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Dear Fellow Floridians:

With peak hurricane season just two months away, I've launched an initiative to encourage Floridians to prepare now before a hurricane makes landfall. The initiative will focus on taking simple steps to prepare your home and finances for a disaster.

While Floridians know all too well the devastation hurricanes can have on their lives, it's easy to not take the threat seriously. An active hurricane season is predicted, with the possibility of up to four major hurricanes. As we saw with Hurricane Michael, hurricanes can form and strengthen quickly, leaving little time to prepare and evacuate



The time is now to prepare and protect your home and business. I launched Prepare Florida to empower Floridians with information and resources so they can get ready for the next major storm that takes aim at the Sunshine State.

Visit my PrepareFL.com website for one-stop disaster preparedness information and resources.

Sincerely,

*Jimmy Patronis
Chief Financial Officer
State of Florida*





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News You Can Use

CFO Jimmy Patronis: 6 Tips for Insurance Awareness Day

In recognition of June 28 as Insurance Awareness Day, Chief Financial Officer (CFO) Jimmy Patronis is encouraging Floridians to ensure they are adequately protected in the event of a major loss or natural disaster and recommends consumers conduct an insurance checkup at least once a year to review all their insurance policies, coverages, and deductibles.

CFO Jimmy Patronis said, "insurance is a vital financial tool that can protect your biggest investments including your home, automobile, and small business. With the 2019 Hurricane Season in full swing, it is even more important to talk with a licensed insurance agent and to review your policies today to make sure you are covered in the event of a disaster."

[Read more](#)

CFO Jimmy Patronis: The 2019 Hurricane Season is Here, 5 Tips to Prepare Now

Chief Financial Officer (CFO) Jimmy Patronis reminds Floridians how critical it is to prepare before the next storm takes aim at the Sunshine State. Homeowners insurance policies may contain limitations and exclusions, so it is important consumers review their policies now to understand their coverages going into hurricane season."

[Read more>>](#)

CFO Jimmy Patronis Announces the Arrests of 12 Miami-Dade School Bus Employees in a \$426,900 Insurance Fraud Scheme

Chief Financial Officer (CFO) Jimmy Patronis announced the arrest of 12 current and former Miami-Dade School District school bus employees for allegedly filing fraudulent insurance claims totaling \$426,933. Under the



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In The Know

2019 Legislative Update



A number of legislative bills have been signed into law and others are pending Governor Ron DeSantis' approval. We are providing some of the provisions in the bills listed, but the bill may include more than we are showing:

Shielding Law Enforcement Animals

Senate Bill 96: Increases the penalty for intentionally and knowingly causing great bodily harm, permanent disability, or death to, or using a deadly weapon upon, police canines or horses, fire canines, or SAR canines, etc.

Effective Date: October 1, 2019, Chapter No. [2019-9](#), Laws of Florida

Insurance

House Bill 301:

Applications for Insurance - provides that workers compensation insurance applicants and their agents are not required to have their sworn statements notarized.

Surplus Lines Export Eligibility - Lowers the home value threshold (dwelling replacement cost) to \$700,000 or more for exporting a residential property insurance policy to a surplus lines insurer with only one declination. Three declinations are still required for exporting residential property insurance policies for dwellings with a replacement cost under \$700,000). Amends the definition of "Diligent Effort", s. 626.914(4), F.S.

Lowers the threshold for the dwelling replacement cost of a residential structure from \$1 million to \$700,000 when requiring only one declination. Any dwelling with a replacement cost of less than \$700,000 will require three declinations as part of the diligent effort done by the retail (general lines) agent. If the home is valued at \$700,000 or more, then only one declination will be required, although agents are free to obtain more.

Unfair Insurance Trade Practices/Loss Control and Mitigation - Permits an insurer or agent to offer and give insureds goods or services of any value for the purposes of loss control or loss mitigation related to covered risks.

Secondary Notice to Life Insurance Policy Lapse - Requires a life insurer to notify the servicing agent at least 21 days before a life insurance policy lapses in addition to the insured and a second person designated by the insurer, except when the insurer provides an online

method for the agent to identify lapsing policies or a process for the agent to determine that the pre-lapse notice was sent to the insured; the insurer has no record of the agent servicing the policy or the agent is employed by the insurer.

Prepayment of Motor Vehicle Insurance Premium - Reduces the minimum amount of premium which must be collected for motor vehicle insurance at the initial issue of a policy from two months' premium to one month.

