

**FILED**

**MAR 20 2015**

**Docketed by** MC



CHIEF FINANCIAL OFFICER  
**JEFF ATWATER**  
STATE OF FLORIDA

IN THE MATTER OF:

Case No.: 132554-13-AG

LEANN KAY OTTUSO

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ORDER OF REVOCATION

THIS PROCEEDING CAME on for final agency action and the Chief Financial Officer, having considered the record, including the Administrative Complaint filed on February 5, 2015, and being fully advised in the premises, finds that:

1. Leann Kay Ottuso is currently licensed by the Department of Financial Services (the "Department"), pursuant to the Florida Insurance Code, as a limited surety (bail bond) agent. That license is currently suspended pursuant to a Notice of Temporary Suspension.

2. On February 5, 2015, the Department issued an Administrative Complaint, attached hereto as "Exhibit A," against Leann Kay Ottuso, alleging that on December 18, 2013, in the Circuit Court of the Ninth Judicial Circuit, in and for Osceola County, Florida, Case No. 12CF4485, she pled nolo contendere to one count of False Imprisonment and one count of Aggravated Battery Upon a Pregnant Person, both felonies, and was adjudicated guilty.

3. The Department notified Leann Kay Ottuso in the Administrative Complaint of the right to request a proceeding in accordance with sections 120.569 and 120.57, Florida

Statutes, and that failure to answer the Administrative Complaint or request a proceeding within twenty-one (21) days would result in the imposition of a penalty.

4. In accordance with section 624.310(6), Florida Statutes, after attempts at service via certified mail were unsuccessful, the Department served the Administrative Complaint upon Leann Kay Ottuso by e-mail at the e-mail address on record with the Department, with the required delivery receipt received on February 19, 2015. The e-mail, e-mail attachment (Administrative Complaint), and delivery receipt are attached hereto as "Exhibit B," and are fully incorporated herein by reference.

5. Leann Kay Ottuso failed to answer the Administrative Complaint or request a proceeding in accordance with sections 120.569 and 120.57, Florida Statutes.

#### FINDINGS OF FACT

6. The factual allegations contained in the Administrative Complaint dated February 5, 2015, which is attached hereto as Exhibit A, and fully incorporated herein by reference, are hereby adopted as the Department's Findings of Fact in this case.

#### CONCLUSIONS OF LAW

7. Based upon the Findings of Fact adopted herein, the Department concludes that Leann Kay Ottuso violated the specific statutes and rules charged in each count of the Administrative Complaint, attached hereto as Exhibit A, and hereby adopts the violations charged in each count of the Administrative Complaint as the Conclusions of Law in this case.

#### PENALTY IMPOSED

8. The failure of Leann Kay Ottuso to answer the Administrative Complaint or request a proceeding, taken together with the Findings of Fact and Conclusions of Law adopted

herein, constitutes grounds for the Chief Financial Officer to revoke the license of Leann Kay Ottuso.

IT IS THEREFORE ORDERED that:

(a) All licenses, appointments and eligibility for licensure heretofore issued to Leann Kay Ottuso, within the purview of the Department, are hereby revoked.

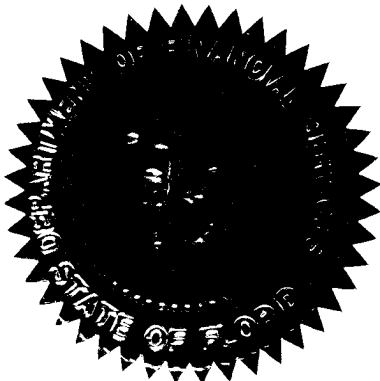
(b) Pursuant to section 648.49(2), Florida Statutes, Leann Kay Ottuso does not have the right to apply for another license or appointment under chapter 648, Florida Statutes.


(c) During the period of revocation of the license and until a new license is issued, the former licensee may not engage in or attempt to profess to engage in any transaction or business for which a license or appointment is required under chapter 648, Florida Statutes.

