

## Florida's Economic Outlook

Dear friends,

Florida's 2014 GDP figures were released this month and once again Florida's exceptionalism shined through. While recession recovery efforts continue, our economy has been growing since 2011, and we continue to outpace the nation. Not only have we grown each year since 2011, each year has brought faster, stronger growth.

Higher still than the state's 2.7 percent overall GDP growth was Florida's private sector growth, which landed at 3.2 percent in 2014--once again higher than the national average. What does this mean to you? It means that Florida is creating the conditions for economic success. By getting out of the way of the entrepreneurial spirit, we're helping Florida's businesses grow, flourish and expand. This means more, better-paying jobs and greater opportunities for success in the years to come.



**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 > >](#)

The numbers telling the Florida story don't stop there. Last year, Florida was ranked number one in aerospace manufacturing attractiveness and the second best state in the country to do business. Florida boasts the third highest number of technology establishments in the country and is fourth in the nation for technology industry workers. Therefore, we're not only growing, we are diversifying. We are expanding our horizons to embrace the technology industry and welcoming these burgeoning businesses with open arms.

These success stories can be seen each day, all across our state. Miami was recently named the second best metropolitan statistical area for startup activity in the country. It's also home to the number one cruise port in the world. The largest single-site employer in the United States, Walt Disney World, calls the Orlando area home. Florida's high tech corridor, which includes Gainesville, Orlando, Lakeland, St. Petersburg and more, creates cutting-edge aviation and aerospace advancements with an economic impact of \$1.2 billion. This area is also responsible for creative digital media advances that many of us enjoy each day, including top-selling video games.

Panama City was ranked as the South's number one pro-business beach community, and the western gate to the Sunshine State, Pensacola, was ranked in the top 10 for successful aviation and aerospace clusters in the South.

As you can see, the future looks bright and opportunity can be seen for miles. Let us never forget that Florida is more than our beautiful beaches and laid-back lifestyle. Let us always push to do better, and let us celebrate what we continue to do well.

Sincerely,



***Jeff Atwater***  
***Chief Financial Officer***  
***State of Florida***



## News You Can Use

- Updating you on what's going on

### **Former South Florida Title Agent Arrested for Embezzling Consumer Funds**

The Florida Department of Financial Services' Division of Insurance Fraud announced the arrest of Bernard Feldman, owner of Hollywood Title Services, LLC in Hollywood, on multiple felony counts including transacting insurance without a license and grand theft of more than \$20,000. Feldman was also permanently barred from the insurance industry and ordered to cease and desist from acting as a title agent without a license.

An investigation conducted in coordination with the Department's Division of Agent and Agency Services revealed Feldman, a formerly licensed title insurance agent, was transacting insurance business and closings while pocketing consumers' money with no agent or title agency license. The Department learned of Feldman's illegal activity while assisting a consumer recoup a deposit from a real estate transaction involving Wharton Realty and Hollywood Title Services.

The investigation revealed that Feldman operated as an unlicensed title agent for three years after his license expired in February of 2012. Furthermore, Mr. Feldman conducted business transactions at his title agency, Hollywood Title Services, which has never been licensed by the Department as a title insurance agency.

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

### **Central Florida Clinic Owner and Co-Conspirators Arrested for PIP Fraud**

The Florida Division of Insurance Fraud announced the arrest of Dr. Douglas Price, owner of the Florida Pain Trauma and Injury Clinic in Auburndale, and three others on charges related the operation of a complex PIP fraud scam. Dr. Price, along with Paulin Sanon and Sonya Rivera of Haines City, and Julienna Julien of Winter Haven are accused of recruiting patients to visit Dr. Price's clinic for treatment of fake injuries following staged accidents.

Following an October 2014 staged accident, Julienna Julien unknowingly recruiting an undercover police officer to assist with their scheme. Julien requested that the officer visit the Florida Pain Trauma and

Injury Clinic to report fraudulent injuries and stated that he would receive monetary compensation for doing so.

