.

Revocation

If your insurance license are revoked in accordance with an Order issued by the Division of Legal Services, you will receive notification from the Division of Agent and Agency Services, Bureau of Licensing that your insurance license has been revoked along with any appointments associated with the license.

Pursuant to section [626.641](#), F.S., if your license is revoked, you shall not:

- Have the right to apply to the Department for another license under the Florida Insurance Code within two (2) years of the effective date of the revocation.
- Engage in or attempt or profess to engage in any transaction or business for which a license or appointment is required under the Florida Insurance Code.
- Directly or indirectly own, control, or be employed in any manner by any insurance agent or agency or adjuster or adjusting firm.
- Serve as an officer or director of, or remain listed on any corporate records as an officer or director of, an insurance agency or adjusting firm.
- Be named on or affiliated with any bank account that relates in any manner to an insurance agent or agency or adjuster or adjusting firm.

If you knowingly transact insurance or otherwise engage in insurance activities in this state without a license, or while your license is revoked, you are committing a felony of the third degree.

Compensation and Other Inducements

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. [See s.[626.621\(15\)](#), F.S.]

License and Appointment Required

In order to solicit and transact insurance you must be licensed by the Department and appointed by the appropriate appointing entity or person. Transacting insurance is defined in s.[624.10](#), F.S. and considered the solicitation (as defined in s.[626.112\(1\)\(b\)](#), F.S.) or inducement to purchase an insurance product, engaging in the preliminary negotiations for the sale, effectuation of a contract of insurance and the transaction of matters subsequent to the transaction of a contract for insurance.

Regarding appointments, it is ultimately your responsibility to ensure you have been appointed by the appropriate entity or person. Insurance agencies cannot appoint an agent.

The Florida Statutes Are Available Online

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

© 2016 Florida Department of Financial Services

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 5, No. 10 - October 2016

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 ~ Contractors Acting As Public Adjusters

Public Adjuster License Needed To Assist With Claims

Sometimes contractors attempt to help victims of disasters by offering assistance with their insurance claim. If they do, they may illegally be engaging in the practice of public adjusting without being properly licensed by the Department of Financial Services.

A public adjuster is defined in s. [626.854](#), F.S., as any person, except an attorney, who, for money or any other thing of value (which would include securing a contract for repairs):

- Prepares, completes or files an insurance claim form for an insured
- Aids an insured in negotiating for or effecting the settlement of a claim
- Advertises for employment as an adjuster of such claims

However, the contractor may discuss or explain a bid for construction or repair of covered property with the residential property owner who has suffered loss or damage covered by a property insurance policy, or the insurer of such property, if the contractor is doing so for the usual and customary fees applicable to the work to be performed as stated in the contract between the contractor and the insured. [See s. [626.854\(1\)](#), F.S.]

If you are acting as a public adjuster in any manner by negotiating or effecting the settlement of an insurance claim on behalf of an insured and you are performing any of these services for money, commission or anything of value without being licensed as a public adjuster, you could be subject to arrest and may be charged with a third-degree felony as provided by s. [626.8738](#), F.S.

If you become licensed as a Public Adjuster, you cannot enter into a contract to do both the public adjusting and construction work on the same property per s. [626.8795](#), F.S., Public adjusters; prohibition of conflict of interest:

"A public adjuster may not participate, directly or indirectly, in the reconstruction, repair, or restoration of damaged property that is the subject of a claim adjusted by the licensee; may not engage in any other activities that may be reasonably construed as a conflict of interest, including soliciting or accepting any remuneration from, of any kind or nature, directly or indirectly; and may not have a financial interest in any salvage, repair, or any other business entity that obtains business in connection with any claim that the public adjuster has a contract or an agreement to adjust."

If you have any questions about the activities constitute acting as a public adjuster, please contact the Department of Financial Services' Bureau of Investigation at Adjusters@MyFloridaCFO.com.

See [See DBPR Fall 2007 Newsletter](#).

Business And Trade Practices

Your profession as a licensed and appointed agent or adjuster engages the public trust. Therefore, your insurance activities and your business practices must be conducted in accordance with the laws and regulations of Florida. There are certain prohibited practices, such as false advertising, unfair discrimination, unfair claim practices, coercion, providing free insurance, unlawful rebates, refusing to insure, misrepresentation, premium surcharges and illegal dealings in premiums that would be considered an unfair trade practice. Please review s. [626.9541](#), F.S., for the full text of the unfair trade practices laws.

Reporting of Actions Against You

You are required to let us know within 30 days of a final disposition of any administrative action. This includes any action by a governmental agency in this or any other state or jurisdiction relating to the business of insurance, the sale of securities, or activity involving fraud, dishonesty, trustworthiness, or breach of fiduciary duty. A copy of the order, consent to order or other relevant legal documents should be directed to: The Florida Department of Financial Services, Bureau of Licensing, 200 East Gaines Street, Tallahassee, FL 32399-0319, or by email to AgentLicensing@MyFloridaCFO.com. [See s. [626.536](#), F.S.]

