

## Property Insurance Rates

Dear friends,

Recently, I sent a [letter](#) to Florida Insurance Commissioner Kevin McCarty to express my concerns about the cost of property insurance in Florida and to ask, 'Why have rates not come down?'

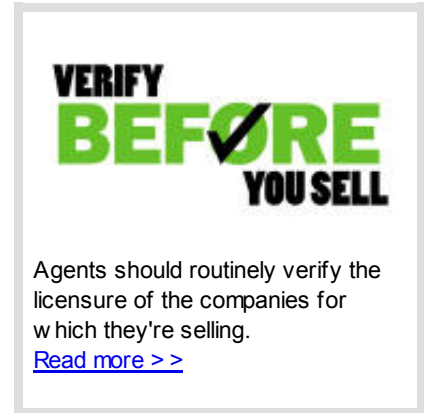
I remain very concerned that property insurance companies are not passing along the reinsurance cost savings they are experiencing to Florida homeowners. Therefore, I have requested that he analyze Florida's insurance companies to ensure they are treating Floridians fairly.

I am well aware of the need for insurers to carry adequate reinsurance and that the Florida Statutes allow insurers to purchase enough reinsurance to cover a 1 in 250 year storm. Commissioner McCarty has told me, however, that companies have rarely if ever purchased reinsurance to cover a 1 in 250 year storm.

I am asking that he oversee an analysis that provides Floridians an accurate representation of how much insurers are saving, how they are utilizing these savings and how customers are benefiting. My request is not suggesting insurers should put themselves at any greater risk or not acquire the appropriate level of reinsurance. Our goal should be to ensure rates are fair and companies are sound. Such an analysis will require a significant review of data but I believe that Floridians are due such an assessment.



**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.  
[Read more >>](#)

## News You Can Use

- Updating you on what's going on

### **MEMORANDUM: CFO Jeff Atwater's Letter to Florida Insurance Commissioner Kevin McCarty Regarding the Cost of Property Insurance**

Please see the [letter](#) from Chief Financial Officer Jeff Atwater to Florida Insurance Commissioner Kevin McCarty regarding the reinsurance market and the CFO's concerns about the cost of property insurance for Floridians.

[Click here to read the letter >>](#)

### **Final Adopted Rule Version - Criminal Proceedings**

The Florida Department of Financial Services, Division of Agent & Agency Services, hereby provides notice that the final version of Rule 69B-231.150, Florida Administrative Code, relating to administrative actions against licensees based on criminal proceedings, has been adopted. The final rule version became effective on November 6, 2013.

[Click here to read the full text of the Notice >>](#)

### **Final Adopted Rule Version - Temporary Bail Bond Agent Employment Reports**

The Florida Department of Financial Services, Division of Agent & Agency Services, hereby provides notice that the final version of Rule 69B-221.051, Florida Administrative Code, relating to temporary bail bond agent monthly-filed employment reports, has been adopted. The final rule version became effective on November 6, 2013.

[Click here to read the full text of the Notice >>](#)

## **Proposed Rule Hearing - Title Insurance Statistical Gathering**

The Department of Financial Services wants to remind every title insurance agent and agency of the newly clarified requirements of Section 627.782, Florida Statutes that will affect you starting next year. The Office of Insurance Regulation (OIR) is in the process of adopting a revision to rule 690-186.013, F.A.C., which governs the information to be collected in 2015 from each title insurance agency licensed to do business in Florida. The 2015 data call will be based on data generated in calendar year 2014 and, to the extent available, during the prior four years. The notice of rulemaking for this process can be found at [https://www.flrules.org/gateway/View\\_Notice.asp?id=13672264](https://www.flrules.org/gateway/View_Notice.asp?id=13672264).

A workshop was held in Tallahassee on March 14, 2013 on this rule. The notice provided everyone the opportunity of requesting a hearing to provide comments, suggestions, or concerns regarding the requirements of the rule. Such a hearing was requested and held on November 6, 2013. For further information OIR's Title Insurance Coordinator may be contacted at [Peter.Rice@floir.com](mailto:Peter.Rice@floir.com).