Between October 2014 and March 2015, an investigation uncovered evidence that Dr. Price's Auburndale and Tampa clinics were engaged in patient brokering, and also that clinic staff were performing treatments that they were not qualified or licensed to perform. Dr. Price and his associate, Sonya Rivera, offered \$500 as compensation for 15 clinic visits, and an additional \$500 after 25 visits to the clinic for treatment of injuries that did not exist. A monetary offer was also extended for the recruitment of additional individuals to attend the clinic.

Based on their roles in the scheme, Dr. Price will be charged with three counts of patient brokering, a 3rd degree felony; Sonya Rivera and Paulin Sanon, one of Dr. Price's marketers, will both be charged with one count of patient brokering; and Julienna Julien will be charged with the unlicensed practice of healthcare.

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

## **Florida Office of Fiscal Integrity Announces Arrest of Port Richey Business Owner on Grand Theft and Forgery Charges**

The Florida Department of Financial Services' Office of Fiscal Integrity (OFI), in conjunction with the Department of Environmental Protection's Office of the Inspector General (DEP), announced the arrest of Randolph Thomas Perillo, owner of Perillo & Associates LLC, on charges of grand theft and forgery. While under contract with DEP to provide construction services at the Werner Boyce Salt Springs, Perillo falsified an invoice in order to siphon money for personal use.

In the fall of 2014, Perillo and Associates submitted an altered copy of a Duke Energy invoice reflecting the installation cost of new underground facilities. While the correct amount owed was \$76,000, Perillo altered the document to read \$96,000. Perillo did so with the intent of pocketing the extra \$20,000.

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

## **CFO Atwater Announces Six Arrests in Central Florida Workers' Compensation Fraud Scam**

Chief Financial Officer Jeff Atwater announced six Central Florida insurance fraud arrests that breakdown an elaborate Central Florida workers' compensation insurance fraud scheme. An investigation led by the Department of Financial Services' Division of Insurance Fraud revealed a large-scale premium fraud scheme in which these six individuals created multiple shell corporations in order to systematically conceal payroll amounts for the purposes of obtaining low-cost workers' compensation policies.

Investigators believe that beginning in September 2012, the following Central Florida businesses were opened and operated as shell companies: Alfa Construction, Burgos Construction, Ginel Construction, Rejevaz Services Inc., and PHH Construction. Shell companies are owned by straw owners, or individuals who, for a fee, agree to serve as the legal owner of a business because they have a clean criminal record. These businesses, however, were alternatively run by organizers who directed the day-to-day

activities and operations of the illegal activities.

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

## **Florida Division of Insurance Fraud Announces Multiple Miami PIP Fraud Arrests**

The Florida Department of Financial Services' Division of Insurance Fraud announced two insurance fraud arrests. Ariel Rivero Santana, Jr. and Raul Antonio Perez Payes, both of Miami, were arrested for their roles in separate personal injury protection or PIP fraud scams.

Ariel Santana, 42, was taken into custody after he was revealed to be the true owner of A & J Rehabilitation Center, a PIP clinic located in Miami that illegally submitted more than \$350,000 in fraudulent claims to various insurance companies.

In an effort to circumvent licensure requirements, Santana hired chiropractor Peter Maffetone to operate as the clinic's straw owner. As a licensed health care professional, Maffetone fraudulently obtained a licensure exemption from the Agency for Health Care Administration, allowing the clinic to operate without a license for more than three years. Santana and Maffetone went on to submit fraudulent claims totaling nearly \$367,000 to four insurance carriers: Esurance, Geico, Progressive and United Auto.

Six additional participants and organizers tied to Santana have been arrested by DIF detectives within the last year. All of them are connected to two staged accidents that accounted for fraudulent billings of more than \$180,000 to multiple clinics, including A & J Rehabilitation Center.

In a separate case, DIF detectives arrested Raul Antonio Perez Payes, 31, after detectives learned that he organized a staged car accident in August 2012. In addition to planning the staged accident, Payes recruited and paid accomplices to participate in the scam.

