

## Reflecting on a Challenging Year

Dear Friends,

It's the end of the year and we're readying for new beginnings in 2017. By all accounts, it was a year for the record books.

As the third largest state in the nation, it comes as no surprise that many of the year's significant moments had a substantial impact on Florida. Hurricane Hermine ripped through the Panhandle,

Hurricane Matthew impacted our state's entire east coast, and Orlando faced one of the most tragic acts of terrorism our country has ever seen -- just to name a few. With that, I'd like to thank all of Florida's first responders and servicemen and women who worked tirelessly to keep our nation and our communities safe. 2016 was a trying time and the efforts of the countless heroes who came to our rescue time and time again will never be forgotten.



**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 >>](#)

Our Department also faced a busy year. The storm season brought about nearly \$1.59 billion in losses, including thousands of homes that were damaged or destroyed. As a Department with a heavy footprint in insurance and financial matters, we worked to make sure that Floridians received help with their questions, assistance with their concerns, and a place to go if fraud was found.

Our Insurance Consumer Helpline, which assists Floridians with insurance-related questions, extended its hours following both storms and advocated on behalf of hundreds of consumers who were trying to get back on their feet. Although there is still work to be done, the Department's Division of Consumer Services has and will continue to provide Floridians with a one-stop shop for their insurance questions and needs. If you need help understanding your policy or want a second opinion on a claim, give our experts a call at 1-877-693-5236.

Along with the many police officers, firefighters, and first responders who helped Florida navigate through an eventful 2016, our Department has continued its efforts to fight insurance fraud. In fact, we combined all of our investigative divisions and bureaus into one, newly-formed Division of Investigative and Forensic Services (DIFS) in an effort to enhance and strengthen an already nationally-renowned investigative force. More than 1,100 arrests have already been made this year, and our fight for a fraud-free Florida will continue into 2017.

Our Division of Unclaimed Property had yet another record-breaking year, returning more than \$306 million in unclaimed cash and items back to Floridians and we've still got a few days to go. The unclaimed property team broke its monthly return record in February when \$32.1 million of unclaimed property was returned, and later topped it in October with more than \$35.9 million returned to rightful owners in just one month.

It was a year of challenges and the people of Florida stood strong and moved forward. I am proud of the efforts put forth by the Department to serve, protect, and advocate for the people of Florida. I am proud of what we have accomplished together in 2016 and I look forward to expanding upon our achievements to make 2017 an even greater year for everyone in the Sunshine State.

Sincerely,



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



## News You Can Use

- Updating you on what's going on

### **Unlicensed Miami Public Adjuster Arrested Following \$100,000 Fraudulent Water Claims Scam**

The Department of Financial Services' Division of Investigative and Forensic Services (DIFS), which operates under the direction of Chief Financial Officer Jeff Atwater, today announced the arrest of Julian Garcia-Sellek of Miami on multiple felony fraud and grand theft charges. The arrest follows an investigation that discovered Garcia-Sellek, while acting as an unlicensed public adjuster, allegedly went to great lengths to inflate the costs associated with multiple insurance claims in addition to filing several fraudulent claims to cover water damage that did not exist.

In total, Garcia-Sellek is accused of stealing nearly \$100,000 from Citizens Property Insurance Corporation. Citizens representatives flagged multiple claims created by Garcia-Sellek as suspicious and referred the information they collected to DIFS. As a result, fraud investigators opened an investigation into the company's day-to-day operations.

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

### **Central Florida Man Who Lied About On-the-Job Injury Lands in Jail**

The Department of Financial Services' Division of Investigative and Forensic Services (DIFS), which operates under the direction of CFO Jeff Atwater, announced the arrest of Orlando resident Ricardo Aponte on workers' compensation fraud charges following an elaborate scam involving an alleged on-the-job injury. Aponte claimed to have suffered a work-related neck injury that prevented him from bending his body and prohibited him from working. As a result, Aponte's employer paid more than \$500,000 in medical and lost-wage costs related to the supposed injury.

