

# INSURANCE *Insights*

DIVISION OF AGENT AND AGENCY SERVICES

Volume 2, No. 2 - March 2013

## The 2013 Legislative Session is Here

Dear friends,

With the 2013 Legislative Session in full swing, I continue to focus my efforts on reforms that increase government transparency and accountability, protect Florida's consumers, fight fraud and get government off the backs of hardworking Floridians in order to foster greater economic prosperity.

As our economy begins to recover, I firmly believe that we have an even greater responsibility to fight for reforms that will foster long-term economic stability for Florida's families and our business community.

For more information about my 2013 Legislative Agenda, please visit <http://www.MyFloridaCFO.com/sitePages/newsroom/pressRelease.aspx?id=4138>.

I am confident that our legislative leaders are as committed to protecting Florida's consumers and taxpayer dollars as I am. I look forward to working with legislative leaders on these priorities that I know will help our state and Florida's families continue on a road towards long-term economic prosperity.

Your feedback plays an integral role in how we continue to provide you with better service. I hope you will take a moment to email us your feedback and suggestions. Thank you for all you do.



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

**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 >>](#)

## News You Can Use

- Updating you on what's going on

### **CFO Jeff Atwater Announces Permanent License Revocation of Scammer of Volusia County Seniors**

Florida Chief Financial Officer Jeff Atwater announced the permanent license revocation of insurance agent Kenneth Mauchin, 48, of Sanford, following an investigation by the Florida Department of Financial Services' Division of Agent & Agency Services that alleged he misappropriated client funds of persons age 65 or older. Last month, he also pleaded no contest to charges of exploitation of the elderly and grand theft. He was sentenced to 13 months in state prison and eight years of probation and ordered to repay more than \$44,000 he scammed from three elderly citizens.

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

### **CFO Atwater's 2013 Legislative Agenda Focuses on Core Principles: Transparency, Consumer Protection, Fighting Fraud and Reducing Government to Promote Economic Prosperity**

Continuing his commitment to the principles that have marked his first two years in office, Florida Chief Financial Officer Jeff Atwater announced his 2013 legislative agenda. CFO Atwater will advocate for reforms that increase government transparency and accountability, protect Florida's consumers, fight fraud, get government off the backs of hardworking Floridians and foster economic prosperity.

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

### **Statement from CFO Atwater Regarding Citizens' Plans to Comply with State Procurement Requirements**

Florida Chief Financial Officer Jeff Atwater released a statement regarding Citizens Property Insurance Corporation's plans to comply with state procurement guidelines outlined in section 287.057, Florida Statutes.

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

## **CFO Atwater Announces Arrests of Miami Public Adjuster and Four Others in Property Insurance Fraud Scheme**

Florida Chief Financial Officer Jeff Atwater announced the arrest of Miami public adjuster Roberto Alvarez, 44, for allegedly submitting more than \$270,000 in fraudulent homeowners insurance claims. Also arrested were four homeowners whom Alvarez recruited to participate in the scheme to defraud.

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

## **FSLSO Service Fee to Increase from 0.1% to 0.2%**

The service fee charged by the Florida Surplus Lines Service Office (FSLSO) will be increased from 0.1% to 0.2% effective April 1, 2013.

All new and renewal policies/certificates with an effective date on or after April 1, 2013 will incur a service fee of 0.2% of the total gross premium as defined in Florida Statute 626.9325. All new and renewal policies/certificates with an effective date prior to April 1, 2013 will incur a service fee of 0.1% of the total gross premium. The service fee percentage charged on the premium is based on the effective date of the policy; the FSLSO service fee is applicable to single state Florida policies only.

The service fee for all endorsements, audits, installments, cancellations or return of premium transactions applicable to policies/certificates effective prior to April 1, 2013 will be the same percentage as the inception date of the policy/certificate being endorsed.

Again, the service fee percentage charged on the premium is based on the effective date of the policy. For an electronic copy of the service fee bulletin, please visit: <http://www.fslso.com/publications/news.aspx?ID=521>.

For further information contact the FSLSO toll-free at 1-800-562-4496 or visit [www.fslso.com](http://www.fslso.com).