Agent Fees - removes the \$35 cap on the per-policy fee surplus lines agents may charge for each policy exported to the surplus lines market. The filing surplus lines agent may charge a reasonable policy fee that must be itemized separately for the customer before purchase and enumerated in the policy

Allows retail agents to receive a reasonable per-policy fee on exported policies; the per-policy fee must be itemized separately for the consumer before purchase. This fee must be itemized separately to the customer before purchase. This fee is not required to be shown in the policy.

Applications for Insurance - Provides that workers' compensation insurance applicants and their agents are not required to have their sworn statements notarized.

Effective Date: July 1, 2019, Chapter No. [2019-108](#), Laws of Florida

NOTE:

Residential Flood Protection s. 627.715(4), F.S.

Currently, the law allows a surplus agent to export a personal lines residential flood policy without requiring a diligent effort. This exemption will expire on July 1, 2019. No extension was passed; thus all residential flood risks will be subject to Diligent Effort requirements on July 1, 2019.

Health Plans

Senate Bill 322: Revising eligibility requirements for multiple-employer welfare arrangements; authorizing health insurers and health maintenance organizations to create new health insurance policies and health maintenance contracts meeting certain criteria for essential health benefits under the federal Patient Protection and Affordable Care Act (PPACA); defining the terms "operative date" and "preexisting medical condition" with respect to individual and group health insurance policies, respectively, etc.

Effective Date: June 25, 2019, Chapter [2019-129](#), Laws of Florida

Electronic Legal Documents

House Bill 409: Authorizes remote notarization and the use of an electronic will. The bill provides definitions for online notarization and the technology required; procedures, standards, and requirements for online notarization; registration requirements for online notaries; a certificate to be used by online notaries; standards for supervising the witnessing of electronic records; authorizes the use of an electronic will; and provides a means for self-proving, storing, and filing an electronic will.

Effective Date: January 1, 2020, Chapter No. [2019-71](#), Laws of Florida

Protecting Florida's Firefighters from Cancer

Senate Bill 426: Grants certain benefits to a firefighter upon receiving a diagnosis of cancer if certain conditions are met; requires an employer to make certain disability payments to a firefighter in the event of a total and permanent disability; provides for death benefits to a firefighter's beneficiary if a firefighter dies as a result of cancer or cancer treatments; adjusts the allocation of funds to provide line-of-duty death benefits for members in the investment plan of the Florida Retirement System, etc.

Effective Date: July 1, 2019, Chapter No. [2019-21](#), Laws of Florida

Blockchain Technology Task Force

Senate Bill 1024: Blockchain Technology; Establishing the Florida Blockchain Task Force within the Department of Financial Services; requiring the task force to develop a specified master plan; specifying duties and procedures of the task force, etc.

Effective Date: July 1, 2019, Chapter No. [2019-57](#), Laws of Florida

Department of Financial Services

House Bill 1393: Allowing licensees who currently hold a limited license as an industrial fire or burglary agent to renew their license but prohibiting new licenses from being issued; Authorizing DFS discretion to deny an application for an insurance agency license, suspend, revoke or refuse to continue the license of any insurance agency on the grounds that another jurisdiction has taken an adverse action against a professional license held by the agency or a person who manages or controls such agency and to suspend or revoke; and allowing formerly disqualified agents who have served half of the disqualifying period to apply for a probationary license. Requiring suspended bail bond agent to file a new application to be considered for reinstatement of their license. Reducing qualification criteria for non-resident public adjusters applicants.

Effective Date: July 1, 2019, Chapter No. [2019-140](#), Laws of Florida

Tackling Florida's Rampant AOB Abuse

House Bill 7065: Insurance Assignment Agreements; Providing requirements and limitations for property insurance assignment agreements; providing a burden of proof; providing that an assignment agreement does not affect managed repair arrangements under a property insurance policy; providing that an acceptance by an assignee of an assignment agreement is a waiver by the assignee and its subcontractors of certain claims against an insuree;; specifying an insured's payment obligations under an assignment agreement; requiring notice of intent to initiate litigation, etc.

Effective Date: July 1, 2019, Chapter No. [2019-57](#), Laws of Florida

[HB 337](#) was also signed by the Governor and it included Section 23, which made subsection (10) of HB 7065 effective as soon as the Governor signed HB 7065. Subsection (10) in HB 7065 provides new limits on attorney fees and costs. These new limits are now effective.