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

### **CFO Jeff Atwater and Commissioner David Altmaier Host Insurance Roundtable Marking the End of Hurricane Season**

On Friday, December 2, Florida Chief Financial Officer Jeff Atwater and Insurance Commissioner David Altmaier hosted an insurance roundtable discussion with representatives from more than 25 insurance companies operating in Florida. Hosted at the conclusion of the 2016 Atlantic Hurricane Season, CFO Atwater and Commissioner Altmaier invited the insurance industry as well as the Federal Emergency Management Agency

to engage in a public conversation about the successes and challenges related to the first two storms Florida has faced—Hurricanes Hermine and Matthew— in more than ten years.

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

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

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

We highly recommend licensees routinely check their [MyProfile](#) accounts for messages from the Department. We send an email notification when a message has been sent to remind you to check your [MyProfile](#) account, but on rare occasions you may not receive that email. For this reason, we suggest you add our domains **dfs.state.fl.us** and **MyFloridaCFO.com** to your email software's Trusted or Safe Senders List to ensure you are able to receive email notifications from us. Licensees who have a valid email address on file with the Department, as required by law, are sent important email notifications when something affecting their application, license, continuing education, or appointment(s) occurs. Additionally, we will keep you informed with warnings regarding new schemes and scams being marketed to licensees. You can update your contact information through your [MyProfile](#) account. We want to keep you informed in a timely manner of pertinent information. You are still required to abide by the Florida Insurance Code regardless of whether you read the information we provide or attempt to provide.

## In The Know

- Keeping you informed is what it's all about

### **Citizens' Maximum Coverage Limit Decreased Effective January 1, 2017**

As required by Senate Bill 1770, enacted by the Florida Legislature in 2013, and by approval of Citizens' Board of Governors, Citizens will decrease allowable maximum policy coverage limits.

**Effective January 1, 2017**, for new business and renewals, the following personal residential risks no longer are eligible for coverage under Florida law:

- A structure that has a dwelling replacement cost (Coverage A) of \$700,000 or more
- A single condominium unit with a combined dwelling and contents replacement cost (Coverage A and C) of \$700,000 or more
- A tenant contents policy with a Coverage C limit of \$700,000 or more

*Note:* The maximum coverage limit changes reflected above will not affect policy forms where lower maximum coverage limits already exist.

Because the Florida Office of Insurance Regulation (OIR) determined there is not a reasonable degree of competition in Miami-Dade and Monroe counties, these two counties are exempt from the decreased coverage limit of \$700,000. The maximum coverage limit of less than \$1 million will continue to apply to risks in these two counties.

Citizens will comply with the nonrenewal guidelines in Florida Statute 627.4133 and mail affected policyholders nonrenewal notices in advance of nonrenewal dates of **January 1, 2017**, or later. The nonrenewal will be effective at the end of each policy's current term.

Agency principals will receive a separate email soon containing a list of affected policyholders, in order to assist them with securing coverage elsewhere.

Citizens' website, systems and manuals will be updated to reflect this change.

[Click here to read the bulletin at Citizens' website](#)>>

### **Florida Surplus Lines Services Office Fee - Decreased to 0.1% Effective April 1, 2017**

**BULLETIN: 2016-04**

TO: FLORIDA SURPLUS LINES AGENTS, SURPLUS LINES INSURERS AND INDEPENDENTLY PROCURED COVERAGE

(IPC) FILERS

FROM: GARY D. PULLEN, EXECUTIVE DIRECTOR, FLORIDA SURPLUS LINES SERVICE OFFICE

DATE: DECEMBER 14, 2016

The purpose of this bulletin is to notify you that the service fee charged by the Florida Surplus Lines Service Office (FSLSO) will be decreased from 0.15% to 0.1% effective **April 1, 2017**.

All new and renewal policies with an effective date **on or after April 1, 2017** will incur a service fee of 0.1% of the total gross premium as defined in [Florida Statute 626.9325](#). The service fee percentage charged on the premium is based on the effective date of the policy; the FSLSO service fee is charged on all applicable Florida policies.

The service fee for all endorsements, audits, installments, cancellations or return premium transactions applicable to policies effective prior to 04/01/2017 will be the same percentage as the inception date of the policy being endorsed.

EXAMPLE ONE: The service fee for a policy with an effective date of 01/01/2017 is 0.15% of the total gross premium. An additional premium endorsement to the policy with an endorsement effective date of 06/01/2017 is 0.15%. If a cancellation takes place with an effective date of 8/01/2017, the service fee credit is 0.15%.