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

## **Florida Division of Insurance Fraud Announces Two Arrests in Miami Workers' Compensation Fraud Scam**

The Florida Department of Financial Services' Division of Insurance Fraud (DIF) announced the arrest of Juan C. Garcia, owner of Construction Forever LLC, for his involvement in a workers' compensation insurance fraud scheme. The investigation conducted by DIF revealed that Garcia provided false and misleading information on his application for workers' compensation insurance with the intent to lower premium costs.

By falsely deflating his company's reported payroll and claiming less than \$150,000 in payroll costs, Garcia secured a workers' compensation policy that did not adequately cover the needs of his construction company. Investigative efforts later revealed an elaborate scheme that concealed an accurate payroll of more than \$2 million through the use of check cashing stores.

Garcia's actions caused a loss in excess of \$350,000 to the Traveler's Insurance Company and the

Florida Workers' Compensation Joint Underwriting Association. In addition to this monetary loss, Garcia's actions failed his employees by rendering them vulnerable to potential high-dollar medical and lost wage costs should they become injured while on the job.

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

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

We highly recommend that licensees routinely check their [MyProfile](#) account(s) for messages from the Department. We send an email notification at the same time to remind you to check your [MyProfile](#) account but on rare occasions you may not receive that email. For that 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 that affects 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

### 2015 Legislative Update

Some of the laws that affect applicants and licensees of the Department were changed in the 2015 legislative session. For more information, review [Chapter 2015-180](#) of the Laws of Florida.. All laws shown are effective July 1, 2015.

#### General Lines Agents Selling Health Insurance

Sec. 626.015(5)(d), F.S. - general lines agents can transact health insurance with any health insurer they are appointed with.

##### What this means:

The prohibition against general lines agents writing health insurance for companies other than those insurers that also sell property and casualty insurance was removed.

No additional license will be required as general lines agents are required to study health insurance in the general lines pre-licensing course and take an exam that includes health insurance.

#### Agent in Charge Licensing and Appointment Reductions

Sec. 626.0428(4)(a), F.S. - an agency's agent in charge will now only be required to hold a minimum of two license types for the lines of insurance transacted at the agency. However, if the agency sells only one line of insurance, the agent in charge must hold that license type.

#### Expansion in Licensing Requirement Exemptions

Changes to sec. 626.221, F.S. and several other laws, expand pre-licensing and examination exemptions for some applicants, including:

- Customer representative - the pre-licensing course and examination will no longer be required. Applicants who have earned a degree which includes 9 hours of insurance instruction in areas specific to property and casualty insurance or hold certain designations specified in law will qualify.

- General lines and all-lines adjuster licenses - exempt from the pre-licensing course and examination for applicants who have an insurance degree and 18 hours of college credits in areas specific to property and casualty insurance, or if they hold the CPCU designation from American Institute for Chartered Property and Casualty Underwriters.
- All lines adjusters - the Associate in Claims (AIC), is added to the other designations which can exempt an applicant from the pre-licensing course and adjuster examination.
- Personal lines - exempts the pre-licensing course and examination for applicants who have any degree, if the degree included 9 hours of insurance instruction in areas specific to personal lines, or if they hold the CPCU designation from American Institute for Chartered Property and Casualty Underwriters.
- Life, health, annuity and variable contract lines - creates an exemption from pre-licensing course and the examination for applicants who hold any degree, if the degree included 9 hours of insurance instruction in the license area they are applying for, or if the applicant holds a CLU designation from the American College of Financial Services.

The Bureau of Licensing will review each applicant's exemption criteria to determine whether applicants are eligible for exemption.

### **Pre-licensing Education**

Sec. 626.2817(3), F.S. - clarifies that 75% of a pre-licensing course must be completed in order for a student to receive credit.

**What this means:** a provider can certify a student as having "completed" a pre-licensing course provided the student attended 75% of the course. This does not mean a provider only has to teach 75% of the course.

### **Customer Representatives' Compensation**

Sec. 626.753(1)(b), F.S. - allows agencies to pay customer representatives both salary and commissions instead of salary only. Also see Sec. 626.7354(3), F.S.

**What this means:** customer representatives can be paid some commission as long as the commissions don't exceed their base salary.