Ensuring Florida's Students Learn Vital Financial Literacy Skills

House Bill 7071: Financial literacy is vital to making informed financial decisions and building a foundation for life-long financial wellness. Specifying that school districts must offer at least a half-credit financial literacy course as an elective.

Effective Date: July 1, 2019, Chapter No. [2019-119](#), Laws of Florida

Note: The legislation noted is not exhaustive of all newly-created laws or pending legislation which may be of interest to Department licensees. Information about the laws passed or pending can be searched at the [House](#) or [Senate](#) websites. We may cover additional legislation in future issues.

Prepare Your Agency and Customers For Hurricane Season

Florida's hurricane season started June 1st. Most people are careful to make important plans to protect their personal safety, homes and belongings by developing a "Hurricane Plan". Take time to consider the plans you've made to protect your business and consumer records in the event a storm approaches Florida.

Agencies and agents may want to consider the following methods of preparation:

- Protecting consumer records - many insurers have specific guidelines related to the protection of consumer records by agents and agencies. Many agencies are moving away from maintaining

paper records in favor of the ease and protection of electronic data storage. However, if your computers are destroyed without a back-up, you'll lose the benefit electronic records provide. You may want to discuss off-site computer storage with your Internet Service Provider or an insurer, which may be able to suggest solutions.

- Emergency plans for the agency and its members - if you have a lease, learn what restrictions, if any, apply to your business' premises in the event of a natural disaster and whether you'll have access to your records, furnishings and possessions. Decide how you can continue to operate if your business premises are uninhabitable and have a plan to notify your customers of the new location.
- If your business premises are damaged during a storm and cannot be accessed by your customers, please provide your contact information to the Department's [Division of Consumer Services](#). Consumers may call the Department if they can't reach their agent and this will allow us to provide your contact information to them.

Agents should always verify the companies they sell for are authorized to do business in Florida. If you suspect an entity is not authorized to transact insurance in Florida, please notify our office. Call **877-MY-FL-CFO** (1-877-693-5236).



[Read more](#)

Title Insurance Agents/Agencies and Real Estate Open Houses

Our Department receives a high volume of questions from the title insurance industry. Unfortunately, these questions do not always use consistent terminology making it difficult to determine the true situation and resulting question. It is very important when we communicate with each other that we know what the other is talking about so we can assist the other. Sometimes taking time to describe the term or situation you have a question about will assist the Department with answering your question. This is particularly true when it comes to compliance questions. An example of the areas in which we often get ambiguous questions are real estate open houses. With this situation in mind, here is some guidance that we will try to keep as simple but still provide helpful guidance.

A title agent/agency may market its services to anyone, including real estate agents/brokers and lenders who will be a significant source of new business. The key is that the title agent/agency must market itself and not the broker, lender, or anyone else.

There are multiple types of open houses:

REALTOR:

- Brokers Open/Brokers Open House: When a real estate broker shows homes they have listed to their realtors or other realtors. Realtor caravans would be an example. (non-public)
- Open House: When a Realtor holds an open house for a home which they have listed to promote the home for sale to consumers. (public)

BUILDER:

- Builders Model Homes: Open House/Parade of Homes Event: When a builder hosts an event in a model home to promote the home to Realtors and/or consumers.

A Brokers Open, Brokers Open House, and certain Builders events are times when a title agency should be extra cautious of violating the Florida Insurance Code and RESPA. No members of the general public, no sellers, and no buyers are in attendance. A byproduct of this meeting will be the discussions the brokers have with each other where they let each other know about the inventory each one has available for sale. The thinking is that one of the other brokers may have a buyer that will be more receptive to paying the full asking price.

An Open House to the public is different than those detailed above because this is an opportunity for the title agent/agency to take full advantage of their audience to explain what they do and why they are better at doing it than any other title agent/agency.

Regardless of the event type, the title agency may only advertise its own services and not perform any of the duties or functions of the broker selling the home. The title agency may have food and beverages, but that must be accompanied by materials showing what the title agency does and can do for the consumer. A title agency may NOT just drop off food or solely provide food/beverages for these events. A title agency MUST attend the event and promote its agency during the event. The title agency cannot describe the home, give tours to people visiting the home, distribute flyers about the home, "man the event" without a Realtor or builder sales associate present, promote any broker listings, etc., as these are duties and functions of the real estate broker, Realtor or builder sales associate.