EXAMPLE TWO: The service fee for a policy with an effective date of 04/01/2017 is 0.1% of the total gross premium. An additional premium endorsement to the policy with an effective date of 06/01/2017 is 0.1%. If a cancellation takes place with an effective date of 08/01/2017, the service fee credit is 0.1%.

Again, the service fee percentage charged on the premium is based on the effective date of the policy. For an electronic copy of the bulletin, please visit: [www.fslso.com/publications](http://www.fslso.com/publications).

Business rules for calculating the correct service fee will be programmed into the FSLSO's management system. No changes need be made for SLIP or XML batch filing, however, you may need to contact your agency's information technology vendor or staff regarding needed revisions to your agency management system that may be necessary to calculate the revised service fee.

FSLSO's Tax Estimator provides instant access to the most current tax rates and is available in a mobile application for Apple or Android devices. To use the Tax Estimator, visit [www.fslso.com/estimate](http://www.fslso.com/estimate).

FSLSO also provides a free Tax Estimator web service application for businesses desiring to make the Tax Estimator available from their internal agency management system or third party website. Contact Tiffany Maruniak ([tmaruniak@fslso.com](mailto:tmaruniak@fslso.com)) for more information.

As always FSLSO can be reached toll free at 800.562.4496, or email us at [easy@fslso.com](mailto:easy@fslso.com) or visit our website at [www.fslso.com](http://www.fslso.com).

## What's in Your Product?

When was the last time you read a policy you sell? If you have to think long and hard about this question, you might be selling a product you're not familiar with. "Well, hold on a minute" you say. "I'm well versed on ISO (Insurance Services Office) and AAIS (American Association of Insurance Services) policy forms." That's great, you should be. However, insurers deviate from industry standards and react to changing loss scenarios, underwriting challenges, legislative changes and court decisions long before ISO or AAIS. Fear not, you don't necessarily have to re-read entire policy forms. You can, with a certain amount of confidence, short cut the process. Read the "Special Provisions" endorsement or the "Florida Changes" endorsement. These forms will

generally give you the salient deviations from the policy form. Another handy item is the requirement in [s.627.43141](#), F.S. (that's not a typo, the section number is really that long). This statute requires insurers to send out a notice of changes in policy terms, but this is only handy if you're familiar with previous changes.

Of course, if the policy is written through the Surplus Lines market you may need to be a little more diligent in your late night reading. While most Surplus Lines carriers don't reinvent the wheel and use industry standard forms, there is the very real possibility of a company specific form which may narrow coverage.

So go impress a client with your thorough knowledge of the product you're selling!

## Department Contacts for Compliance Guidance and Licensee Complaints

The Division offers several email addresses that allow our licensees to direct their compliance questions to the appropriate sections to provide the fastest response from us. Complaints about other licensees by licensees should also be directed to the appropriate email address.

[Title@MyFloridaCFO.com](mailto:Title@MyFloridaCFO.com) - for title insurance agents and agencies

[BailBond@MyFloridaCFO.com](mailto:BailBond@MyFloridaCFO.com) - for bail bond agent and agencies

[Adjusters@MyFloridaCFO.com](mailto:Adjusters@MyFloridaCFO.com) - for all types of insurance adjusters and adjusting firms

[askDFS@MyFloridaCFO.com](mailto:askDFS@MyFloridaCFO.com) - for general compliance questions unrelated to licensing or education

Using these valuable email addresses properly will allow the Division to respond to your inquiry as quickly and comprehensively as possible because the emails are directed to team members with the appropriate knowledge and experience in the specific subject matter.

## Consumer Complaints

When our licensees receive complaints from consumers about the activities of other licensees, the consumers should be directed to file a complaint with the [Division of Consumer Services](#) by the method they prefer (email, phone, fax, etc.) After providing any service the consumer may need to resolve an insurance dispute or concern, the Division of Consumer Services will forward the complaint to the Division's Bureau of Investigation for further review if it appears the agent *may* have violated the Florida Insurance Code.