## **Notice to Agents of Suspension of AGIC, Inc.**

AGIC, Inc. was suspended from the writing of new insurance policies as of May 24, 2013. AGIC currently can write renewal business, but cannot write any new business. Agents of AGIC, Inc. and their agency should cease and desist from writing any new coverages through AGIC.

[Click here to read the full text of the Notice >>](#)

## **CFO Jeff Atwater Announces Five Arrests in Southwest Florida Accident Clinic Sweep**

Florida Chief Financial Officer Jeff Atwater announced the arrests of five individuals involved in an accident clinic sweep in Fort Myers and Port Charlotte, Florida. The arrests included clinic owners, massage therapists and chiropractors charged with patient brokering and solicitation in support of a large scale personal injury protection (PIP) fraud ring.

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

## **CFO Atwater Announces Conviction of Clinic Owner**

Florida Chief Financial Officer Jeff Atwater announced the conviction of David Rodriguez Lopez, 46, a Tampa clinic owner, for orchestrating a large scale personal injury protection (PIP) fraud scheme in Tampa and Jacksonville. Lopez, who will be sentenced in November, faces up to 75 years in prison.

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

## CFO Atwater Announces Arrest of a Wellington Insurance Agent for Fraud

Florida Chief Financial Officer Jeff Atwater announced the arrest of Leon Mobley, 45, a licensed insurance agent in Wellington for allegedly submitting false and forged wind mitigation verification inspection forms on behalf of clients to obtain discounted homeowner's premiums.

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

## CFO Atwater Announces Conviction of Scammer in \$1 million Financial Fraud Scheme

Florida Chief Financial Officer Jeff Atwater announced the conviction of Ronald J. Perrault, 42, on grand theft and organized scheme to defraud charges associated with a \$1 million dollar financial fraud scheme involving an 82-year-old Bradenton woman. Perrault is scheduled for sentencing on December 4, 2013, and faces up to 35 years in prison.

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

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

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

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

## In The Know

- Keeping you informed is what it's all about

### **US Rep. Ross Files Bill To Help Property Owners Finance Mitigation Efforts**

Florida's U.S. House of Representatives member Dennis Ross introduced a bill (H.R. 3298) establishing Disaster Savings Accounts (DSA) which can be used by eligible individuals to finance structural mitigation efforts. If passed by Congress and enacted in to law the legislation will be known as the Disaster Savings Accounts Act of 2013.

The bill creates a new section within the Internal Revenue Code of 1986 detailing DSAs and the permitted use of tax-deferred dollars to permit eligible individuals to deduct from gross income, annual amounts up to \$5,000 that have been set aside in a tax-deferred account for use toward disaster mitigation expenses. An eligible individual is one who owns property, upon which a structure sits, that is also insured by a policy traditionally required by a mortgage-holding lender.

The bill also allows a DSA to be established under the management of a "Trustee," which can be a bank, insurance company or other entity that can demonstrate proper management and distribution of funds as detailed by the act. It further lists qualified mitigation expenses allowed for distribution of funds from a DSA, including an activity further specified by federal regulation as appropriate in mitigating risks of future hazards (including earthquake, flood, hail, hurricane, lightning, power outage, tornado and wildfire) and any other natural disaster. The legislation further establishes that any amount contributed over \$5,000 shall be included in the gross income of the account holder for tax-filing purposes; exempts remaining DSA funds that rollover into the following year and includes a 20% penalty tax on funds withdrawn from a DSA and used for purposes other than disaster mitigation expenses.

Finally, the bill allows a Cost-Of-Living adjustment to the \$5,000 annual cap on pre-tax DSA contributions. The bill has already been referred to the House Committee on Ways and Means.

[Click here to read the bill text >>](#)

# Agent/Broker Federally-facilitated Marketplace Training Available

Agent/broker training for the Federally-facilitated Marketplace (FFM) is available with the federal government. All training occurs online.

To start taking the training now, please visit <http://Marketplace.MedicareLearningNetworkLMS.com>

Agents/brokers who wish to serve in the individual market can complete Part II of agent/broker registration process for the FFM and complete their identity proofing on the CMS Enterprise Portal: <https://portal.cms.gov/>.