### **Applicant Requirements for Knowledge, Experience or Instruction**

Sec. 626.7851, F.S. - requires the coursework a life agent takes be specific to the lines of insurance the license authorizes them to sell. This includes life insurance, annuities, and variable contracts (which includes variable life insurance and variable annuities).

Specifies that pre-licensing education courses for life agents, which are combined with another license type, must be a minimum of 60 hours in length.

Sec. 626.8311, F.S. - requires the coursework a health agent takes be specific to the lines of insurance



the license authorizes them to sell. This includes all categories of health insurance.

Specifies that pre-licensing education courses for health agents, which are combined with another license type, must be a minimum of 60 hours in length.

**What this means:**

Stand alone life or health courses will remain 40 hours; however, combination life and health courses must now be at least 60 hours and cover life insurance, annuities, variable products and health insurance.

**Agent's Records**

Sec. 626.748, F.S. - clarifies the law to require licensees to maintain records for five (5) years after policy expiration.

**Recommendations to Surrender**

Sec. 627.4553, F.S. - defines the term "surrender" to exclude actions that are not intended to be covered by the law, and removes a reference to companies as the intent of the original law was to address improper agent conduct.

Requires that notification be given to the consumer by an agent in writing, rather than on a specific form created by the department.

Changes the requirement regarding the disclosure of tax consequences by insurance agents.

## Education Central

- Things to know about your continuing education

### How to Keep CE non-compliance from Costing You Your Job

Now that you have worked so hard to get your license the last thing you want to do is lose it. One of the most important things to remember is the completion date of your continuing education (CE) requirements. You have two years to complete each CE requirement cycle, but don't make the mistake of procrastinating until the last minute, then blame the dog for eating your homework when you fail to comply. It is important to know your due date but not completing any CE until the last minute could create unintended consequences to your license standing. A good rule of thumb is to complete your CE requirements as early as possible so if you run into any issues, you won't be scrambling at the last minute to get them resolved.

If you wait too long and fail to comply with CE requirements, several negative actions may occur: you may be charged a \$250 fine, or face termination of your appointments. Either could create a burden on you and your employer. The Florida Insurance Code requires that a licensee maintain at least one appointment order to lawfully conduct insurance business. Lack of an appointment clearly places you and your employer in an undesirable position. If you lose your appointment(s) and eventually complete your CE requirements your employer will be required to reappoint you be charged a \$60 fee per appointment. Appointments are made at the discretion of your employer and it may choose not to reappoint you. Finally, after you have not held an appointment for 48 consecutive months your license will automatically expire and you will need to reapply for a license as a first time applicant. Don't find yourself playing the lead role in this scenario.

The responsibility to maintain your license requirements falls on your shoulders. An important resource the Department offers to keep you updated is your [MyProfile](#) account. Make it a habit to log-in regularly to review what is there. [MyProfile](#) is the main portal the Department uses to communicate with you about your license and review your CE requirements. You can check your CE status by clicking on the blue button labeled 'Click to check CE Status' - you will find your due date, your individual requirements and any completed course credits that have been applied to your transcript.

We understand that you may forget to check your [MyProfile](#) account and or read Department emails. The Department sends correspondence to you that is important for you to read. If you receive a Department message via email or in your [MyProfile](#) account, take the time to read it. If you don't understand what you are reading or how it may affect your license, call our Helpline at 1-877-693-5236 for assistance. Monitoring your CE status could mean the difference between earning a paycheck or not.

# 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.

## 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 by listing those courses approved by the Department.

1. Go to our website at [www.MyFloridaCFO.com/Division/Agents](http://www.MyFloridaCFO.com/Division/Agents).
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 [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.

## Compliance Corner

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 [Florida Statutes](#) or [Florida Administrative Code](#). The legal cites have been provided for your further reference.

### Primary Bail Bond Agents

It is the responsibility of the primary bail bond agent under [sec. 648.55](#), F.S. to verify all the agents in the agency are appointed to represent the same surety companies. Failure to do so is cause for the Department to take formal action against the license of the primary bail bond agent designated for that agency. We encourage you to verify the appointments of the bail bond agents in your agency on a regular basis to avoid any action against your license for this type of violation.