(d) Within ten (10) calendar days of the issuance of this Order of Revocation, Leann Kay Ottuso shall return all licenses issued to her pursuant to the Florida Insurance Code to the Department of Financial Services, Bureau of Licensing, 200 East Gaines Street, Tallahassee, Florida 32399-0319.

(e) Any person who knowingly transacts insurance or otherwise engages in insurance activities in this state without a license, or while the license is suspended or revoked, commits a felony of the third degree.

DONE and ORDERED this 20<sup>th</sup> day of March, 2015.



  
Gregory Thomas  
Director, Agent & Agency Services

## NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review within thirty (30) days of the rendition of this Order, pursuant to section 120.68, Florida Statutes, and Rule 9.190, *Florida Rules of Appellate Procedure*. Review proceedings must be instituted by filing a petition or notice of appeal with Julie Jones, the DFS Agency Clerk. Filing with the Agency Clerk may be accomplished via U.S. Mail, express overnight delivery, hand delivery, facsimile transmission, or electronic mail. The address for overnight delivery or hand delivery is Julie Jones, DFS Agency Clerk, Department of Financial Services, 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida, 32399-0390. The fax number is (850) 488-0697. The email address is [Julie.Jones@myfloridacfo.com](mailto:Julie.Jones@myfloridacfo.com).

A copy of the petition or notice of appeal must also be filed with the appropriate district court of appeal within thirty (30) days of the rendition of this Order.

Copies Furnished To:

acepilotbailbond@yahoo.com

Leann Kay Ottuso  
2113 Congress Lane  
St. Cloud, Florida 34769

Leann Kay Ottuso  
Ace Pilot Bail Bonds  
1600 East Vine Street  
Suite A  
Kissimmee, Florida 34744

Greg Thomas, Director  
Division of Agent & Agency Services  
200 East Gaines Street  
Tallahassee, Florida 32399

Complaint & Settlement  
Division of Legal Services  
200 East Gaines Street  
Tallahassee, Florida 32399-0333



CHIEF FINANCIAL OFFICER  
JEFF ATWATER  
STATE OF FLORIDA

**FILED**

FEB 05 2015

**Docketed by** \_\_\_\_\_

A handwritten signature in black ink, appearing to be "S. S.", written over a horizontal line.

IN THE MATTER OF:

LEANN KAY OTTUSO

Case No.: 132554-13-AG

ADMINISTRATIVE COMPLAINT

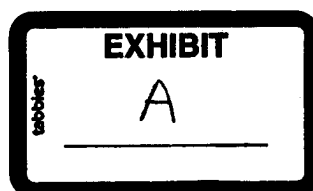
Leann Kay Ottuso  
Ace Pilot Bail Bonds  
1600 East Vine Street  
Suite A  
Kissimmee, Florida 34744

Leann Kay Ottuso  
2113 Congress Lane  
St. Cloud, Florida 34769

Leann Kay Ottuso, license #A207526, is hereby notified that the Chief Financial Officer of the State of Florida has caused to be made an investigation of her activities while licensed as a limited surety (bail bond) agent in this state, as a result of which it is alleged:

GENERAL ALLEGATIONS

1. Pursuant to chapter 648, Florida Statutes, Leann Kay Ottuso is licensed in this state as a limited surety (bail bond) agent. Leann Kay Ottuso's license is currently suspended.
2. On April 26, 2013, a Notice of Temporary Suspension was filed against Leann Kay Ottuso suspending her license as a limited surety (bail bond) agent.



3. Pursuant to chapter 648, Florida Statutes, the Florida Department of Financial Services (the “Department”) has jurisdiction over Leann Kay Ottuso’s license and eligibility for licensure as a limited surety (bail bond) agent.