You must inform the Department in writing within 30 days after pleading guilty or nolo contendere to, or being convicted or found guilty of, any felony or a crime punishable by imprisonment of 1 year or more under the law of the United States or of any state thereof, or under the law of any other country without regard to whether a judgment of conviction has been entered by the court having jurisdiction of the case. See s. [626.451\(7\)](#), F.S.

Information on Navigators and Registering

There is Florida [law](#) regarding the registering and regulation of the "Navigator" position created by federal health care reform. The law states:

- Individuals acting as a "navigator" under the Patient Protection and Affordable Care Act (PPACA), commonly known as the Affordable Care Act or ACA, are required to be registered with the Florida Department of Financial Services (DFS).
- To be registered as a navigator, an individual must:
 - Be a natural person at least 18 years of age;
 - Be United States citizen or legal alien who possesses work authorization from the United States Bureau of Citizenship and Immigration Services;
 - [Submit the application for registration by answering all of the questions and paying the fees to complete the online application](#);
 - Provide **official certification** that he or she has successfully completed all required training by the federal government and has been certified by them as a **Marketplace Navigator for the 2017 enrollment period**. The certificate of completion that states it is "not an official certification record" is **not** sufficient. Please provide the official certificate that has the navigator's unique ID number assigned by the Department of Health and Human Services (HHS) and the organization they are employed;
 - [Submit fingerprints for a criminal background check](#) (certain crimes may disqualify an applicant from registration).

- A navigator is prohibited from:
 - Soliciting, negotiating, or selling health insurance;
 - Recommending the purchase of a particular health plan or represent that one health plan is preferable over any other;
 - Recommending or assisting with the cancellation of insurance coverage purchased outside the Exchange;
 - Receiving compensation or anything of value from an insurer, health plan, business, or consumer in connection with performing activities as a navigator, other than from the Exchange or an entity or individual who has received a navigator grant under the PPACA.
- Grounds for suspension or revocation of registration and authorizes DFS to impose an administrative fine in lieu of, or in addition to suspension or revocation.
- Any person who acts as a navigator without registration is subject to an administrative penalty not to exceed \$1,500.

Navigators are required to adhere to strict security and privacy standards – including how to safeguard a consumer’s personal information. They are required to complete training by the federal government to be certified, will take additional federal training throughout the year, and will renew their federal certification yearly. All types of enrollment assisters – including Certified Application Counselors and agents/brokers – are required to complete specific training and are subject to federal criminal penalties for violations of privacy or fraud statutes, on top of any relevant state law penalties.

Individuals interested in becoming Navigators should [contact the entities that are awarded Navigator grants by the Department of Health and Human Services](#) (HHS) for potential employment opportunities. Navigators are not hired directly by the federal government or the Marketplace.

The training curriculum for Navigators is available on the Marketplace website - <http://marketplace.cms.gov>. Please know that completion of the federal navigator curriculum does not automatically qualify an individual to become a navigator.

Certified Marketplace Application Counselors are not required to be registered as a navigator by the Florida Department of Financial Services (DFS) as they are not regulated by DFS. If you are a certified Marketplace Application Counselor, please do not apply for registration as a Florida navigator.

If you are already registered in Florida as a navigator, you do not need to re-apply, re-qualify, or re-register with the DFS. Please be sure to check your registration status via your MyProfile account. You only need to email your Marketplace Navigator certificate for the 2017 enrollment period to the Department.

Health and Human Services Contact Information

If you wish to access information from the Federal Government, such as information regarding the Federally-facilitated Marketplace or Health Insurance Exchange, please go to their website at <http://www.healthcare.gov>.

Federally-Facilitated Marketplace (FFM) Agent/Broker Training

Annual FFM Registration Requirements

All agents and brokers participating in the FFM must complete registration on the CMS Enterprise Portal at <https://portal.cms.gov> (i.e., create an FFM user account, select the agent/broker role, and complete identity proofing) if they have not done so previously.

To continue participation in the Federally-facilitated Individual Marketplace each year, agents and brokers must also complete a Marketplace Learning Management System (MLMS) profile, complete the required training and

exams, and execute the Individual Marketplace Agreements (i.e., General and Privacy & Security Agreement). To begin this process, agents and brokers must log in to the CMS Enterprise Portal at <https://portal.cms.gov> with their existing credentials.

To continue participation in the Federally-facilitated SHOP Marketplace each year, agents and brokers must also complete an MLMS profile and execute the FF-SHOP Agreement, and are strongly encouraged to complete the associated training and exams. To begin this process, agents and brokers must log in to the CMS Enterprise Portal at <https://portal.cms.gov> with their existing credentials.