## Restrictions on Agency Names

When choosing a name for your insurance agency, please note that the Department may disapprove the use of any true or fictitious name, other than the bona fide name of an individual, if it violates certain guidelines. The name cannot:

- mislead the public in any respect,
- interfere with or be too similar to another name already being used by another agency or insurance company,
- state or imply the agency is an insurer, motor club, hospital service plan, state or federal agency, charitable organization, or entity that primarily provides advice and counsel rather than selling or soliciting insurance, or is entitled to engage in insurance activities not permitted under the license you hold or have applied for.

The provisions above do not prohibit you from using the word "state" or "states" in the name of your agency as those terms do not, in and of themselves, imply that the agency is a state agency. Please see [s.626.602](#), F.S.

## The 2015 Florida Statutes Now Available Online

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

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## Education Central

- Things to know about your continuing education

### Are You Compliant with Your CE or Not?

To be CE compliant requires more than just taking CE courses. Below are a few suggestions for remaining CE compliant:

- **CE requirements change.** You should regularly review your CE status through your [MyProfile](#) account. Your total hours have specific allocation requirements that must be met. Be sure to take all the right categories of CE courses.
- **Check for late hours.** Hours taken after your due date will still post on your compliance evaluation screen, but they will be noted as "Late". Though your hours requirement may have been met, late completion of your continuing education requirement will result in penalties.
- **Check prior evaluation periods.** Always check previous compliance periods to make sure you are not delinquent for a prior period. Be sure to click on **VIEW ENFORCEMENT NOTICE** just below the **Not Compliant** text to check for any outstanding fines.
- **Check your transcript.** The **same course** cannot be taken with the **same provider** within a three-year period and receive credit. This is noted on your transcript as a duplicate course. You will need to take a different course to meet your CE requirement.

We wish you success in completing your hours to remain knowledgeable in an ever-changing insurance market. And remember, your CE compliance date is your **DUE** date, not your **DO** date.

Because many factors may affect your continuing education requirement (e.g. licenses held, number of years licensed, etc.), we encourage you to periodically check your [MyProfile](#) account to determine your individual continuing education compliance requirements and status. You will also be able to find more approved CE courses after logging in to your [MyProfile](#) account versus the [public search option](#), which limits the results to the first 100 course offerings.

# INSURANCE *Insights*

DIVISION OF AGENT AND AGENCY SERVICES

Volume 5, No. 12 - December 2016

## Compliance Corner

This section has been created to assist you in keeping your insurance business in compliance. The items are intended as reminders only. Note: Division publications may include references to the [Florida Statutes](#) and/or the [Florida Administrative Code](#). The laws noted in our publications are/were in effect at the time of publication but may have been repealed, amended or replaced and new laws may have been enacted subsequently.

### Compliance Topic of the Month ~ Surplus Lines Agent Procedures

If you are an agent conducting surplus lines business in Florida, the FLSO (Florida Surplus Lines Service Office) has all of your compliance information in one convenient location: the **Agent Procedures Manual**.

The manual serves as your go-to reference guide. It is located on the FLSO website, and is optimized for both your tablet and cell phone. You can also [download](#) it and keep a copy at your desk. Visit the FLSO [website](#) and check it out now or click [here](#) to see a video for a quick preview.

### Receivership Title Insurance Surcharge

The \$3.28 surcharge imposed on each title insurance policy issued in Florida has been used to offset the claims or other losses of the title insurance companies currently in receivership. This surcharge was added to the title insurance premium of each policy and remitted to the Florida Department of Financial Services, Division of Rehabilitation & Liquidation by each title insurer writing business in Florida.

The Office of Insurance Regulation and the Division of Rehabilitation & Liquidation have determined this surcharge is no longer needed. **The surcharge is not to be collected as of January 1, 2017.** Any monies collected for this surcharge after that date must be refunded directly to the party paying the premium and surcharge for the title insurance policy.

If the claims or other losses of the title insurance companies held in receivership should increase and exceed the funds available, then a new surcharge could be calculated and reinstated at that time. We will keep you posted of any updates in the future.

### Accepting Referral Fees from Property Inspectors or Inspection Companies is Prohibited

An insurance agent, insurance agency, customer representative, or insurance agency employee is prohibited from directly or indirectly accepting any compensation, inducement, or reward from an inspector for the referral of the owner of the inspected property to the inspector or inspection company. This prohibition applies to an inspection intended for submission to an insurer in order to obtain property insurance coverage or establish the applicable property insurance premium. [See [s.626.621\(15\)](#), F.S.]