Please note:

- Prior to completing Part II of the registration process, agents/brokers need to have completed Part I - the training/testing that is available at <https://Marketplace.MedicareLearningNetworkLMS.com>.
- After completion of Part I, agents/brokers should allow 48 business hours for their training/testing results to be transmitted to the CMS Enterprise Portal where Part II occurs. Please ensure that you allow sufficient time for your training/testing results to reach the CMS Enterprise Portal, or you will get an error message when you try to complete Part II.
- Instructions from earlier CMS webinars may be useful as agents/brokers complete the registration process. Those instructions, and other information, may be found on their webpage: <http://www.cms.gov/CCIIO/programs-and-initiatives/health-insurance-marketplaces/a-b-resources.html>. (See especially <http://www.cms.gov/CCIIO/Programs-and-Initiatives/Health-Insurance-Marketplaces/Downloads/agent-broker-registration-webinar.pdf>)
- Contact Medicare Learning Network (MLN) for training technical difficulties at [mln@cms.hhs.gov](mailto:mln@cms.hhs.gov).

## The 2014 Annual Title Administrative Surcharge is Coming Up

Subsection 624.501(27)(e)2, Florida Statutes, 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 2014 administrative surcharge due date will soon be approaching. Any title insurance agency licensed in Florida on January 1, 2014, 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. Failure to pay the surcharge on or before January 30 will result in administrative action and/or a fine, in addition to the original surcharge. Payment can be made securely online via the title agency's [MyProfile account](#) and paper checks are not accepted.

## Still Haven't Created Your MyProfile Account? It's Quick and Easy!

The Department communicates with its licensees, appointing entities, and education providers via email and their secure [MyProfile](#) account on our website. We continue to receive inquiries from some of our customers that they cannot access their [MyProfile](#) account. Typically, they received an email from the Department to go check their MyProfile account for details about their license, appointment, or continuing education requirement and can't log in when they try. They try different usernames and passwords but nothing works. It seems like the system is broken and not letting them in. The real problem: **they never created an account.**

You must create your MyProfile account(s) with a username and password before you can access your account. At the same time, you will also set up some security questions and answers so you can easily retrieve your username or password in the event you forget either in the future. You will also verify your contact information on file. We strongly encourage you to use your actual email address as that is how we will notify you of any important information to go check in your [MyProfile](#) account. After the new [MyProfile](#) account information has been entered, the system automatically transfers your information on file into your new account.

An interactive tutorial to assist you with creating an account and retrieving a forgotten username or password is located at <http://www.MyFloridaCFO.com/Division/Agents/Licensure/myProfileHelp/MyProfile.htm>.

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## Education Central

- Things to know about your continuing education

### Surplus Lines Study Manual Now Available In eBook Format

The **Florida Surplus Lines Insurance Study Manual** is the official manual for the Florida surplus lines licensing exam. This manual covers such topics as the history of surplus lines, the regulatory process and includes more than 100 review questions to help readers prepare for the exam.

The Surplus Lines Study Manual is now available in eBook format on Amazon, Google Play and Apple iTunes. The price will be approximately \$7.99.

Please visit <http://www.fslso.com/publications/manuals/FSLI.Manual.aspx> to obtain more information regarding the eBook versions of the Florida surplus lines study manual.

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

If you have ever felt confused about what it means to be continuing education (CE) compliant, you are not alone. That's why we are continuously finding and implementing ways to help you with this. To be CE compliant requires more than just taking CE courses. Below are a few often overlooked 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 (however they will show as "Late"). Though your hours requirement may have been met, you're still delinquent for being late in completing your CE hours. You will then have the option of paying a \$250 fine, in addition to completing any required hours within a specified time, to keep from losing your appointments.
- Check past evaluation periods. Always check previous compliance periods to make sure you are not delinquent for a prior period. Be sure to click on **VIEW ENFORCEMENT NOTICE** just below the **Not Compliant** text to check for any outstanding fines.
- Check your transcript. The **same course** cannot be taken with the **same provider** within a three-year period and receive credit. This is noted on your transcript as a duplicate course. You will need to take a different course to meet your CE requirement.



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

## How to Search for Approved CE Courses

Looking for continuing education (CE) courses to be sure you get all your hours completed? Our online course search can easily help you by listing those courses approved by the Department.