#### COUNT I

4. The above general allegations are hereby realleged and fully incorporated herein by reference.

5. On December 18, 2013, in the Circuit Court of the Ninth Judicial Circuit, in and for Osceola County, Florida, Case No. 12CF4485, Leann Kay Ottuso pled nolo contendere to one count of False Imprisonment and one count of Aggravated Battery Upon a Pregnant Person, both felonies, and was adjudicated guilty.

IT IS THEREFORE CHARGED that Leann Kay Ottuso has violated one or more of the following provisions of the Florida Statutes and/or the Florida Administrative Code, which constitutes sufficient grounds for the suspension or revocation of her license or appointment as a limited surety (bail bond) agent in this state:

(a) Section 648.45(2)(a), Florida Statutes, which provides that the Department shall deny, suspend, revoke, or refuse to renew any license issued under chapter 648, Florida Statutes, or the Florida Insurance Code, if it finds that the licensee lacks one or more of the qualifications for the license or appointment as specified in chapter 648, Florida Statutes.

(b) Section 648.34(2)(e), Florida Statutes, which requires a person to be of high character and approved integrity and to have not been convicted of or pleaded guilty or no contest to a felony, a crime involving moral turpitude, or a crime punishable by imprisonment of 1 year or more under the law of any state, territory, or country, whether or not a judgment or

conviction has been entered, in order to qualify for licensure as a limited surety (bail bond) agent.


(c) Section 648.45(2)(e), Florida Statutes, which provides that the Department shall deny, suspend, revoke, or refuse to renew any license issued under chapter 648, Florida Statutes, or the Insurance Code if the licensee had exhibited a demonstrable lack of fitness or trustworthiness to engage in the limited surety (bail bond) agent business.

(d) Section 648.45(2)(k), Florida Statutes, which provides that the Department shall deny, suspend, revoke, or refuse to renew any license issued under chapter 648, Florida Statutes, or the Insurance Code if the licensee has been found guilty of, or has pleaded guilty or no contest to a felony, a crime involving moral turpitude, or a crime punishable by imprisonment of one (1) year or more under the law of any state, territory, or country, whether or not a judgment or conviction has been entered.

WHEREFORE, Leann Kay Ottuso is hereby notified that the Chief Financial Officer, through his designee, intends to enter an Order suspending or revoking her license and appointments or to impose such penalties as may be provided under the provisions of sections 648.45, 648.46, 648.49, 648.50, 648.51, 648.52, 648.525, and 648.53, Florida Statutes, and under the other referenced sections of the Florida Statutes as set out in this Administrative Complaint.

DATED and SIGNED this 5th day of February, 2015.



  
\_\_\_\_\_  
Gregory Thomas  
Director, Agent & Agency Services



## NOTICE OF RIGHTS

You have the right to request a proceeding to contest this action by the Department pursuant to sections 120.569 and 120.57, Florida Statutes, and chapter 28-106, *Florida Administrative Code*. The proceeding request must be in writing, signed by you, and must be filed with the Department within twenty-one (21) days of your receipt of this notice. Completion of the attached Election of Proceeding form and a petition for administrative hearing are required. The request must be filed with Julie Jones, DFS Agency Clerk, at the Florida Department of Financial Services, 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0390. Your written response must be received by the Department no later than 5:00 p.m. on the twenty-first day after your receipt of this notice. Mailing the response on the twenty-first day will not preserve your right to a hearing.

**FAILURE TO ENSURE THAT YOUR WRITTEN  
RESPONSE IS RECEIVED BY THE DEPARTMENT  
WITHIN TWENTY-ONE (21) DAYS OF YOUR RECEIPT  
OF THIS NOTICE WILL CONSTITUTE A WAIVER OF  
YOUR RIGHT TO REQUEST A PROCEEDING ON THE  
MATTERS ALLEGED HEREIN AND A FINAL ORDER OF  
SUSPENSION OR REVOCATION WILL BE ENTERED  
AGAINST YOU.**

If you request a proceeding, you must provide information that complies with the requirements of Rule 28-106.2015, *Florida Administrative Code*. Specifically, your response must contain:

(a) The name, address, telephone number, and facsimile number (if any) of the respondent (for the purpose of requesting a hearing in this matter, you are the "respondent").