Marketing these open houses and others' events by the title agent/agency are prohibited. Licensees and persons subject to the Florida Insurance Code should refamiliarize themselves with it for compliance. Specifically, Rule [69B-186.010](#), F.A.C., regarding guidance in this area should be reviewed prior to any title agent/agency considering promoting open houses on their Facebook or other social media or other types of solicitation at the title agency's own time, resources and expenses, no matter how quick and inexpensive.

Any licensee of the Department of Financial Services found to have conducted these acts is subject to discipline for violation of the Florida Insurance Code. Any other person will be referred to the appropriate state or federal agency/board, etc.

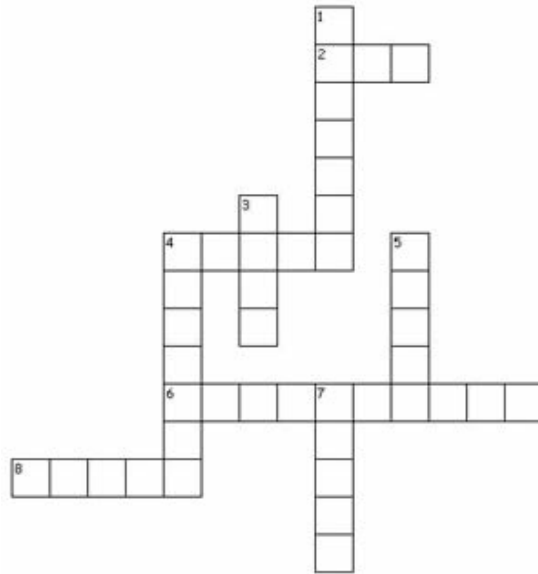
Violations by the title insurance industry can be reported to Title@MyFloridaCFO.com. Please email or forward as much information as you can. Please note that this guidance is not all-inclusive and any person subject to the Florida Insurance Code and/or RESPA should seek legal advice or contact their association prior to proceeding with any regulated activity.

[See Section [626.9541](#), F.S. and Rule [69B-186.010](#), F.A.C.]



The 2018 Florida Statutes are available online. The Florida Statutes can be viewed at [Online Sunshine](#)

This is Puzzling



Across

2. A title agency may only advertise its _____ services
4. _____ Bill 7065 concerns Assignment of Benefits
6. Number of insurer eligible to write private flood insurance
8. A General Lines agent must have _____, in-person contact with a customer rep they supervise.

Down

1. Unlicensed Agency Personnel cannot _____ insurance products.
3. Hurricane Season starts _____ 1st.
4. Florida _____ Kids received funding to lower the cost of its Full Pay Plan.
5. Number of months since Hurricane Michael
7. The work of adjusting insurance claims engages the public _____.

The answer key is found on the Education Central page.

Down

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Education Central

Staying Out of Double Trouble

Jim Simplemistake is a licensed health agent in Florida. There are five days remaining until Jim's due date to complete his continuing education requirements. He logs on to his favorite provider's website and selects a course with enough hours to satisfy the remaining hours in his current cycle. The title sounds very interesting to him, in fact, quite familiar. He's feeling very learned as he can't believe how easily he is absorbing the material. He takes the final exam and passes the first time. He simply can't believe it. He finishes the night with his favorite ice cream and the thought that he'll not need to concern himself with continuing education requirements for another two years.

A month later, he starts receiving emails from the Department notifying him that his appointments are pending termination because his continuing education requirements were not completed timely. After contacting the Department, he is made aware that the course he completed before having his ice cream was a duplicate course that he had just completed 15 months ago. The credits are disallowed because he can't get double credits for a duplicate course taken within a 24-month period. Unbelievable! Whose fault is this? Why didn't the provider warn him of the duplicate course registration? Why didn't the Department notify him that the credits would be disallowed? He is very upset about having wasted his time and money on this course. To make matters worse, he finds himself now CE non-compliant. Double Trouble!

Over the past couple of months, we have addressed this issue with a few different licensees who found themselves in a similar circumstance. In each instance, the situation could've been completely averted by taking some simple responsible steps.