## **Florida CFO Jeff Atwater Launches Financial Frontlines Website**

Florida CFO Jeff Atwater invites military servicemembers and their families to learn more about how to protect their [Financial Frontlines](#). Though military servicemembers are well-trained for the physical dangers of protecting our nation, they may not be fully prepared for the financial risks that they may face.

The [Financial Frontlines website](#) provides information and resources to help military servicemembers fight back against financial fraud and debt, including information and educational videos related to:

- Identity theft
- Servicemembers Civil Relief Act
- Credit scoring
- Budgeting & saving
- Predatory lending

For additional information, please visit [www.MyFloridaCFO.com/YMM/FinancialFrontlines](http://www.MyFloridaCFO.com/YMM/FinancialFrontlines) or call the Department's Consumer Helpline at 1-877-My-FL-CFO (1-877-693-5236).

# Florida Office of Financial Regulation Warns Florida Investors About Possible Fraud with Online, Overseas Investments

The Florida Office of Financial Regulation (OFR) in collaboration with 13 other states is warning consumers to be aware of potential fraud related to investments sold by an international company, Profitable Sunrise.

Profitable Sunrise is promoting risk-free loans that promise investors a 2.15% daily return on investments. Seven states have issued Cease and Desist orders to the company's officers, Roman Novak and Radoslav Novak, for selling investments without being properly registered and for omitting or misrepresenting facts on the company's website. Profitable Sunrise is not registered with the OFR to sell securities.

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

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

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

Add our domain **MyFloridaCFO.com** to your email software's Trusted or Safe Senders List to ensure you are able to receive all notifications from us. Licensees who have a valid email address on file with the Department, as required by law, receive important email notifications when something that affects your application, license, continuing education, or appointment(s) occurs. Additionally, we will keep you informed with warnings regarding new schemes and scams being marketed to licensees. You can update your contact information through your [MyProfile](#) account. We want to keep you informed in a timely manner of pertinent information important to you. 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

### Were You Secretly Shopped?

Twenty-one investigators from the Florida Department of Financial Services, Division of Agent and Agency Services, recently assisted in the Center for Medicare & Medicaid Services (CMS) national surveillance program to protect the citizens of Florida from the possible inappropriate marketing of Medicare Advantage and Prescription Drug Plans.

Secret shopping is the undercover surveillance of public marketing events. These events were identified from the formal sales/marketing events reported to CMS by plan sponsors through the Health Plan Management System. Shops were selected through a random sampling of events pulled from the universe of events. CMS-developed training was provided to the investigators to ensure the quality of the secret shopping initiative and consistency across shoppers. The training addressed permissible and non-permissible sales activities, targeted observation tools, and the unique aspects of different types Medicare Advantage and Medicare Part D prescription drug plans marketing violations. Department investigators participated in 75 shopping events.

In addition to determining if an agent misled consumers regarding Medicare products, investigators verified agents' licenses and determined if there were any violations of the Florida Statutes. Department investigators' attendance is not only limited to CMS marketing lectures. They may be sitting across the table from you during your sales presentation to their mother or in the audience of your next seminar.

### Five Attempt Limit on License Exams

As of October 1, 2012, ss. 626.281(2), Florida Statutes changed to create a limit on the number of licensing exam attempts an individual is allowed during a given period of time. The new law established a limit of five exam attempts for the same exam type during a twelve month period. The effect of this law is the creation of a rolling time window looking back from today's date for exactly one year. All exams for a particular license attempted during that window count towards the five exam limit. Individuals who have reached the five exam limit are not permitted to sit for their next exam attempt until the one year time window only contains four exams.

Prior to October 1, 2012 there was no limit on the number of exam attempts. As a result, some individuals attempted a single exam well in excess of five times. Any of those attempts which occurred within the

past one year window looking back from today are counted towards the new five exam attempt limit. Individuals in this situation should count back their five most recent exam attempts to determine the oldest of the five. Taking the date of the oldest of the five and adding one year to that date will determine the next date the individual will again be eligible to sit for the exam.