1. Go to our website at [www.MyFloridaCFO.com/Division/Agents](http://www.MyFloridaCFO.com/Division/Agents).
2. Click on **MyProfile** on the left panel and log in to your account.
3. Once in your MyProfile inbox, click on **Locate** at the top left. Then click on **Future Course Offerings**.
4. Select the **Course Authority** for the type of license held or course you need to take.
5. You can also make other choices, like **Study Method** and **Location**, to narrow your search results.
6. If you click on **Perform an Advanced Search**, you will have additional options to narrow your search results, such as **Course Date** and **Course Level**.

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

## Education Providers: Stay Out of the Penalty Box

If you are an approved provider, the Department issued you a "jersey number" also known as your approved provider ID number. However, do you know the rules that you should follow to stay in the game and out of the penalty box?

Since the department must maintain the standard of approving fit and trustworthy providers you may find yourself sidelined by not following the requirements of the Florida Insurance Code. Recently we've had to make some calls due to violations of our code. Below are some of the areas:

- Late course offering submittal.
  - The deadline for course offering submittals is 30 days prior to the first day of the class or seminar and no more than one year in advance.
- Advertising a course as approved or soliciting attendance for any course that has not yet been approved.
- Instruction of a class by an unapproved instructor.
- Failure to maintain course completion and attendance records for five years following the completion date of each course offering.
- Falsification of any document, form, outline or information in connection with any course.
- Late roster submittal.
  - The deadline for roster submittals is 20 days after the course completion date.

Are you playing by the rules?

These are only a few. For more details read the continuing education rule found in chapter [69B-228](#), F.A.C., and the pre-licensing rule found in chapter [69B-227](#), F.A.C.

You play a critical part in educating our licensees on the ethical and legal requirements of their licenses. Setting a good example of compliance will keep you in the game and out of the penalty box.

Any questions regarding this may be sent to [Education@MyFloridaCFO.com](mailto:Education@MyFloridaCFO.com).

## Becoming an Approved Instructor

Qualified instructors are a critical component of the continuing education program for insurance representatives in the state of Florida. Classroom-based courses can only be taught by approved instructors. With nearly 20,000 total courses offered in a calendar year, that makes for a high demand of approved instructors.

To be an effective continuing education instructor you must possess a good balance of knowledge and experience in the subject matter, along with skills in instructing adult professionals. Additionally, you must prove to be fit and trustworthy to hold this position pursuant to the Florida Insurance Code.

For anyone who may have considered becoming an approved instructor, below are the nuts and bolts of the application process.

### ***How to Apply:***

Instructor applications must be submitted electronically on Form DFS-H2-398 via the Department's Education Database at [https://dice.fldfs.com/public/pb\\_index.aspx](https://dice.fldfs.com/public/pb_index.aspx). Instructors may apply independently or under an approved provider.

### ***How to Qualify:***

In order to qualify, an applicant must meet any two of the following six criteria:

1. A minimum of five years of full-time working experience in the last ten years in the subject matter being taught.
2. Completion of a 40-hour training course on instructing adults.
3. A minimum of 40 hours of teaching experience in the last two years.
4. A professional designation from a recognized insurance industry association in the line of business of the subject being taught.
5. A degree from an accredited school in the subject matter being taught.
6. Membership in the Florida Bar Association with a minimum of two years of insurance litigation.

The applicant must state which qualifications he/she meets on the application and provide a resume with details supporting their qualifications.

### ***Tips on writing an effective resume for an instructor application:***

- Write your resume to speak to the requirements of the authority for which you are applying.
- Include relevant employment history showing the start and end date, employer name and specific job duties demonstrating experience in the subject matter.
- Include the name and issuing entity for any professional insurance designations you hold.
- Include any college-level degrees you've earned and are relevant to the subject matter. In addition, include the name of the issuing school.
- Provide a journal of your most recent 40 hours of teaching experience that includes: dates, location, subject, and total teaching time. Only group setting instruction qualifies.
- Provide a proof of completion of a 40-hour training course on instructing adults.
- Provide documentation of Florida Bar Association membership and two years of insurance litigation in the employment history.