(b) The name, address, telephone number, and facsimile number of the attorney or qualified representative of the respondent (if any) upon whom service of pleadings and other papers shall be made.

(c) A statement requesting an administrative hearing identifying those material facts that are in dispute. If there are none, the petition must so indicate.

(d) A statement of when the respondent received notice of the administrative complaint.

(e) A statement including the file number of the administrative complaint.

If a hearing of any type is requested, you have the right to be represented by counsel or other qualified representative at your expense, to present evidence and argument, to call and cross-examine witnesses, and to compel the attendance of witnesses and the production of documents by subpoena.

If a proceeding is requested and there is no dispute of material fact, the provisions of section 120.57(2), Florida Statutes, apply. In this regard, you may submit oral or written evidence in opposition to the action taken by the Department or a written statement challenging the grounds upon which the Department has relied. While a hearing is normally not required in the absence of a dispute of fact, if you feel that a hearing is necessary, one will be conducted in Tallahassee, Florida, or by telephonic conference call upon your request.

However, if you dispute material facts which are the basis for the Department's action, you must request an adversarial proceeding pursuant to sections 120.569 and 120.57(1), Florida Statutes. These proceedings are held before an administrative law judge of the State of Florida Division of Administrative Hearings. Unless the majority of witnesses are located elsewhere, the Department will request that the hearing be conducted in Tallahassee, Florida.

Failure to follow the procedure outlined with regard to your response to this notice may result in the request being denied. All prior oral communication or correspondence in this matter shall be considered free form agency action, and no such oral communication or correspondence shall operate as a valid request for an administrative proceeding. Any request for an administrative proceeding received before the date of this notice shall be deemed abandoned unless timely renewed in compliance with the guidelines as set out above.

Mediation of this matter pursuant to section 120.573, Florida Statutes, is not available. No Department attorney will discuss this matter with you during the time frame in which you have to request a hearing.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Administrative Complaint and Election of Proceeding has been furnished to: Leann Kay Ottuso, Ace Pilot Bail Bonds, 1600 East Vine Street, Suite A, Kissimmee, Florida 34744; Leann Kay Ottuso, 2113 Congress Lane, St. Cloud, Florida 34769; by Certified Mail this 14th day of February, 2015.

91 7108 2133 3936 8028 7711

91 7108 2133 3936 8028 7728

  
Leah L. Marino  
Managing Attorney  
Department of Financial Services  
Division of Legal Services  
612 Larson Building  
200 East Gaines Street  
Tallahassee, Florida 32399-0333  
(850) 413-4227

STATE OF FLORIDA  
DEPARTMENT OF FINANCIAL SERVICES  
DIVISION OF LEGAL SERVICES

IN THE MATTER OF:

CASE NO.: 132554-13-AG

LEANN KAY OTTUSO

---

ELECTION OF PROCEEDING

I have received and have read the Administrative Complaint filed by the Florida Department of Financial Services ("Department") against me, including the Notice of Rights contained therein, and I understand my options. I am requesting disposition of this matter as indicated below. **(CHOOSE ONE)**

1. ☐ I do not dispute any of the Department's factual allegations and I do not desire a hearing. I understand that by waiving my right to a hearing, the Department may enter a final order that adopts the Administrative Complaint and imposes the sanctions sought, including suspending or revoking my licenses and appointments as may be appropriate.
2. I do not dispute any of the Department's factual allegations and I hereby elect a proceeding to be conducted in accordance with section 120.57(2), Florida Statutes. In this regard, I desire to **(CHOOSE ONE)**:
  - ☐ Submit a written statement and documentary evidence in lieu of a hearing; or
  - ☐ Personally attend a hearing conducted by a department hearing officer in Tallahassee; or
  - ☐ Attend that same hearing by way of a telephone conference call.
3. ☐ I do dispute one or more of the Department's factual allegations. I hereby request a hearing pursuant to section 120.57(1), Florida Statutes, to be held before the Division of Administrative Hearings. I have attached to this election form the information required by Rule 28-106.2015, Florida Administrative Code, as specified in subparagraph (c) of the Notice of Rights. Specifically, I have identified the disputed issues of material fact.