A specific example of the application of this law would be an individual taking a general lines (2-20) exam for the very first time on June 1, 2012, and failing the exam. After this first attempt, the individual sat for the exam four more times between June 2, 2012 and December 30, 2012. This individual will not be eligible to sit for the exam again until June 1, 2013.

The Department cannot waive the five exam limit for those who were unaware of the law change and unsuccessfully sat for the same exam several times. The law provides for a twelve month look back, not a look back to October 1, 2012. Therefore, exam attempts that were made before the effective date of the law change will also be counted against any exam scheduled after October 1, 2012.

Note: After three unsuccessful attempts, Bail Bond (limited surety) license exam candidates must repeat a 120-hour pre-licensing course and obtain a grade of 80 percent or higher before being eligible to attempt the exam again.

## **Title Insurance Agencies: New Laws on Statistical Data Gathering**

Section 627.782, Florida Statutes, was revised during the 2012 Legislative Session to add that each title insurance agency licensed to do business in this state shall maintain and submit information, including revenue, loss, and expense data, to assist in the analysis of title insurance premium rates, title search costs, and the condition of the title insurance industry in this state. This information must be transmitted to the Office of Insurance Regulation (OIR) annually by March 31 of the year after the reporting year.

The implementation of this statute relies on the adoption of rules that will provide instructions for the proper submission of title-related data to the State of Florida. The OIR has been working with the title insurers, the Florida Land Title Association, and several members of the title insurance industry to create the rules required. On March 14, 2013, the OIR held a formal workshop to solicit comments from the industry and the general public.

We encourage you to review the proposed rule, data collection form, and affidavit. It is the intention of the OIR to have this rule in place in time to collect information effective January 1, 2014 from every licensed title insurance agency doing business in Florida.

Comments to the OIR may be directed to: Peter Rice at (850) 413-5249 or [Peter.Rice@flor.com](mailto:Peter.Rice@flor.com).

## **Workers' Compensation Compliance Reminder**

The Florida Department of Financial Services, Division of Workers' Compensation, is responsible for ensuring that employers comply with their statutory obligations to obtain workers' compensation insurance coverage for their employees. As a part of their compliance activities, the Division has found a number of healthcare industry employers without the proper workers' compensation insurance. The Division is seeking agents' assistance in ensuring that their clients are aware of the workers' compensation requirements and are in compliance with them.

All non-construction industry employers in the State of Florida who have four or more employees must have workers' compensation insurance coverage for all of their employees.

While corporate officers are defined by law as employees, an officer of an active Florida corporation can apply for an exemption for themselves, providing that they demonstrate ownership in the business. If exempt, as approved by the Division, the corporate officer would not be included in the count of employees.

The Division of Workers' Compensation conducts routine investigations of Florida employers, including those in the medical industry, to assure that the proper insurance is in effect. Where an employer is found to be without workers' compensation insurance, a Stop-Work Order is issued. A Stop-Work Order requires the cessation of all business operations until the employer comes into compliance with the coverage requirements and pays the assessed penalty. In addition, a penalty is assessed which is equal to 1.5 times the amount the employer would have paid in premium within the preceding 3-year period or \$1,000, whichever is greater.

## Notice of Workers' Compensation Exemption Law Change

The Florida Legislature passed and the Governor signed into law CS/HB 941, which amended Sections 440.02(9) and 440.05, Florida Statutes.

Effective July 1, 2013, the law changes to include **non-construction limited liability company (LLC) members** as employees. LLC members will be included on their Workers' Compensation insurance policy; however, they may elect to be exempt by filing a Notice of Election to Be Exempt with the Division of Workers' Compensation.

To apply for a Certificate of Election to be Exempt, go to the Division of Workers' Compensation's website at [www.MyFloridaCFO.com/WC](http://www.MyFloridaCFO.com/WC) and click the "Apply for an Exemption" icon.

If you have any questions, please contact the Division of Workers' Compensation at (850) 413-1609.

## Education Central

- Things to know about your continuing education

### Be Sure to Get Your CE Credit When You Earned It

Investing time to increase your education in your insurance profession will help you continue to be a qualified representative to the public. It may also help you meet continuing education requirements mandated by Florida Statutes.