You can verify the license and active appointments of any bail bond licensee through our website at [www.MyFloridaCFO.com/Division/Agents](http://www.MyFloridaCFO.com/Division/Agents). Click on "Licensee Search" under the Quick Links section on our webpage to get to our search screen. You can search for an individual licensee by license number or name of the licensee. You can also print out the results of your search to keep a record of your activity.

[See [Rule 69B-241.100\(41\)](#), Florida Administrative Code]

### Opening an Insurance Agency

So, you're thinking about opening your own insurance agency? Well, before you open the doors for the first time, a review of the laws and rules affecting insurance representatives and the operation of Florida insurance agencies could be very beneficial to you. After all, you want to maintain a compliant agency. Insurance laws are located in [Title XXXVII of the Florida Statutes](#) and in [Chapter 69B of the Florida Administrative Code](#).

[Here's](#) a quick overview of the laws and procedures that new (and not-so-new) agents frequently inquire about, along with the applicable legal citations, for opening an insurance agency. If that's not for you, you can also read the guidelines for opening a [title insurance agency](#) and [bail bond agency](#) on our website.

### Life and Health Agents: Working from Home?

Many life and health agents rent space in a "virtual office" that are typically just conference rooms

where the agent can meet with the clients outside of their home. However, the agent's home is usually the place where records are stored. Therefore the agent's home address should be listed as the business address on file with the Department, not the location of the rented space.

You can easily update your address (and other demographic information) online via your [MyProfile](#) account.

[See sec. [626.551](#) and [626.749](#), F.S.]

## Criminal History Reporting Requirements

Applicants are required to report on their application for a license all prior criminal history. In addition, once licensed they are required to report to the Department within 30 days of being found guilty or pleading guilty or nolo contendere (no contest) to any felony, or other crime punishable by one or more years in prison (even if a misdemeanor), or any violation of the state insurance laws, regardless of adjudication by the court. It is still required even if civil rights have been restored or an appeal is pending.

Appointing entities are also required by law to advise the Department within 15 days after they or their general agent, officer, or other official becomes aware that an appointee has pleaded guilty or nolo contendere to or has been found guilty of a felony after being appointed. If the appointee is a bail bond agent, the appointing entity is required to report it within 5 days.

[See [626.451](#) and [648.382](#), Florida Statutes]

## Moving to Florida? Leaving Florida? You Need a New License

If you are licensed and appointed as a Florida nonresident agent or adjuster and you move to Florida, you can continue to transact insurance or adjust claims in this state under your nonresident license and appointment(s), for a period not to exceed 90 days. However, you must apply for and become licensed and appointed as a resident agent or adjuster within 90 days of becoming a resident of this state. Section 626.741(5), Florida Statutes, governs this procedure for general lines agents. Similar language is in the laws governing other types/classes of agents and adjusters.

If you have a **Florida resident** license and move to another state, you must surrender your resident license to the Department. Most states require you to give up your Florida license before you can obtain a resident license in that state. Once you have obtained a resident license in your new home state, you may submit an application to us if you wish to become licensed as a Florida nonresident agent or adjuster.

If you have a **Florida nonresident** license and you move to a state other than Florida, you may be eligible for a nonresident license if: 1) you become licensed in the other state for the same type/class(es) of license, and 2) the other state has a reciprocal agreement with Florida. You must provide the Department with a letter of certification from your new home state. [Sec. 626.741\(1\)](#), F.S., governs this procedure for general lines agents. Similar language is in the laws governing other types/classes of agents and adjusters.

In all of the above cases, you must also be properly appointed for each type/class of license you hold,

before you can transact insurance or adjust claims.

If you change your state of residence and ***no longer wish to transact insurance or adjust claims***, you must surrender your license to the Department.

[See [626.292](#) and [626.551](#), Florida Statutes]

## Compliance Information

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

If you do not surrender your license the clock continues clicking for any requirements to maintain your license, such as Continuing Education (CE). Failure to satisfy the requirement could cause action to be taken against your license which becomes a permanent record.