## Sale of a Licensed Agency

If you sell your insurance agency you can arrange for the business name, assets, liabilities, building and equipment to transfer to the new owner as part of the sale. However, the agency license and any appointments associated with it are not transferable. A license or appointment issued under the Florida Insurance Code is valid only to the person or entity named and is not transferable to another person. Please see [s.626.441](#), F.S.

## Title Agencies: Update Your Info for the 2017 Administrative Surcharge

Subsection [624.501\(27\)\(e\)2](#), F.S., requires any title insurance agency licensed in Florida on January 1 of each year to remit an administrative surcharge of \$200 to the Florida Department of Financial Services. Therefore, we are [reminding](#) all title agencies that the 2017 administrative surcharge due date will soon be approaching.

Any title insurance agency licensed in Florida on January 1, 2017, will be emailed a reminder a few days afterward to the agency's [email address](#) on file with the Department. To ensure you receive the invoice and avoid failing to pay by the January 30 due date, please log in to the [MyProfile](#) account for your title agency and make sure the correct email address is on file. While doing so, we also recommend you do the same for your individual [MyProfile](#) account.

Occasionally we discover agencies that were not aware of the reminder because of the retirement or termination of the employee assigned to monitor the email address provided to the Department. Failure to open the email sent by the Department containing the administrative surcharge reminder does not release an agency from the January 30 deadline. Please verify your information soon so this does not happen to you. If you need our assistance, you may contact us at [Title@MyFloridaCFO.com](mailto:Title@MyFloridaCFO.com) to assist you through the steps to update your information. Be proactive; do not procrastinate.

Failure to pay the surcharge on or before January 30, 2017 will result in administrative action which could include a fine, in addition to the original surcharge. Payment must be made securely online via the title agency's [MyProfile account](#). Paper checks are not accepted.

NOTE: This surcharge is **not** related to the one imposed on each new policy written due to the receiverships of National Title Insurance Company and K.E.L. Title Insurance Group, Inc., which is ending December 31, 2016.

## Title Agency Data Call 2017

2017 marks the third 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\(8\)](#), Florida Statutes. Title agencies have until June 1, 2017 to make their submission to the OIR. The OIR will send an email to each licensed title agency in Florida to remind them of the new law with instructions on how to complete the process accurately.

The Title Agency Data Call is performed by the title agency by first downloading the template from the OIR website to complete offline. To do this, the agency will need to create an account and subscribe to your agency in the Data Collection and Analysis Modules (DCAM) used by the OIR, which is located at <https://apps8.fldfs.com/DCAM/Logon.aspx>.

*(The user's guide for DCAM is located at: <https://apps8.fldfs.com/DCAM/Help/DCAMUserGuide.pdf>)*

Once the agency's data template form is completed and the agency is ready to certify it is accurate, the agency must upload the form to the OIR before the deadline, **June 1, 2017**.

The data template has seven tabs or worksheets:

1. **Version:** includes the OIR contact information and reporting date reminder
2. **Instructions:** data template must be downloaded from DCAM for the purpose of reporting information
3. **Report\_Lines:** Two columns extend down a series of questions and required responses (enter either text or numeric in the two columns, as shown)
4. **Schedule A:** Additional agency information
5. **Schedule B:** Agent activities
6. **Schedule C (Residential):** Title agent statistical information submission for 1-4 residential units
7. **Schedule C (Commercial):** Title agent statistical information submission for commercial units

Each agency's submission must contain a Filing Certification signed by an agency officer (electronic signature accepted), stating the information provided is accurate to the best of their knowledge and belief. A sample copy is available on the OIR's website at:

[www.flor.com/siteDocuments/CertificationOfTitleDataSubmissionExample.pdf](http://www.flor.com/siteDocuments/CertificationOfTitleDataSubmissionExample.pdf)

The agency may include a cover letter, but this is an optional component for the filing.

Each agency is encouraged to include any additional or optional information that is deemed important to the overall submission. These optional items may be uploaded as PDF documents under the "Other Information/Documents" component.

It is important to know that the agency's submission is not considered to be complete until the agency receives an email receipt showing the agency's file log number.

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

## **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.

**Note:** Some information in archived articles may now be out-of-date or superseded by changes in Florida law. Please be sure you refer to the most current law.