If your purpose is solely to increase your knowledge, you're welcome to take any course offered. However, if you are also looking to meet your CE obligations, it is imperative that you are aware of the qualifications of CE credits.

Information on CE requirements and qualifications for CE credits can be found in Sections 626.2815 and 626.2816, Florida Statutes, and Rule Chapter 69B-228, Florida Administrative Code. The following will be helpful to keep in mind.

CE credits are only applied to your CE requirement when the course is:

- Approved by the Department;
- Taught by a Department-approved provider; and
- Completed in its entirety by the student.

Education course providers must have or know the following:

- You are a licensed agent or adjuster looking for CE credit;
- A photo identification upon your arrival;
- Your printed name and signature on the sign-in sheets (for all live courses);
- Successful completion and submission of any required examination before your compliance date; and
- Submission of any other provider-required information.

Course providers have 21 days to report to the state that you completed a course. If you did not receive credit for a course that qualifies per the Florida Statutes and Administrative Code, you may contact the Department after the 21-day period with the following information:

- Date you completed the course;
- Copy of your certificate of completion; and
- A copy of the course outline.



These tips should help you make certain you take the right course and follow the right steps to receive CE credit. Any questions may be sent to [Education@MyFloridaCFO.com](mailto:Education@MyFloridaCFO.com).

## 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.

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

## Subject Matter Experts Needed

Have you ever heard someone comment about the questions on the State of Florida license exams? Ever wondered who comes up with them?

Every year the Department and our state exam vendor conduct a thorough review of every question on each of our license examinations. These questions are reviewed to make sure that they are accurate, test entry level knowledge, and are clear in how they read.

Along with having members from the Department and our exam vendor, we rely on the perspective from Florida licensed agents and adjusters. These licensees serve as subject matter experts who attend online and in-person meetings to review examination questions.

The payoff includes participating in the process that qualifies future licensed insurance agents and adjusters as well as additional hours credited to your transcript to help meet your continuing education requirement.\*

If you would like more information on participating as a subject matter expert in our annual exam review workshop this summer, please send an email to [Education@MyFloridaCFO.com](mailto:Education@MyFloridaCFO.com) and include in the subject line: Question about Exam Review Workshop.

We hope to see you in Orlando this summer!

\*Some expenses are reimbursable.

# Applying to Be an Education Instructor

Applicants who wish to be approved as an independent instructor must submit a resume with their applications per Rule 69B-228.060(2)(c), F.A.C. Individuals may submit Certification of Instructor Forms or Application for Supervising Instructor Approval forms separate from any education provider with only the applying instructor's signature. If an individual submits a certification form, a resume must be attached.

Some applicants have experienced issues uploading a resume online. If you do, you will receive notification from the Department to email a resume to [Education@MyFloridaCFO.com](mailto:Education@MyFloridaCFO.com). Applicants must then email their resume or risk having the application closed out.

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## Compliance Corner

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

### Contractors Adjusting Insurance Claims

By contractors assisting their customers with their insurance claims, they may be engaging in the practice of public adjusting without being properly licensed by the Florida Department of Financial Services.

The definition of a public adjuster, as explained in Section 626.854, Florida Statutes, is 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 in any manner on behalf of an insured in negotiating for or effecting the settlement of a claim.
- Advertises or solicits for employment as an adjuster of such claims.

However, a 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.

If a contractor is acting as a public adjuster in any manner by negotiating or effecting the settlement of an insurance claim on behalf of an insured and they are performing any of these services for money, commission or anything of value without being licensed as a public adjuster, they could be subject to a cease and desist order and could also be charged with a third-degree felony as provided by Section 626.8738, Florida Statutes.

"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."

The Florida Department of Financial Services has taken administrative action against licensed contractors for acting as a public adjuster without being licensed.

If you should have any questions about what activities constitute acting as a public adjuster, please contact the Florida Department of Financial Services at 850-413-3136 or through its website, <http://www.MyFloridaCFO.com>.