## Title Agencies: The 2015 Data Call

This is the first year 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, Florida Statutes. Title agencies had until June 1, 2015 to make their submission to the OIR. The OIR sent emails to each licensed title agency in Florida to remind them of the new law with instructions on how to complete the process accurately.

Based on the preliminary information we have received from the OIR, more than 90% of the licensed agencies have submitted a report.

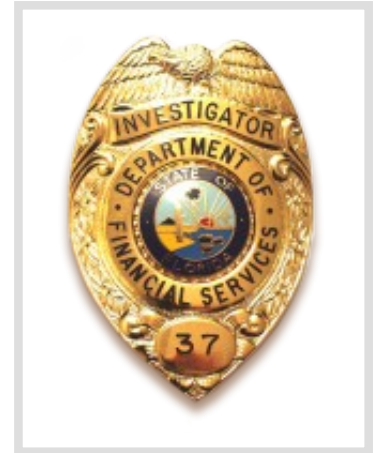
Agencies that have not complied with this requirement by June 1, 2015 are currently being reviewed for possible disciplinary action against the agency's license.

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@floi.com](mailto:TitleAgencyReporting@floi.com).

## 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 Insurance Fraud](#) for criminal investigation.

**Case:** The Division of Agent and Agency Services' Bureau of Investigation initially developed evidence against a life and variable annuity agent who operated a sham company which he held out to be a legitimate international investment company. The agent was the mastermind behind a complex scheme to defraud numerous investors, including retired school teachers. By promising a high rate of return, the agent persuaded investors to transfer their retirement savings from legitimate life insurance and investment companies into his direct control through an off-shore shell corporation. Instead of investing the funds for the victims, the agent converted the funds for personal use including high-end luxury items, and commercial and residential real estate. As part of the scheme to defraud, the agent used money received from new investors to pay earlier investors. The total amount the agent defrauded was estimated at more than \$4 million.



**Disposition:** Licenses revoked. The former agent was arrested by the U.S. Attorneys' office through its cooperation with the Division of Insurance Fraud. A federal grand jury indicted the former agent for 34 counts of wire and mail fraud, who pled guilty to fraud and money-laundering and was sentenced to 10 years in federal prison, and ordered to pay \$3.6 million in restitution to the defrauded investors. After completing his sentence, the former agent will be deported as he is not a U.S. citizen.

**Case:** A licensed life agent made material misrepresentations to multiple consumers during the sale or conversion of life insurance products. The agent misrepresented that certain policy features were available to the consumers, provided inaccurate information about possible tax consequences and penalties, and provided consumers with illustrations that did not match the policy issued. The insurance company rescinded the policies and refunded all premiums to the eight affected consumers.

**Disposition:** License suspended for 24 months and placed on probation for two years.

**Case:** An all-lines adjuster was terminated for cause by the insurer that owned the Third Party Administrator (TPA) he worked for. The TPA was the underwriter and claims adjuster for workers compensation claims for a local municipality. The adjuster used his claims paying authority to create false claim files and wrote checks from the adjusting firm's account to himself and family members for more than \$184,500 between 2007 and 2013. The fraud was discovered during an internal audit by the municipality which resulted in the former adjuster's arrest. The TPA refunded the stolen funds to the

municipality.

**Disposition:** License revoked and permanently barred from the insurance business. The former adjuster was adjudicated guilty of organizing a scheme to defraud, money laundering and aggravated while collar crime.

**Case:** A licensee filed a complaint with the department alleging that Continuing Education (CE) hours were improperly credited to students in an insurer-sponsored CE class. The instructor shouted out the answers to the students for each question on the test.

**Disposition:** The instructor was fined \$2,500 and placed on probation for one year.

**Case:** A department licensee reported that a general lines agent had altered a certificate of insurance previously issued by the insurance agency to show proof of insurance for a business that the insurance agency did not insure. The fraudulent certificate of insurance indicated that the agent not only changed the coverage date but also the named insured. The certificate was presented to the municipal building department which had received several certificates from the agent.