### ***A Few Reminders:***

- The instructor is not approved until a confirmation email is received from the Department.
- Resumes for instructor applications should be submitted to [Education@MyFloridaCFO.com](mailto:Education@MyFloridaCFO.com).

## **Education Providers: Have you joined us for a conference call?**

The Education Unit regularly holds a conference call available to all approved education providers every other month. This 30-minute call is usually conducted on the second Tuesday of odd numbered months and includes 10 minutes of Q&A from the providers.

We have received numerous positive comments regarding the call. Some of the benefits of participating in a conference call are:

- Clarification of the Florida Administrative Code pertaining to education requirements.
- First-hand information on upcoming changes.
- Opportunity to ask live questions to the Department's Education staff.
- Hear what other providers are asking relating to education requirements.
- Tips for quicker processing of applications for education providers.

Our next conference call, scheduled for Tuesday, November 12, 2013 at 2:00pm EST, marks the beginning of our third year of holding them. Our topics of discussion will include: updates on crediting completed 5-hour Law and Ethics update courses to CE records; approval and crediting of specific courses including Senior Suitability, Premium Discount and Wind Mitigation, Ethics, and Adjuster Law and Policy; exam content outline changes; revised study manuals; and other topics of interest.

Recorded copies or prior conference calls along with Q&A may be found on our [website under the Providers of CE & Pre-licensing section](#).

We hope to have you join us in the future. Education providers may find more information about the conference call by logging in to your [MyProfile](#) account and viewing the notifications in your In-box.

## Compliance Corner

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

### Guidelines for Illegal Inducements and Advertising Gifts

This is an area where there is apparently significant confusion. Hopefully, these guidelines will help to alleviate that confusion in the future.

#### What is an inducement?

An inducement is the promise by a licensee to give something of value to a prospect in exchange for the prospect doing something beneficial for the licensee that could or does result in the sale of an insurance product.

#### When is an inducement illegal?

- When a portion of the licensee's commission is promised to the prospect in return for the purchase of an insurance product or service and it does not comply with the rebating statutes. Remember, rebating is legal as long as it is done properly, which is seldom the case. When it is not, it is a form of an illegal inducement. One of the conditions of a legal rebate is approval by the insurer, which rarely happens.
- When the licensee promises to give the consumer anything of value in exchange for personal financial information or a one on one meeting where this type of information is secured for purposes of proposing an insurance product or service. This is not rebating, it is another form of an illegal inducement.
- When a licensee picks up the expenses of a third party because that party refers business to the licensee that results in an insurance transaction. These expenses include, but are not limited to: gas cards, equipment leases, rental fees, advertising costs, providing food or refreshments at seminars or open houses of the third party, etc.

[See Sections [626.572](#) and [626.9541\(1\)\(h\)](#), Florida Statutes]

## Advertising Gifts

The purpose of an advertising gift is to promote the licensee's business by placing the name of the licensee or their business name in front of customers or prospects by giving away articles of merchandise with their name on it without any conditions having to be met. Examples would be calendars, golf balls, coffee mugs, pens, shirts etc. as long as the value of the individual gift **does not exceed \$25.00**. A gift card is not considered to be an article of merchandise and therefore not an acceptable advertising gift even if it does contain the licensee's name or business name on it. However, a gift meeting the definition of an **advertising gift** cannot be used to induce someone to provide detailed financial and other personal information.

[See Section [626.9541\(1\)\(m\)](#), Florida Statutes]

## Referral Fees

A gift, gift card, or referral fee in any amount may be given by the licensee for a referral as long as the giving of the gift, gift card or referral fee is not conditioned upon the referral transforming into the sale of an insurance product or service.

[See Section [626.112\(8\)](#), 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 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](#), which may also satisfy reporting requirements for other states you are licensed in. You may also mail 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]

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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:** A Notice of Temporary Suspension was filed against a bail bond agent as a result of his arrest due to one felony charge of Armed Trespass of a Structure and three felony counts of False Imprisonment. He and an unlicensed individual held two women against their will while they attempted to locate a defendant. It was also alleged that after the Notice of Temporary Suspension, the subject participated in the pickup of another defendant, which he was not authorized to do under the suspension order.