[See Sections [626.854](#) and [626.8738](#), Florida Statutes]

## **Reporting of Actions - Criminal, Administrative, and Other**

Subsection 626.451(7), F.S., requires each licensee to advise the Department within 30 days after having been found guilty of or having pleaded guilty or nolo contendere to a felony or a crime punishable by imprisonment of one year or more under the laws of the United States, any state of the United States, or any other country, without regard to whether a judgment of conviction has been entered by the court having jurisdiction of such cases.

Section 626.536, F.S., requires each licensee (including insurance agencies) to submit to the Department a copy of the order, consent order, or other relevant legal documents within 30 days after the final disposition of any administrative action taken against the licensee by a governmental agency or other regulatory 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 a fiduciary duty.

Subsection 626.6215(6), F.S., requires that agencies and their officers to advise the Department within 30 days after an individual licensee's violation is known or should have been known by one or more of the partners, officers, or managers acting on behalf of the agency. Actions taken against a license or registration for violations of state or federal securities or commodities law, such as an action taken by FINRA, are an example. Failure to do so could result in administrative action against the license(s) of the agency and/or majority owner, officer, partner, manager, director, or other person who manages or controls the insurance agency.

Actions may be reported via the [NIPR's Attachment Warehouse](#), or by mailing the appropriate documents to us at:

Florida Department of Financial Services  
Division of Agent and Agency Services  
Bureau of Licensing  
200 E. Gaines Street, Room 419  
Tallahassee, FL 32399-0319

[See [626.451\(7\)](#), [626.536](#), [626.621\(13\)](#), and [626.6215\(6\)](#), Florida Statutes]

# Moving to Florida? Leaving Florida? You May 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 appointments, 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, unless your principal business address remains in Florida. 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 may need to provide the Department with a letter of certification from your new home state if we request it.

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 ***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]

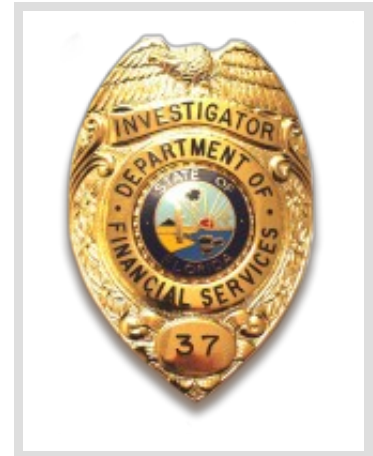
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## Case Notes

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:** An investigation of a public adjuster alleged that she submitted adjusting contracts to Citizen's Property Insurance Corporation that charged fees greater than the statutorily required limitation for services rendered to policyholders and charged unlawful fees for adjusting services.

**Disposition:** Probation for one year, fined \$2,500, make restitution of \$8,592.03, submit a new contract with a fee no greater than 10%, and not collect fees from the original, unlawful offer.



**Case:** An investigation of a revoked customer representative under the supervision of a general lines agent, alleged he was allowed to handle a variety of personal lines insurance transactions. The revoked licensee mishandled a consumer's homeowner's insurance transaction, overcharged her and then deprived her of her cancellation refund for an extended time frame. All of these acts were committed by the revoked customer representative under the watchful eye of his supervisor, the general lines agent. Further investigation revealed that the agency routinely failed to provide refunds to consumers and overcharged numerous clients.

**Disposition:** The general lines agent's license was revoked and she was ordered to make restitution to the victims. The revoked customer representative was ordered to cease and desist and could be subject to arrest for violating a Department order.

**Case:** An investigation of a life and health agent alleged that he misrepresented service contracts as an insurance product, demonstrated a lack of fitness and trustworthiness to engage in the business of insurance, and made derogatory statements about an insurance company.

**Disposition:** License suspended for nine months. Probation for one year if license is reinstated.

**Case:** An investigation of a title insurance agent alleged that he operated and sold title insurance without having a properly licensed or appointed title insurance agency.

**Disposition:** Fined \$7,500; placed on probation for one year; and required to obtain a title insurance agency license.

**Case:** An investigation initiated after a consumer filed a complaint that after requesting to cancel a homeowners' policy, the consumer never received their refund. The investigation showed that nearly \$1,500 that should have been returned to the consumer was being held by the agent. After filing the complaint with the Department, the agent refunded \$950 to the consumer. Once the Department was involved, the agent refunded the remainder of the monies due to the consumer.