For plan year 2017, agents and brokers can complete the CMS-developed training on the MLMS or through a CMS-approved vendor. Agents and brokers will access both the CMS-developed training and CMS-approved vendor training via the CMS Enterprise Portal. For more information, click [here](#).

Got Questions?

Check out the information our Division of Consumer Services has on its website at: <http://www.MyFloridaCFO.com/Division/Consumers/HealthReform.htm>.

Please [click here](#) to view a current list of registered navigators.

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.

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 & Forensic Services](#) for criminal investigation.

Case: Investigators received a complaint from a consumer that a bail bond agent failed to return collateral provided for a bail bond upon discharge of the bond. The complainant was the indemnitor and had used a credit card to make a \$6,000 collateral payment to indemnify the bond.

Investigators obtained a statement from the consumer that he paid the bail bond agent \$6,516, which included the bail bond premium and collateral. The bail bond agent's bank records were analyzed to confirm deposit of the funds in dispute.

During an agency inspection, the bail bond agent was unable to produce record of the transaction or the required daily bond register. Through investigators' efforts, the consumer received a refund of the funds paid, less the bail bond premium and 3% charge for the credit card transaction fee.

Disposition: Fined \$5,816.

Case: The Department was notified by an insurance company that a life insurance agent was terminated for cause. Investigators requested insurance company records of complaints or suspicious transactions and determined that the agent had surrendered five consumers' existing life insurance policies and submitted applications for new policies without their knowledge or consent. Investigators obtained statements from each of the affected consumers that signatures on the documents were not their true signatures. In each case, the agent used the cash value from the surrendered policies to pay the first annual premium for the replacement policies. The agent earned new first year commissions for the sales, but left the consumers with higher premiums they were unable to afford. The policies lapsed for non-payment of premium, leaving the consumers without life insurance. The insurance company cancelled the fraudulently issued policies and reinstated the insureds' original policies.

Disposition: License revoked.

Case: An investigation was opened on a health insurance agent after receiving a complaint from an insurer that the agent had given the questions and answers for the insurer's annual Medicare training certification course to agents who worked in the agency he was employed by. During the course of the investigation, the agent was interviewed by investigators about the allegations. The agent told investigators he felt he "owned" the questions and answers from the course exam because he had paid to attend the course and could share them if he chose to do so.

Disposition: Fined \$2,700 and placed on probation for one year.

Case: Investigators opened a case after a routine follow-up of an agency that had lost its agency license for failing to designate a new Agent in Charge. The agent, the new officer and Agent in Charge, had applied for a new agency license and submitted a notarized statement to the Department attesting the agency had not transacted insurance business while unlicensed. Investigators obtained documentation from the insurance



companies the agent was appointed with and found the agency had conducted insurance business during the period it was unlicensed.

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

Case: An insurance company filed a complaint with the Department alleging a life, health and variable annuity agent had misappropriated funds, forged signatures, altered applications, submitted fraudulent applications, and participated in unlicensed activity. During the course of investigation, documents were obtained from the insurer indicating the agent had submitted at least 153 applications listing his personal bank account information, address, email address and telephone number on the application. Investigators determined other information on the applications including dates of birth and social security numbers were fictitious.

Disposition: License revoked.

Case: The Department's Division of Investigative & Forensic Services notified investigators of the arrest of a title insurance agent. The agent was arrested on a count of Scheme to Defraud, alleging that she closed a real estate transaction listing a title insurance policy for a title insurance underwriter she was not authorized to represent. In addition, the agent's agency was not properly licensed or appointed to transact insurance at the time of the alleged violation. During the course of the investigation, it was discovered that the agent diverted funds from several real estate closings for her own personal use, with a total financial loss to the victims in excess of \$350,000.

Disposition: License surrendered with the same force and effect as revocation.

Case: The Florida Office of Insurance Regulation (OIR) sent a referral to investigators advising that a title insurance agency failed to submit data for the 2015 Title Data Call. The subsequent investigation confirmed that the Subject did in fact fail to file the required data. The representative for the title agency told investigators he did not wish to disrupt his business operations to take time to comply with the Data Call requirements mandated by Florida Statutes. Despite efforts by investigators to mitigate the violation by offering to assist the title agency with complying, the Data Call filing was not submitted.

Disposition: License suspended for six months; the agency must submit proof it has complied with the Data Call before license reinstatement will be considered.