**Disposition:** Licenses revoked. The agent was arrested by the Division of Insurance Fraud and charged with forgery and uttering a forged instrument, both felony crimes.

**Case:** A consumer complained that a public adjuster cashed a claims check and refused to release the funds. Investigators determined the adjuster also overcharged the consumer. The adjuster later sent the consumer a check after deducting his fee. Part of the fee included withheld Recoverable Depreciation which was assessed prior to the adjuster's involvement in the claim. The investigation also revealed numerous violations in the adjuster's contract.

**Disposition:** Suspended for six months and ordered to make restitution to the consumer.

**Case:** A county Clerk of Courts office notified the department of a Final Judgment issued against a bail bond agent and satisfaction of the Judgment was due within 35 days. The Judgment was not satisfied by the deadline but the bail bond agent continued to execute bonds while it remained unpaid for more than 35 days. The department's investigation concluded the agent executed ten bonds while the judgment remained unsatisfied.

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



# INSURANCE *Insights*

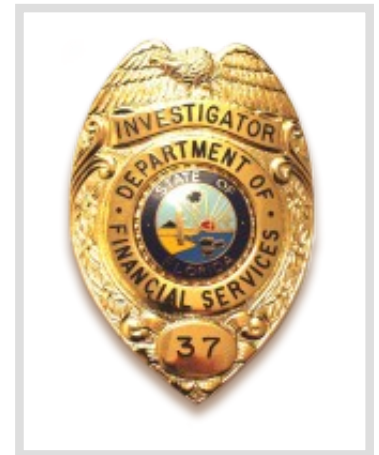
DIVISION OF AGENT AND AGENCY SERVICES

Volume 4, No. 6 - June 2015

## Enforcement Actions

- May 2015

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:** Copies of previous and current enforcement action documents, which include the allegations, can be located by searching the [Division of Legal Services' database](#). 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 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
Albertson	Richard	W188238	Life, Variable Annuity, Health	License Revoked		Plant City, FL	<a href="#">Consent Order</a>
Amaya-Fraguio	Ana	A005228	Life, Health	License Revoked		Miami, FL	<a href="#">Notice of Revocation</a>
Bedgood	Kevin	A017594	Life, Variable Annuity, General Lines	License Suspended 2 Month(s)		Jacksonville, FL	<a href="#">Order of Suspension</a>
Bianchi	Rick	A021416	Life, Variable Annuity, Health	License Suspended 3 Month(s)		Des Moines, IA	<a href="#">Consent Order</a>
Bray-Poole	Trellanie	E010516	Bail Bond	Fined	\$4,000	West Palm Beach, FL	<a href="#">Search</a>
			Customer	License			<a href="#">Notice of</a>

Castellanos	Criscel	P160652	Representative	Revoked		Miami, FL	<a href="#">Revocation</a>
Cejas	Devin	A044068	Public Adjuster	License Surrendered		Miami, FL	<a href="#">Consent Order</a>
Cephas Jr	Clarence	E030989	Bail Bond	License Suspended		Bartow, FL	<a href="#">Search</a>
Derosa	John	A066528	General Lines	License Suspended		Dania, FL	<a href="#">Search</a>
Dirico Jr	Richard	P071020	Life, Variable Annuity, Health	License Revoked		Pt Charlotte, FL	<a href="#">Order of Revocation</a>
Duckett	William	D048045	Bail Bond	License Suspended 3 Month(s)		Arcadia, FL	<a href="#">Consent Order</a>
Escobar	Alonso	P039084	Bail Bond, General Lines	License Revoked		Fort Lauderdale, FL	<a href="#">Consent Order</a>
Feldman	Bernard	E108304		Permanently Barred		Boca Raton, FL	<a href="#">Consent Order</a>
Fidelity National Title of Florida Inc		A090982	Title Insurance Agency	Fine	\$2,000	Tampa, FL	<a href="#">Consent Order</a>
Focus!...On Surety LLC dba Suretegrity		L071639	Agency	License Surrendered		Ponte Vedra Beach, FL	<a href="#">Consent Order</a>
Francois	Jean	P139971	Life, Variable Annuity, Customer Representative	License Revoked		Coral Springs, FL	<a href="#">Final Order</a>
Gianna	Jessica	E066705	Life, Variable Annuity, Health, General Lines	License Suspended		Vero Beach, FL	<a href="#">Search</a>
Gonzalez	Viviana	No License		Cease and Desist		Ft Myers, FL	<a href="#">Order to Cease and Desist</a>
Hailemariam	Wondirad	W081873	Public Adjuster	License Revoked		Miami, FL	<a href="#">Order of Revocation</a>
Helfant	Jared	W165062	Life, Variable Annuity, Health	License Revoked		Miami, FL	<a href="#">Consent Order</a>
Holifield	Jason	E034562	Bail Bond	Fined	\$3,500	Cross City, FL	<a href="#">Search</a>
Holmes	Melanie	P000137	Bail Bond	Probation 2		Tallahassee,	<a href="#">Consent</a>