## 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:** A follow-up investigation was conducted of a bail bond agent who had his license revoked by the Department. The revoked licensee had removed himself as an officer and owner of the bail bond agency with the Department of State, Division of Corporations. However, investigators found the agent advertising his services as a bail bond agent and as an agency owner on Facebook as well as on an active website. It was learned the revoked bail bond agent had recruited an unlicensed person to open and license a non-bail bond insurance agency. After it was licensed, the name was changed to reflect it was actually a bail bond agency.



It was discovered the revoked bail bond agent had recruited two licensed and appointed bail bond agents to act as the primary bail bond agent for the agency at different times. Bank records showed the revoked bail bond agent was the sole person authorized to transact on the agency's bank account. This helped to prove he was operating the bail bond agency in violation of the Department's Order of Revocation.

The revoked bail bond agent had taken possession of a vehicle used as collateral on the bond, although the bail bond had been discharged by the court. The revoked agent said the premium for the bail bond had not been paid, so he was taking the bail bond collateral, which is not permitted.

The information from the Bureau's investigation was forwarded to the Department's Division of Investigative and Forensic Services. The revoked bail bond agent was arrested and charged with acting as a bail bond agent with a revoked license (felony), grand theft of a motor vehicle (felony), petit theft (misdemeanor), and acting as a title loan officer without a license (charge dropped).

**Disposition:** The subject was adjudicated guilty of two felonies and a misdemeanor and sentenced to 14 months in prison, followed by 42 months of probation.

**Case:** A case was opened on a general lines agent and her insurance agency after a complaint was received stating the agency was charging unlawful fees to the purchasers of commercial property and general liability insurance policies.

To conceal the scheme, the agent would routinely fail to deliver a copy of the insurance contract to the purchaser. This prevented the policy owner from learning of the actual premium for the contract as issued by the insurance company. Investigators were able to secure affidavits from the victims, as well obtain records from the issuing insurance company and the agency's bank. The agent further violated the Florida Insurance Code by attempting to interfere in the activities of the investigators during an inspection of the subject's insurance agency.

**Disposition:** Agent and agency licenses were revoked and restitution was made to many of the victims.

**Case:** Investigators launched an investigation after receiving a complaint from an attorney representing a client. The client had paid an insurance agency more than \$60,000 in premium for liability coverage over a three year period and never received a policy. The client contacted the agency and was told by the agent who "sold" the policies that she would look into it. When the client failed to receive a response from the agent, they visited the agency and found it had closed. The client called the insurer directly and learned that coverage was never issued.

The victim/client provided an affidavit to investigators with a time line of events, copies of the falsified certificates of insurance, proof of premium payment, and emails reflecting many fruitless attempts to obtain a copy of the policies from the agency.

Investigators visited the agency location to confirm the agency was closed. Underwriting documents obtained by investigators clarified that although the insurer did provide coverage for some time periods, it did not provide coverage for one six month policy period. Further, the insurer confirmed it did not produce or prepare the certificate of insurance for the uncovered time period. Bank records confirmed the premium check was deposited into an account in which the agent was authorized as a signatory.

**Disposition:** Permanently barred from the insurance industry in Florida.

**Case:** An investigation was opened when a title insurance agency failed to comply with the required annual data call. Every agency licensed to do business in the state is required to maintain and submit data information to the Office of Insurance Regulation (OIR) by May 31<sup>st</sup> each year. This information assists the OIR in the analysis of rates, title search costs, trends and the financial condition of the title insurance industry.

**Case:** The Bureau of Investigation received a complaint from a licensee that a provider gave her Continuing Education (CE) credits for courses she did not take. When she registered for classes, specific courses were automatically assigned to her. She completed the courses and received certificates of completion, but there was confusion about credits being applied to her Department record. She worked with the provider to get the issues resolved; however, after reviewing her records, she found she was given credit for five courses she did not complete. Investigators requested copies of the certificates of completion from the provider, but they looked different than the others, and a different version of the licensee's name was used on the certificates.

**Disposition:** Provider fined \$2,500 and ordered to pay \$10,000 in investigative costs. The president of the provider licensee was fined \$5,000.