**Disposition:** License revoked and he is permanently ineligible for licensure as a bail bond agent.

**Case:** An investigation of a title agent, also owner of the title agency, alleged she blatantly bounced checks at closing and failed to disburse funds she collected for several consumers totaling nearly \$10,000. Compounding matters, these funds were earmarked for the consumers' property taxes and legal fees.

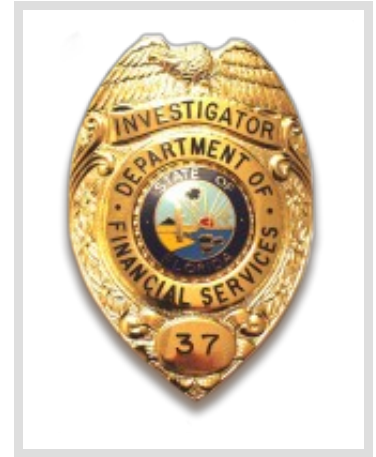
**Disposition:** License revoked.

**Case:** An investigation of a nonresident personal lines agent alleged that he failed to notify the Department of an administrative action against him taken by another state.

**Disposition:** License suspended for 9 months.

**Case:** An investigation of a life agent alleged he defrauded an insurance company when he submitted a life insurance application containing numerous misrepresentations. Not only did he submit a life insurance application with forged signatures of a consumer he never met, but he even brazenly used white out to submit a second life insurance application with manipulated dates.

**Disposition:** License suspended for four months and placed on probation for six months when reinstated.



**Case:** An investigation of a life, health, and general lines agent was opened when the Department received a complaint from a former employee that reported he was allowing unlicensed employees to transact insurance. A visit to his agency, revealed he was not present, and the office was being run by a licensed customer representative and an unlicensed individual. An agency inspection further revealed that the unlicensed individual was submitting endorsements, and contacting prospective insureds to solicit policies.

**Disposition:** Fined \$5,000 and placed on probation for one year.

**Case:** An investigation of a life, health, and general lines agent alleged that his insurance agency license expired yet he continued to transact insurance under the agency name despite being warned he may not do so.

**Disposition:** Fined \$4,000 and placed on probation for one year.

**Case:** An investigation of a bail bond agent who is the owner and primary bail bond agent of a bail bond agency was opened alleging that he allowed bail bond agents in the agency to use threats or coercion to collect on a debt related to the issuance of a bail bond. Additionally, he allowed an unlicensed individual to apprehend a defendant for the agency.

**Disposition:** Fined \$5,000.



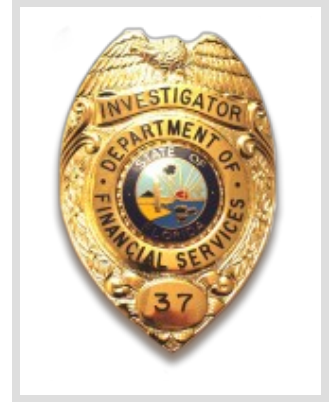
## Enforcement Actions

- September 2013

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.

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(s)	DISPOSITION	FINE/COST	RESTITUTION	CITY, STATE	DOCUMENT
Akal	Johan	D015166	Life, Variable Annuity	Permanently Barred			Sarasota, FL	<a href="#">Locate</a>
Azcuy	Norma	P097200	Public Adjuster	License Suspended 3 Months			Miami Lakes, FL	<a href="#">Locate</a>
Barkley	Vicki	A013788	Life, Health	Probation and Fined	\$6,000		Deerfield Beach, FL	<a href="#">Locate</a>
Borawski	John	A025982	Life, Health, Variable Annuity	Probation, Fined and Restitution	\$25,000	\$2,000	Palm Beach Gardens, FL	<a href="#">Locate</a>
Carney	Theresa	A041135	General Lines	Fined	\$3,500		Cape Coral, FL	<a href="#">Locate</a>
Cassidy	Paul	P176362	Public Adjuster	Fined	\$500		Pompano Beach, FL	<a href="#">Locate</a>
Chambers	George	P048470	Life, Health, Variable Annuity	Probation and Fined	\$10,000		Tarpon Springs, FL	<a href="#">Locate</a>