				Year(s)		FL	<a href="#">Order</a>
JNH Consulting		L088720	Agency	License Revoked		Coral Springs, FL	<a href="#">Consent Order</a>
Johnson	Kendra	E068536	Customer Representative	License Revoked		Auburndale, FL	<a href="#">Order of Revocation</a>
Legall	Ronald	No License		Cease and Desist		North Miami Beach, FL	<a href="#">Cease and Desist Order</a>
Lergier	Louis	W110351	Life, Variable Annuity	License Revoked		Miami, FL	<a href="#">Order of Revocation</a>
Mann-Seiple	Catherine	E185474	Title	Fine	\$2,000	Ft Myers, FL	<a href="#">Consent Order</a>
Miller	Scott	P177356	Public Adjuster	Fined	\$500	Fort Pierce, FL	<a href="#">Consent Order</a>
Mitchell	Robert	P105871	Life, Variable Annuity, Health	License Surrendered		Bradenton, FL	<a href="#">Consent Order</a>
Morales Sr	Juan	P031333	Public Adjuster	Fined	\$500	Coral Gables, FL	<a href="#">Consent Order</a>
Petersen	Ryan	W074489	Public Adujster	Fined	\$1,500	Sanford, FL	<a href="#">Search</a>
Primary Care Direct LLC		L087048	Agency	License Revoked		Boca Raton, FL	<a href="#">Consent Order</a>
Raymond	Yourse-Marlyne	W012478	Life, Variable Annuity	License Revoked		Delray Beach, FL	<a href="#">Order of Revocation</a>
Rodriguez	Carlos	E052573	Public Adjuster	Fined	\$500	Hialeah, FL	<a href="#">Consent Order</a>
Sands	Patrice	E151717	Life, Variable Annuity, Health, Legal Expense	License Suspended		Pompano Beach, FL	<a href="#">Search</a>
Sapp	Shawn	P113707	Life, Variable Annuity, Health	License Surrendered		Royal Palm Beach, FL	<a href="#">Search</a>
Siraci	Kirk	E026596	General Lines	Fined	\$2,500	Lake Mary, FL	<a href="#">Search</a>
Snell-Riley	Jacquinta	E105194	Bail Bond	License Suspended		Miami, FL	<a href="#">Search</a>
Stiff	Eboni	W082416	Bail Bond	Probation and Fine	\$1,500	Ruskin, FL	<a href="#">Search</a>
Traina	David	E096233		Cease and Desist		Boca Raton, FL	<a href="#">Cease and Desist Order</a>
Williamson	Arbutas	P036021	Life, Variable Annuity, Health, General Lines	License Suspended		Tallahassee, FL	<a href="#">Notice of Temporary Suspension</a>

## Contact Us

- We're always here for you

### Bureau of Licensing

[AgentLicensing@MyFloridaCFO.com](mailto:AgentLicensing@MyFloridaCFO.com) - For general inquiries about licensing.

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[MyProfile](#) - Check your up-to-the-minute application status, education information, and more.

Licenses 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.

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### ***Insurance Insights*** Editor/Publisher

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