1) **Stay informed.** Each licensee is responsible to stay abreast of the laws and rules that govern their license. This includes continuing education requirements found in Section [626.2815](#) of the Florida Statutes and Rule Chapter [69B-228](#) of the Florida Administrative Code. These legal references outline that credit will not be awarded for any course that was completed previously within a 24-month period.

2) **Review Department resources.** The Department has provided each licensee with a [MyProfile](#) account that allows access to a transcript of completed courses. Before taking a course, check your transcript to see if you previously completed the course within the previous 24 months. Additionally, monitor the status of posted courses to ensure you are receiving the appropriate credits to satisfy your continuing education

requirements.

3) **Vary your use of Education providers.** While you may have your preference, using more than one Education provider will enhance your education experience and lessen the chance of taking a duplicate course.

4) **Don't wait until the last minute.** Give yourself time to take another course in case the course you completed was not the course you thought you would need to satisfy your requirements.

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.

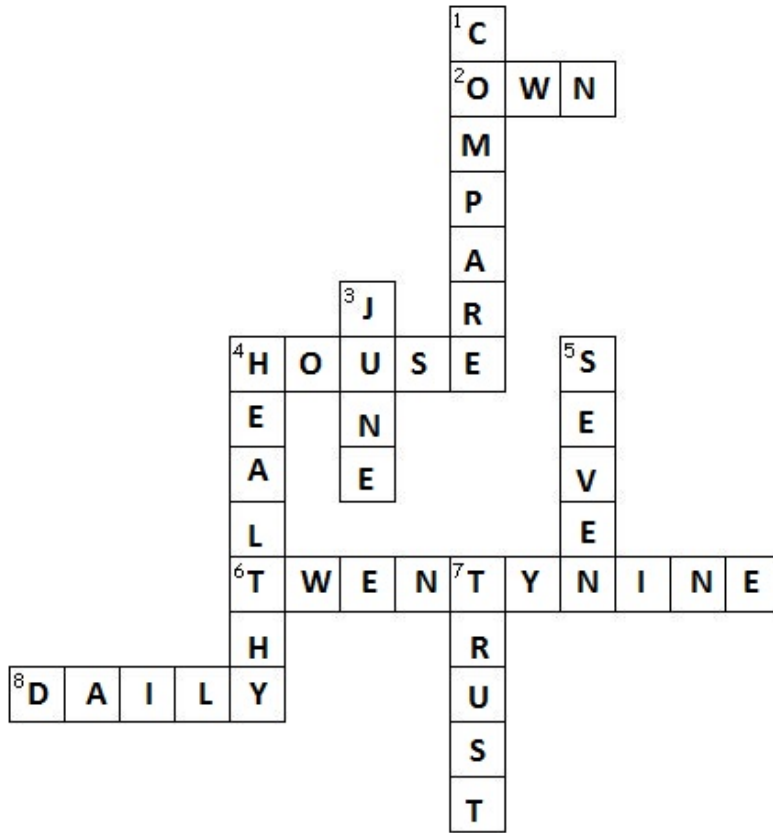
Check prior evaluation periods. Always check previous compliance periods to make sure you are not delinquent for a prior period. Be sure to click on VIEW ENFORCEMENT NOTICE just below the Not Compliant text to check for any outstanding fines.

Check your transcript. The same course cannot be taken with the same provider within a two-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.

Puzzle Answers





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Compliance Corner

Customer Representative's Authority and Limitations

Occasionally, general lines agents and the customer representatives they supervise blur the lines when transacting insurance under their licenses and find themselves the subject of Department discipline. We've put together a primer to clarify the duties a customer representative can lawfully perform followed by those activities that can **only** be performed by a licensed general lines agent:

Chapter 626, [Part II General Lines Agents](#) - please pay particular attention to section [626.7315](#), F.S. - Prohibition against the unlicensed transaction of general lines insurance. This section discusses activities that can be lawfully conducted only by a licensed and appointed general lines agent. Florida Statute sections [626.7352](#), [626.7353](#), and [626.7354](#) apply specifically to customer representatives.

Chapter [69B-213](#), Florida Administrative Code, provides additional guidance regarding customer representatives. Please review [69B-213.100](#), F.A.C. regarding "Duty to Supervise" which clarifies what the Department requires of a general lines agent who is supervising customer representatives.

A customer representative can only solicit business within the office or by phone from the office [see subsection [626.7315\(1\)](#), F.S.], and cannot "run the office" during the extended absence of a general lines agent. In the case of more than a brief absence of the supervising general lines agent, a new general lines agent must be appointed as the agent in charge to supervise the customer representative during an extended absence of the original supervising agent.