**Case:** The Department issued an application denial and a permanent bar from applying for a license to an applicant for a general lines agent license due to his criminal history. The applicant had pled nolo contendere to ten (10) counts of possessing forged notes.

After the license was denied, the Department received a complaint from an American Legion Post alleging they had paid the unlicensed person a premium down payment of \$5,100 for a general liability policy. The American Legion Post never received the policy.

A second complaint was lodged by a senior consumer who stated he had paid the unlicensed person a down payment of nearly \$30,000 for a general liability, workers' compensation, and automobile policies. The consumer realized there were no policies in force when one of his employees was injured and they tried to submit a workers' compensation claim through the same person. The consumer was forced to pay another \$30,000 to cover his employee's medical expenses. It was discovered through our investigation that the unlicensed person had deposited the premium into his personal account.

**Disposition:** Investigative findings in this case were referred to the Division of Investigative and Forensic Services, which resulted in the subject's arrest and guilty plea to the charges of Theft from a Person 65 years or older, Grand Theft, and Transacting/Engaging in Insurance While Unlicensed, all felonies. The subject was sentenced to eight months in jail and ordered to pay \$63,000 in restitution to the victims of his acts.

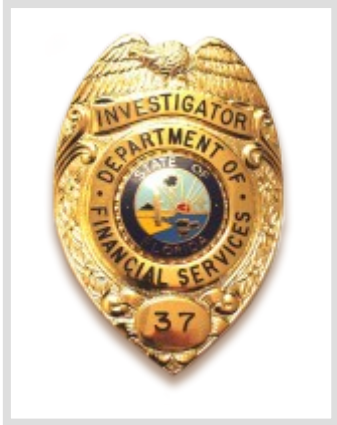
**Case:** A case was opened to perform a follow-up investigation after a bail bond agent had her license suspended by the Department. Investigators visited her bail bond agency and witnessed the suspended agent transacting bail bond business at the agency. The agency owner/primary bail bond agent knew of the suspension but allowed the suspended bail bond agent to continue working at the agency.

**Disposition:** The owner/primary bail bond agent was fined \$5,000 and placed on probation for six (6) months. The suspended agent had been indefinitely suspended pending the outcome of criminal charges against her. She was revoked upon disposition of the criminal case and is permanently ineligible to apply for a bail bond agent's license.

# Enforcement Actions

- November 2016

Some of the following enforcement actions were resolved through a settlement process resulting in an order for discipline. Notification of enforcement actions is in the public interest. While every effort is made to provide correct information, our readers are cautioned to check with the Department before making a decision based upon this listing. This listing does not reflect pending appeals or requests for hearings. The license or registration status may have changed since the filing of these orders. We suggest that you search the [Licensee Search](#) or make a [public records request](#) to verify the current status of any license or registration.



**IMPORTANT NOTE:** Actions taken before July 1, 2015 are located at [FLDFS Final Orders](#). Actions taken after July 1, 2015, can be searched for at the Florida Division of Administrative Hearings' (DOAH) [website](#). For further information, you may make a public records request via [email](#) or contact the [Public Records Unit](#).

Warning: No part of this listing may be used by a licensee to gain an unfair competitive advantage over any person named herein. Any licensee who does so could be in violation of Section 626.9541(1)(c), Florida Statutes.

LAST/BUSINESS NAME	FIRST NAME	LICENSE	LICENSE TYPE	DISPOSITION	FINE/COST	CITY, STATE	DOCUMENT
APEX CLOSING & TITLE SERVICES, LLC		W198349	Title Agency	Suspension 3 Months		Boca Raton, FL	<a href="#">Consent Order</a>
APPELLATE SETTLEMENT SERVICES INC.		W084557	Title Agency	Investigative Cost	\$1,000	Syosset, NY	<a href="#">Consent Order</a>
ATTORNEYS PREFERRED TITLE, INC.		P238113	Title Agency	Investigative Cost	\$1,000	Fort Lauderdale, FL	<a href="#">Consent Order</a>
AUTOGLOBE INC		W266148	Automobile Warranty	Revocation		Tampa, FL	<a href="#">Consent Order</a>
BURKS	BRETT	P053377	Life, Health, Variable Annuity, Legal Expense	Revocation		Fort Lauderdale, FL	<a href="#">Order of Revocation</a>