**Disposition:** License revoked.

**Case:** An investigation of a customer representative alleged she used her access to consumer information to obtain a credit card using the financial information of one of the agency's clients. She made multiple charges on the card without making any payments to the account. The investigation showed that the licensee not only made personal purchases but she also took advantage of her position in the agency to steal cash and money order premium payments from several agency clients and then replaced those premiums using the fraudulently obtained credit card.

**Disposition:** License revoked. She was arrested by the Division of Insurance Fraud and sentenced to 60 months supervised probation, 200 hours of community service, pay more than \$3,500 restitution to the insurance carrier, and pay more than \$1,700 in costs to the Division of Insurance Fraud.

**Case:** An investigation of two life and health agents alleged they enrolled a consumer into a bogus health insurance product. The plan name was known by several different names including "AIM Health Plans", "Insurance Resource Group, Inc", and "Integrated Insurance Marketing, Inc." Unfortunately for the consumer, there was no authorized insurer underwriting these health policies, and she incurred unpaid medical expenses in the process.

**Disposition:** Placed on probation for one year, fined \$1,000, and was ordered to reimburse costs to the affected consumer in the amount of \$3,000.

**Case:** An investigation of a non-resident managing general agent, home warranty sales firm, and service warranty sales firm alleged that it aided and abetted an unlicensed entity, Global Warranty Group LLC.

**Disposition:** Fined \$17,500.

## Enforcement Actions

- January & February 2013

Some of the following disciplinary actions were resolved through a settlement process resulting in an order for discipline. Notification of disciplinary actions is in the public interest. While every effort is made to provide correct information, our readers are cautioned to check with the department before making a decision based upon this listing. This listing does not reflect pending appeals or requests for hearings.

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.



**IMPORTANT NOTE:** Copies of enforcement action documents can be located by searching the [Division of Legal Services' database](#). After clicking the **Locate** link below and the database opens, click on **Final Orders** on the left, followed by **Dept of Financial Services**, then **Agents and Agencies**, then **Final Orders 2013**. You will then be able to locate the document by the first letter of the individual's last name or business name. For further information, you may make a public records request via [email](#) or contact the [Public Records Unit](#).

LAST/BUSINESS NAME	FIRST NAME	LICENSE#	LICENSE TYPE	DISPOSITION	FINE/COST	RESTITUTION	CITY, STATE	DOCUMENT
Abreu	Isabel	E027292	Public Adjuster	Probation, Fined and Restitution	\$2,500	\$8,592.03	Miami, FL	<a href="#">Locate</a>
Accurate Title Closings, Inc.		E060505	Title Agency	License Revoked			Lake Worth, FL	<a href="#">Locate</a>
Applewhite	Cynthia	P061731	General Lines	Permanently Barred			Lakeland, FL	<a href="#">Locate</a>
Arkidus Home Protection, Inc.		W058184	Home Warranty	License Revoked, Restitution, Permanently Barred			Miami, FL	<a href="#">Locate</a>
Ayison	Cleland	P112530	Life, Health, Variable Annuity	License Revoked			Wesley, FL	<a href="#">Locate</a>
Barredo, Sr.	Antonio	P198092	Public Adjuster	Probation, Fined and Restitution	\$1,500	\$798.88	Hallandale, FL	<a href="#">Locate</a>