Enforcement Actions

- September 2016

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	DOCUMENT
Adderley	Broderick	E005932	Life, Health, Variable Annuity, General Lines	Revocation		Hallandale, FL	Search
Alicea	Luis	E029497	Bail Bond	Monetary Penalty	\$3,000/\$3,000	Homestead, FL	Consent Order
Andino	Maynor	P024876	Life, Health, Variable Annuity	Monetary Penalty	\$1,500	Miramar, FL	Consent Order
Brown	Daren	W064271	Life, Variable Annuity	Suspension 1 Year		Miami, FL	Order of Suspension
Contreras	Carolina	W004953	Customer Representative	Revocation		Cape Coral, FL	Order of Revocation
Davis Jr	Jimmy	P121551	Bail Bond	Revocation		St Petersburg, FL	Search
Equity Closing & Title Corporation		E013168	Title Agency	Probation and Fine	\$5,000	Ormond Beach, FL	Consent Order

Express ACA		L091392	Agency	Revocation		Miami Beach, FL	Consent Order
Fernandez	Alina	A082772	Customer Representative	Revocation		Miami, FL	Consent Order
Fisher	Anthony	D012417	Life, Variable Annuity	Suspension 6 Months		Boca Raton, FL	Order of Suspension
Gadah	Gaby	W217424	Life, Health, Variable Annuity	Revocation		Bradenton, FL	Consent Order
Gutierrez	Darely	A107004	General Lines	Revocation		Sunny Isles Beach, FL	Search
Halfon	Danielle	W010198	Health	Revocation		Tampa, FL	Search
Handerhan	Paul	E006891	Public Adjuster	Monetary Penalty	\$1,500	Boynton Beach, FL	Search
Hill	Lauren	W256989	Bail Bond	Suspended Indefinitely		Daytona Beach, FL	Notice of Temporary Suspension
Hinds	Patricia	A193295	Life, Health, Variable Annuity, General Lines, Bail Bond	Probation and Fine	\$3,500	Starke, FL	Consent Order
Insurance Consultants of Dade Inc		L021886	Agency	Revocation		Miramar, FL	Search
Justin	Sandra	P230325	Life, Health, Variable Annuity	Cost	\$1,500	Altamonte Spring, FL	Consent Order
Lucien	Barachy	W048613	Life, Health, Variable Annuity	Suspension 1 Year		Plantation, FL	Search
McCleary	Floy	A170557	Life	Permanent Bar		Fernandina Beach, FL	Search
McKennon	Terrance	P165691	Health	Revocation		Tampa, FL	Search
Morales	Jovani	W044189	Life, Health, Variable Annuity	Revocation		Orlando, FL	Consent Order
Moya	Nelson	P100530	Life, Health, Variable Annuity	Probation and Fine	\$2,700	Oviedo, FL	Consent Order
Navarro	Yamilet	A189802	General Lines	Probation and Fine	\$7,500	Miami, FL	Consent Order
One Family Health Care		L092670	Agency	Surrender		Hollywood, FL	Consent Order
Pineda	Julio	P020924	Public Adjuster	Monetary Penalty	\$500	Miami Lakes, FL	Consent Order
Pletz	Louisa	W221666	Customer Representative	Suspension 1 Year		Keystone Heights, FL	Search

Rios-Torres	Yadira	A220900	General Lines	Probation and Fine	\$3,000	Miami, FL	Consent Order
Shaw	Satya	A240026	Life, Health, Variable Annuity	Monetary Penalty	\$1,500	Wesley Chapel, FL	Consent Order
Sims	Latoya	W136331	Life, Variable Annuity, Legal Expense	Revocation		Miami Gardens, FL	Search
Sterner	Matthew	W048760	Life, Health, Variable Annuity	Suspension		New Port Richey, FL	Notice of Temporary Suspension
Torres	Humberto	A266876	General Lines	Probation and Fine	\$3,000	Miami, FL	Consent Order
Wala	Kenneth	W181778	Health	Revocation		Miramar, FL	Consent Order
Washington	Aldonia	E013570	Bail Bond	Suspension 6 Months		Fort Myers, FL	Final Order



Contact Us

- We're always here for you

Bureau of Licensing

General inquiries for everybody - Agents, Adjusters and Agencies

AgentLicensing@MyFloridaCFO.com

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 [MyProfile](#) 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

Compliance issues, licensees and insurers **ONLY**:

Title@MyFloridaCFO.com - For title insurance compliance matters **NOT** related to Licensing or Education.

BailBond@MyFloridaCFO.com - For bail bond compliance matters **NOT** related to Licensing or Education.

Adjusters@MyFloridaCFO.com - For adjuster compliance matters **NOT** related to Licensing or Education.

askDFS@MyFloridaCFO.com - For all other compliance matters **NOT** related to Licensing or Education.

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

Title Insurance Data Call

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

TitleDataCall@flor.com - For all other questions about the data call

***Insurance Insights* Editor/Publisher**

[Susan Jordan](#)

We welcome suggestions and inquiries concerning ***Insurance Insights***. Please direct them to [Susan Jordan](#).

Reproduction in whole or in part of ***Insurance Insights***, or any publication by this division, without permission is prohibited.

© 2016 Florida Department of Financial Services