A customer representative can conduct activities under his/her license during an absence of the general lines agent, but the general lines agent must have daily, in-person contact with the customer representative. Should a complaint be filed with the Department regarding business conducted during the absence of the supervising general lines agent, the Department will review all facts prior to considering the appropriate enforcement action. You can review [69B-213.120](#), F.A.C., for more information.

Title Agency Data Call 2019

Notice from the Florida Office of Insurance Regulation

2019 Filing Deadline was May 31, 2019

Data call related specifically to Annual Reporting by Agencies of Title Insurance

Please Read All Instructions Below Carefully

The Florida Office of Insurance Regulation (Office) is conducting its annual Title Agencies Data Call pursuant to Sections [624.307](#) and [627.782, F.S.](#) and [Sec. 690-186.013, F.A.C.](#)

Title Insurance Agencies licensed at some time during Calendar Year 2018 are required filers. There are no exceptions - even if your agency closed during 2018.

Your submission was due to the Office no later than 11:59PM ET on Friday, May 31, 2019.

The Office has developed a new system called the Insurance Regulation Filing System (IRFS) to replace the Data Collection and Analysis Modules (DCAM) for reporting data submissions.

Here is the link: <https://irfs.fldfs.com/>

A How To guide is also available at:

<https://www.floir.com/siteDocuments/SubmittingTitleFilingsIRFS.pdf>

Further instructions are available on our website at:

<https://www.floir.com/Office/Reporting.aspx#Title>

If you have questions regarding this filing process, please email the Office at: TitleAgencyDataCall@floir.com or contact the Market Data Collections Unit at 850-413-3147. **If phone lines are busy you are encouraged to send your questions by email. Your email may request that a representative from Market Data Collections call you (remember to provide your number). Calls will be returned in the order your email messages are received.**

Send email to: TitleAgencyReporting@floir.com.

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

For claims that are based on events that are the subject of a declaration of a state of emergency by the Governor, and during the year after the declaration of emergency:

- A public adjuster may not charge, agree to, or accept from any source compensation, payment, commission, fee, or any other thing of value in excess of ten percent (10%) of the amount of insurance claim payments made by the insurer for claims for one year after the declaration of emergency is issued.

- The insured or claimant has 5 business days after the date on which the contract is executed to cancel a public adjuster's contract. The work of adjusting insurance claims engages the public trust. An adjuster shall put

the duty for fair and honest treatment of the claimant above the adjuster's own interests in every instance.

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

- An adjuster shall not attempt to negotiate with or obtain any statement from a claimant or witness at a time that the claimant or witness is, or would reasonably be expected to be, in shock or serious mental or emotional distress as a result of physical, mental, or emotional trauma associated with a loss.

- An adjuster shall not directly or indirectly refer or steer any claimant needing repairs or other services in connection with a loss to any person with whom the adjuster has an undisclosed financial interest.

- A public adjuster shall not prevent, or attempt to dissuade or prevent, an insured or claimant from speaking privately with the insurer, company employee adjuster, independent adjuster, attorney, or any other person, regarding the settlement of the claim.

- A public adjuster shall not enter into a contract or accept a power of attorney which vests in the public adjuster the effective authority to choose the persons who shall perform repair work.

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

Unlicensed Agency Personnel

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

- Comparing insurance products; advising as to insurance needs or insurance matters; or interpreting policies or coverage.

- Binding new, additional or replacement coverage for new or existing customers; or binding coverage on or recording additional property under existing policies.

- Soliciting the sale of insurance by telephone, in person, or by other communication. However, the unlicensed person may telephone persons to set appointments for licensed and appointed agents, customer representatives, or to obtain basic policy information as to existing insurance coverage. The unlicensed person may not engage in a substantive discussion of insurance products.

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

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.



Make Sure You Don't Miss Important Information From Us

We highly recommend licensees routinely check their [MyProfile](#) accounts for messages from the Department. We send an email notification when a message has been sent to remind you to check your [MyProfile](#) account, but on rare occasions you may not receive that email. For this reason, we suggest you add our domains **dfs.state.fl.us** and **MyFloridaCFO.com** to your email software's Trusted or Safe Senders List to ensure you are able to receive email notifications from us.