BB&T Burkey Risk Services		L054361	Insurance Agency	Probation and Fined	\$7,500		Maitland, FL	<a href="#">Locate</a>
Berges	Reinaldo	W050573	Auto Warranty	License Revoked, Restitution, Permanently Barred			Miami, FL	<a href="#">Locate</a>
Bozzi	David		No License	Cease & Desist			Fort Lauderdale, FL	<a href="#">Locate</a>
Bulluck	Kendra	A034917	General Lines	License Suspended 1 Year			Miami, FL	<a href="#">Locate</a>
Chengerian	Richard	E008073	Life, Variable Annuity	License Suspended 3 Months			Bradenton, FL	<a href="#">Locate</a>
Chepenik	Jason	A045974	Life, Health, Variable Annuity	Fined	\$1,000		Winter Park, FL	<a href="#">Locate</a>
Cole	Steven	P193389	Life, Health, Variable Annuity	License Revoked			Fort Myers, FL	<a href="#">Locate</a>
Connelly	Marlene	A021618	General Lines	Permanently Barred			St Pete Beach, FL	<a href="#">Locate</a>
Direct Title Insurance Agency, Inc.		P091907	Title Agency	License Revoked			Wheat Ridge, CO	<a href="#">Locate</a>
Duarte	Celia	A072427	Life, Health, Variable Annuity, General Lines	License Suspended 1 Year			Miami, FL	<a href="#">Locate</a>
Durham	Deloise	D015414	Customer Representative	License Suspended 12 Months			Port Saint Lucie, FL	<a href="#">Locate</a>
Durham	Kenneth	A073974	General Lines, Bail Bond	License Suspended 18 Months	\$5,000		Port Saint Lucie, FL	<a href="#">Locate</a>
Escalona	Eulises	P144359	Legal Expense	License Revoked			Miami, FL	<a href="#">Locate</a>
Garcia	Carlos	P066228	Public Adjuster	Probation and Fined	\$1,500		Hollywood, FL	<a href="#">Locate</a>
Glowen	Rossy	P202061	Public Adjuster	Fined	\$500		Miami, FL	<a href="#">Locate</a>
Gorski	William	D046487	Life, Health, Variable Annuity	Cease & Desist, Fined, Restitution and Disgorgement	\$2,000		Safety Harbor, FL	<a href="#">Locate</a>

Griffiths	Michael		No License	Cease & Desist and Fined	\$50,000		Fort Lauderdale, FL	<a href="#">Locate</a>
Grill	Teresa	P030773	General Lines	License Revoked			Port St Lucie, FL	<a href="#">Locate</a>
Grundy	Virginia	A105864	Bail Bond	Fined	\$500		Miami, FL	<a href="#">Locate</a>
Harris	George	D028068	General Lines	License Revoked			Palm Harbor, FL	<a href="#">Locate</a>
Herring	Omar	A117750	Bail Bond	Fined	\$1,500		Tallahassee, FL	<a href="#">Locate</a>
Innovative Insurance & Financial Services, Inc.		L062929	Insurance Agency	License Suspended 2 Months			Lake Wales, FL	<a href="#">Locate</a>
Jimenez	Ivette	P065343	Public Adjuster	License Suspended 6 Months			Homestead, FL	<a href="#">Locate</a>
Kendall	Marjorie	P201836	Life, Health, Variable Annuity	Cease & Desist, Fined and Restitution	\$2,000		Palm Harbor, FL	<a href="#">Locate</a>
Krakov	Larry	A145478	Life, Health, Variable Annuity	License Revoked			Boca Raton, FL	<a href="#">Locate</a>
Lewisson	Marc	D043093	Life, Health, Variable Annuity	License Revoked			Coral Springs, FL	<a href="#">Locate</a>
Loy	Myrna	A159545	Bail Bond	Fined	\$1,000		Fort Lauderdale, FL	<a href="#">Locate</a>
Martinez	Victor	A167123	Life & Health	License Suspended 2 Months			Lake Wales, FL	<a href="#">Locate</a>
McCoy	Jeff	E133533	Life, Health, Variable Annuity	Probation and Fined	\$10,000		Royal Palm Beach, FL	<a href="#">Locate</a>
Medina	Ashlee	A175348	Life, Health, Variable Annuity	License Revoked			Orlando, FL	<a href="#">Locate</a>
Miller	James	D022095	Life, Variable Annuity	License Revoked			Boca Raton, FL	<a href="#">Locate</a>
Mineo	Mario	P020633	Life, Health, Variable Annuity	License Revoked			Summerfield, FL	<a href="#">Locate</a>
Moncada	Aileen	P177594	Public Adjuster	Fined	\$500		Miami, FL	<a href="#">Locate</a>