Garcia	Celina	P231241	Company Adjuster	License Revoked			Lawrence, MA	<a href="#">Locate</a>
Gulf Coast Marine Center, Inc.		A106503	Service Warranty, Service Automobile	Probation and Fined	\$5,000		Port Charlotte, FL	<a href="#">Locate</a>
Hall	Laken	W092424	Customer Representative	License Revoked			Daytona Beach, FL	<a href="#">Locate</a>
Hollingsworth	Jeffrey	P082003	Life, Health, Variable Annuity	Probation and Fined	\$2,000		Fort Worth, TX	<a href="#">Locate</a>
Hunter	Chase	E062693	Life, Health, Variable Annuity, General Lines	License Revoked			Fredericksburg, VA	<a href="#">Locate</a>
Inthavong	Khamma	W033313	Life, Variable Annuity	License Revoked			St Petersburg, FL	<a href="#">Locate</a>
Jordan	Holly	W088178	General Lines	License Revoked			Plano, TX	<a href="#">Locate</a>
Lanier, Jr.	Major	E169646	Bail Bond	License Revoked			Orlando, FL	<a href="#">Locate</a>
Laurent	Chrejeneve	P019086	General Lines	License Surrendered			Boynton Beach, FL	<a href="#">Locate</a>
Luchejko	Angela	E033705	Customer Representative	License Revoked			Rockledge, FL	<a href="#">Locate</a>
Malhiot	Frank	D016871	Life, Health, Variable Annuity, General Lines	License Revoked			Orlando, FL	<a href="#">Locate</a>
Maria	Anthony	P079366	Public Adjuster	License Suspended 3 Months			Miami, FL	<a href="#">Locate</a>
McIntosh	Michael	A173121	Life, Health, Variable Annuity	License Revoked			Tampa, FL	<a href="#">Locate</a>
Nino	Jose	P174355	Public Adjuster	Permanently Barred			North Miami, FL	<a href="#">Locate</a>
Oliver	Charlotte	A195889	Life, Health	License Revoked			Clearwater Beach, FL	<a href="#">Locate</a>
Oliver	Robert	A195947	Life, Health	License Revoked			Clearwater Beach, FL	<a href="#">Locate</a>
Olson	Harry	P069458	Public Adjuster	License Suspended 3 Months			Duncanville, TX	<a href="#">Locate</a>
Ortelli, Jr.	Paul	A197207	Bail Bond	Probation and Fined	\$1,500		Tampa, FL	<a href="#">Locate</a>

Owens	James	E043618	Public Adjuster	Cease & Desist			Warwick, RI	<a href="#">Locate</a>
Polit	Danny	A309262	Life, Health, Variable Annuity	License Revoked			Sunrise, FL	<a href="#">Locate</a>
Shaw	Matthew	W033758	Life, Health, Variable Annuity	Permanently Barred			Palm Beach Gardens, FL	<a href="#">Locate</a>
Simpson	Susan	P118784	General Lines	Probation, Fined and Restitution	\$5,000	\$1,487	Fort Lauderdale, FL	<a href="#">Locate</a>
Simpson (Pierre-Louis)	Firmie	A207244	Life, Variable Annuity, General Lines	License Suspended 1 Year			Miramar, FL	<a href="#">Locate</a>
Solar	Rolando	P185193	Public Adjuster	License Suspended 6 Months			Miami Beach, FL	<a href="#">Locate</a>
Vazquez	Dariel	P214610	Public Adjuster	Fined	\$500		Miami, FL	<a href="#">Locate</a>
Vila (Garcia)	Janet	P083285	General Lines	License Suspended 1 Year			Miami, FL	<a href="#">Locate</a>
Warren	Michael	P199683	Public Adjuster	License Suspended 3 Months			Longwood, FL	<a href="#">Locate</a>
Willis	Laura	E114495	General Lines	License Suspended 1 Year			Bonita Springs, FL	<a href="#">Locate</a>
Zebold	Michael	P168773	Public Adjuster	Fined	\$500		Homestead, FL	<a href="#">Locate</a>



## Contact Us

- We're always here for you

### Bureau of Licensing

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

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