Licensees who have a valid email address on file with the Department, as required by law, are sent important email notifications when something affecting their application, license, continuing education, or appointment(s) occurs. Additionally, we will keep you informed with warnings regarding new schemes and scams being marketed to licensees.

You can update your contact information through your [MyProfile](#) account. We want to keep you informed in a timely manner of pertinent information. You are still required to abide by the Florida Insurance Code regardless of whether you read the information we provide or attempt to provide.

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Case Notes

Case: An investigation was opened on the agent in charge of a general lines agency based on a referral from the Department's Division of Consumer Services alleging unlicensed individuals issued fraudulent workers' compensation Certificates of Insurance to several auto dealerships.

Investigators conducted agency inspections and obtained affidavits from affected consumers and one subject involved in the transactions. Investigators determined the agent in charge failed to supervise an unlicensed employee who collected premiums for commercial liability policies, and diverted the funds for his personal use. Additional evidence determined the employee routinely provided fraudulent certificates of insurance to unsuspecting consumers using fake policy numbers and coverage information, while under the agent in charge's supervision.

Disposition: License suspended for twelve (12) months.

Case: An investigation was opened after a title insurance company notified the Department a title agent's appointment was terminated for disbursing funds from the agency's escrow account for unauthorized purposes. Additional complaints were received from real estate agents and consumers alleging the agent failed to disburse funds due after closings to sellers, insurers, and other parties.

Department investigators conducted an inspection of the title agency. A review of transaction files determined the title agent failed to disburse funds owed to a seller after their closing and issued checks to banks and a private mortgagee on another closing that were returned for insufficient funds. The title agent also failed to disburse funds to property insurers for homeowners insurance premiums; failed to pay vendors for services provided, including electronic filings, appraisals, and surveys, and failed to record warranty deeds. At least one customer's escrow deposit was not refunded by the agent/agency after a property purchase was cancelled. The agency's bank records indicated escrow funds were transferred to the operating account of the agency and converted for the title agent's personal use.

Disposition: The title agent and title agency licenses were administratively surrendered with the full force of revocation.

Case: The Department learned a public adjuster may not have obtained the signatures of all named insureds as required on public adjusting contracts. An investigation was opened and additional violations were discovered;

The adjuster submitted a claim for mediation without the knowledge and consent of the insured; executed public adjuster contracts for compensation exceeding the maximum allowed by the Florida Statutes and allowed unlicensed individuals to adjust claims.

Other violations included failure to properly complete adjusting contracts; falsification of employment reports for a public adjuster apprentice; failure to update the firm's primary adjuster designation information and update his contact information on record with the Department.

During our investigation, the subject initially denied investigators access to his adjusting records. When the records were produced for inspection, they were incomplete.

Disposition: License suspended for six (6) months.

Case: An investigation was opened after the Department received a complaint from an insurer alleging the subject, a general lines agent and agent in charge of an agency, failed to properly supervise customer representatives working in the agency. The customer representatives were accused of falsifying or altering insurance company documents to obtain premium discounts for consumers who did not qualify for the discounts to enable the agency to quote lower premiums than others.

The insurer provided eight underwriting files to investigators which included fraudulent documents. Documents revealed fraudulent "proof" of continuity of auto coverage for at least three consumers stating the consumers held auto insurance for six to 11 years to qualify for reduced premiums.

Customer representatives also altered documents to indicate three insureds were homeowners to take advantage of another discount. None of the applicants owned homes and in one case the property appraiser's documents submitted with the application were from a different county than the applicant's address on the application.

Disposition: Monetary penalty of \$3,500 including investigative costs.



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Enforcement Actions - April 2019

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	City, State	Documentation
ALL AMERICAN INSURANCE AGENCY, INC.		R001574	Agency	License Surrender	DAYTONA BEACH, FL	CONSENT ORDER
AYANWALE	ABDUL JAMEL	W367971	Life, Health and Variable Annuity	Revocation	PORT ORANGE, FL	ORDER OF REVOCATION
CABRERA	HECTOR	W218541	Life and Variable Annuity	Revocation	FORT LAUDERDALE, FL	NOTICE OF REVOCATION
CAMPOS	MILAGROS	W081350	Title	Emergency Suspension	MIAMI, FL	EMERGENCY ORDER OF SUSPENSION
DENSON	PAMELA	A097887	Bail Bond	Suspension 3 Months	MIAMI GARDENS, FL	
DOR	KENNETH	W211198	General Lines	Suspension 1 Year	MIAMI, FL	CONSENT ORDER
DULYA	RITA	A073073	Life, Health and Variable	Revocation	PORT SAINT LUCIE, FL	NOTICE OF REVOCATION