CABAN	MIGDALIA	P181670	Customer Representative	Revocation		Altamonte Springs, FL	<a href="#">Search</a>
CALIA	CHRISTOPHER	P204042	Life, Health, Variable Annuity	License Surrender		Lake Worth, FL	<a href="#">Consent Order</a>
CRUCET	AZARI ALAIN	P170932	Public Adjuster	Probation and Fine	\$3,500	Port Charlotte, FL	<a href="#">Consent Order</a>
CUNNINGHAM TITLE SERVICES, LLC		W291473	Title Agency	Investigative Cost	\$1,000	Sarasota, FL	<a href="#">Search</a>
FLORIDA DREAMS TITLE GROUP, INC.		W269820	Title Agency	Suspension 3 Months		Ocobee, FL	<a href="#">Consent Order</a>
GRIFFIN, JR	THOMAS	E030536	Bail Bond	Revocation		Tallahassee, FL	<a href="#">Order of Revocation</a>
HBC DIRECT LLC		L091534	Agency	Monetary Penalty	\$2,500	Hollywood, FL	<a href="#">Consent Order</a>
HEALTH BENEFITS ONE LLC		L085834	Agency	Monetary Penalty	\$2,500	Hollywood, FL	<a href="#">Consent Order</a>
HEIMBURGER	JAY	W036168	Life, Variable Annuity	Indefinite Suspension		Dallas, TX	<a href="#">Search</a>
HUTCHINSON	SCOTT	W125465	Life, Health, Variable Annuity	Revocation		Edgewater, FL	<a href="#">Order of Revocation</a>
LAPIDOTH	KATHERINE	W027308	Life, Health, Variable Annuity	License Surrender		Aventura, FL	<a href="#">Consent Order</a>
MIROMAR TITLE COMPANY LLC		E023524	Title Agency	Investigative Cost	\$1,000	Estero, FL	<a href="#">Consent Order</a>
MONTERO	JANETTE	A182553	Bail Bond	Indefinite Suspension		Miami, FL	<a href="#">Search</a>
OCEAN TITLE INSURANCE AGENCY LLC		P211757	Title Agency	Investigative Cost	\$2,500	Fort Myers, FL	<a href="#">Consent Order</a>
OGLESBY	TORI	W063756	General Lines	Revocation		Fort Meade, FL	<a href="#">Final Order</a>
OTTESON	CRAIG	W190150	Life, Health, Variable Annuity	Indefinite Suspension		Dallas, TX	<a href="#">Notice of Temporary Suspension</a>

PRIORITY TITLE OF FLORIDA LLC		E114897	Title Agency	Investigative Cost	\$1,000	Riverview, FL	<a href="#">Consent Order</a>
SELECT TITLE SERVICE INC DBA FIRST SERVICE TITLE AGENCY		A238080	Title Agency	Revocation		Miami, FL	<a href="#">Consent Order</a>
TITLE ONE OF FLORIDA INC		A265833	Title Agency	Investigative Cost	\$2,500	Boca Raton, FL	<a href="#">Consent Order</a>
TITLE PRO, LLC		W157365	Title Agency	Investigative Cost	\$1,000	Okeechobee, FL	<a href="#">Consent Order</a>
WARRANTY TITLE SOLUTIONS LLC		E123634	Title Agency	Investigative Cost	\$1,000	Fort Myers, FL	<a href="#">Consent Order</a>
WILLIAMS, III	LONNIE	E177956	Life, Variable Annuity	Revocation		Plantation, FL	<a href="#">Order of Revocation</a>
WINCHESTER	BRIAN	A287940	Life, Health Variable Annuity	Indefinite Suspension		Tallahassee, FL	<a href="#">Notice of Temporary Suspension</a>
YOURPEOPLE INC DBA ZENEFITS FTW		L088499	Agency	Monetary Penalty	\$165,000	San Francisco, CA	<a href="#">Consent Order</a>

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## Bureau of Licensing

General inquiries for everybody - Agents, Adjusters and Agencies

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

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[askDFS@MyFloridaCFO.com](mailto:askDFS@MyFloridaCFO.com) - For all other compliance matters **NOT** related to Licensing or Education.

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## Title Insurance Data Call

[TitleAgencyReporting@flor.com](mailto:TitleAgencyReporting@flor.com) - For questions about the filing process

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