Moose Insurance, LLC		L071765	Insurance Agency	Cease & Desist			Fort Lauderdale, FL	<a href="#">Locate</a>
Munoz	Joseph	E118143	Public Adjuster	Probation and Fined	\$3,000	\$23,264.30	Bay Harbor Islands , FL	<a href="#">Locate</a>
Nathan	Alan	W058260	Motor Vehicle Rental	License Revoked			Boca Raton, FL	<a href="#">Locate</a>
One Florida Insurance Agency, Inc.		L068389	Insurance Agency	License Revoked			Miami, FL	<a href="#">Locate</a>
Perrin	Matthew	P168639	Life, Health, Variable Annuity	License Suspended 1 Year			Maitland, FL	<a href="#">Locate</a>
Quintana	J J Tony	A213629	Public Adjuster	Fined	\$1,000		Miami, FL	<a href="#">Locate</a>
Rapado	Martha	E186931	Public Adjuster	Probation			Coral Gables, FL	<a href="#">Locate</a>
Red Door Title Insurance Agency, Inc.		P132245	Title Agency	License Revoked			Miami, FL	<a href="#">Locate</a>
Rush	Jonathan	E174434	General Lines, Health	License Revoked			Cape Coral, FL	<a href="#">Locate</a>
Santiago	Margaret	A231750	Title Agent	Probation and Fined	\$2,000		Fort Lauderdale, FL	<a href="#">Locate</a>
Santoyo	Jose	E109387	No License	Cease & Desist			Belle Glade, FL	<a href="#">Locate</a>
Schott	Robert	W064725	All-Lines Adjuster	Probation and Fined	\$750		Chisago City, MN	<a href="#">Locate</a>
Shorr	Jonathan	P085356	Public Adjuster	Probation			North Miami Beach, FL	<a href="#">Locate</a>
Small	Dave	A317386	Bail Bond	License Suspended			Deerfield Beach, FL	<a href="#">Locate</a>
Smilowitz	Jay	P051211	Public Adjuster	Probation, Fined and Restitution	\$2,000	\$2,790.4	Sunny Isles Beach, FL	<a href="#">Locate</a>
Smith	Arthur	A245801	Title	Probation and Fined	\$7,500		Madison, FL	<a href="#">Locate</a>
Smith	Michael	A247193	Bail Bond	Fined	\$250		Sanford, FL	<a href="#">Locate</a>
Spencer	Joel	P225867	Life, Health, Variable Annuity	Probation, Fined & Cease & Desist	\$5,000		Jacksonville, FL	<a href="#">Locate</a>
Sporn	Dylan	P117160	Life, Health, Variable Annuity	Fined	\$1,500		Delray Beach, FL	<a href="#">Locate</a>

Stackpole, Jr.	John	E071879	Life, Health, Variable Annuity	Fined	\$1,500		New Rochelle, NY	<a href="#">Locate</a>
Stokes	Keith	W051619	Public Adjuster	Fined	\$500		Dallas, TX	<a href="#">Locate</a>
The Celedinas Agency Inc DBA Celedinas Insurance Group		L049380	Insurance Agency	Probation and Fined	\$7,000		Palm Beach Gardens, FL	<a href="#">Locate</a>
The Service Center Title Agency, Inc.		E143174	Title Agency	Fined	\$500		Miamisburg, OH	<a href="#">Locate</a>
Titan Title & Escrow, LLLP		W088448	Title Agency	Probation and Fined	\$2,500		Orlando, FL	<a href="#">Locate</a>
Urra	Heidy	P171540	Public Adjuster	Probation, Fined and Restitution	\$750	\$4,923.97	Miami, FL	<a href="#">Locate</a>
Vandermost	David	P197547	Public Adjuster	Fined	\$500		Pompano Beach, FL	<a href="#">Locate</a>
Virelles	Alexander	P138469	General Lines	License Suspended 6 Months and Fined	\$3,500		Hialeah, FL	<a href="#">Locate</a>
Wilson	Kevin	E183403	Bail Bond	License Suspended 18 Month			Winter Garden, FL	<a href="#">Locate</a>



## Contact Us

- We're always here for you

### Bureau of Licensing

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

[Education@MyFloridaCFO.com](mailto: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.

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

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