			Annuity			
EVERGREEN TITLE SERVICES, L.L.C.		W105402	Title Agency	Emergency Suspension	MIAMI, FL	EMERGENCY ORDER OF SUSPENSION
FLAKER	MICHAEL	W240921	Life, Health and Variable Annuity	Immediate Suspension	SHELBY TOWNSHIP, MI	NOTICE OF TEMPORARY SUSPENSION
GRIFFIN	JAMES	A104642	Life, Health and Variable Annuity	Revocation	CAZENOVIA, NY	CONSENT ORDER
GUZMAN	SUJEIM	W483842	All Lines Adjuster	Revocation	LAKELAND, FL	ORDER OF REVOCATION
HUMMEL	RIAN	W393453	Customer Representative	Revocation	STUART, FL	NOTICE OF REVOCATION
JOHNSON	ROBYN	W522661	Health	Revocation	LAKE MARY, FL	ORDER OF REVOCATION
JOSEPH	JERMAINE	P043971	Life, Variable Annuity, Legal Expense	Revocation	HIALEAH GARDENS, FL	CONSENT ORDER
LAROCCO	PAUL	A149920	Life, Health and Variable Annuity	Administrative Surrender	OCALA, FL	CONSENT ORDER
LENSCAPE SETTLEMENT SERVICES		W261822	Title Agency	Revocation	ERIE, PA	ORDER OF REVOCATION
MCCLOUD	TIMOTHY	W323504	Life, Variable Annuity, Legal Expense	Revocation	SANFORD, FL	ORDER OF REVOCATION
MINACAPELLI	JENNIFER	A317301	General Lines	Revocation	PORT SAINT LUCIE, FL	ORDER OF REVOCATION
PARAS	NIKOLAOS	W058547	General Lines	\$1,500 Monetary Penalty	NEW HYDE PARK, NY	CONSENT ORDER
PICCARRETO	JOHN C	W231579	Life, Health and Variable Annuity	Revocation	VICTOR, NY	ORDER OF REVOCATION
PITRE	PHILIP	W429139	All Lines Adjuster	Revocation	BOUCTOUCHE COVE	CONSENT ORDER
PYLE	JOHN	E037832	Title	Revocation	ORMOND BEACH, FL	CONSENT ORDER
REVELS	RANDI	W224666	Life, Health and Variable Annuity	Revocation	ELKTON, FL	ORDER OF REVOCATION
SAPHILOM	KEOLATTANA	W169003	Public Adjuster	Administrative Surrender	STAFFORD, VA	CONSENT ORDER
SKEEN	STEPHEN	W314276	Life, Variable Annuity, Legal Expense	Revocation	WEST PALM BEACH, FL	ORDER OF REVOCATION
STRELL	NORMAN	A256363	Life and Variable Annuity	Immediate Suspension	BOCA RATON, FL	NOTICE OF TEMPORARY SUSPENSION
THE STATON ORGANIZATION, INC. DBA EQUITY TITLE		W422138	Title Agency	Revocation	ORMOND BEACH, FL	CONSENT ORDER
TOWNES	GREGORY	A267230	Life, Health and Variable Annuity	\$500 Monetary Penalty, Probation and Fine	CLERMONT, FL	CONSENT ORDER
TREDICI	JOSEPH	A267924	Public Adjuster, Expired	\$15,000 Monetary Penalty	STATEN ISLAND, NY	CONSENT ORDER
TYRRELL	KENNETH	P026671	Life, Health and Variable Annuity	Revocation	FREDERICKSBURG, VA	CONSENT ORDER
VARGAS	MITCHELL	W463095	Life, Health and Variable Annuity	Revocation	ST. PETE, FL	ORDER OF REVOCATION
WEAVER	RACHID	W342744	Life, Health and Variable Annuity	Revocation	MELBOURNE, FL	ORDER OF REVOCATION



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Bureau of Licensing

General inquiries for everybody - Agents, Adjusters and Agencies
AgentLicensing@MyFloridaCFO.com

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

[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*

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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 Staff

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