TO PRESERVE YOUR RIGHT TO A HEARING, YOU MUST FILE YOUR RESPONSE WITH THE DEPARTMENT OF FINANCIAL SERVICES WITHIN TWENTY-ONE (21) DAYS OF YOUR RECEIPT OF THE ADMINISTRATIVE COMPLAINT. THE RESPONSE MUST BE RECEIVED BY THE DEPARTMENT NO LATER THAN 5:00 P.M. ON THE TWENTY-FIRST DAY AFTER YOUR RECEIPT OF THE ADMINISTRATIVE COMPLAINT.

The address for filing is Julie Jones, DFS Agency Clerk, Florida Department of Financial Services, 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0390.

Signature \_\_\_\_\_

Print Name \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Date Administrative  
Complaint Received: \_\_\_\_\_

\_\_\_\_\_

**If you are represented by an attorney or qualified representative, please attach to this election form his or her name, address, telephone and fax numbers**

Phone No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_

E-mail \_\_\_\_\_

**Edgil, Kerry**

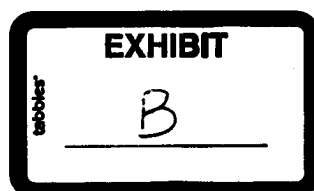
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**From:** Microsoft Outlook  
**To:** 'ACEPILOTBAILBOND@YAHOO.COM'  
**Sent:** Thursday, February 19, 2015 3:38 PM  
**Subject:** Relayed: 132554-13-AG OTTUSO, Leann Kay:

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'ACEPILOTBAILBOND@YAHOO.COM' ([ACEPILOTBAILBOND@YAHOO.COM](mailto:ACEPILOTBAILBOND@YAHOO.COM)) <<mailto:ACEPILOTBAILBOND@YAHOO.COM>>

Subject: 132554-13-AG OTTUSO, Leann Kay:



**FILED**

APR 26 2013

Docketed by AM



CHIEF FINANCIAL OFFICER  
JEFF ATWATER  
STATE OF FLORIDA

IN THE MATTER OF:

CASE NO.: 132554-13-AG

LEANN KAY OTTUSO

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NOTICE OF TEMPORARY SUSPENSION

COMES NOW the Chief Financial Officer, by and through his named designee, pursuant to Section 648.45(1), Florida Statutes, and issues this Order temporarily suspending all licenses and appointments heretofore issued to LEANN KAY OTTUSO, under Chapter 648, Florida Statutes, and as grounds therefore finds:

1. LEANN KAY OTTUSO is currently licensed in this state as a limited surety (bail bond) agent pursuant to Chapter 648, Florida Statutes.
2. At all times relevant to the dates and occurrences set forth herein, LEANN KAY OTTUSO, was licensed in this state as a limited surety (bail bond) agent.
3. On or about March 1, 2013, in the Circuit Court of Osceola County, State of Florida, Case Number 49-2012-CF-004485, you, LEANN KAY OTTUSO, were charged by Information with kidnapping with intent to inflict bodily harm or terrorize with a firearm, aggravated battery upon a pregnant person, and tampering with a witness, all felonies.

4. Pursuant to Section 648.45(1), Florida Statutes, the Department shall, upon receipt of an information or indictment, immediately temporarily suspend any license or appointment issued under Chapter 648, Florida Statutes, when the licensee has been charged with a felony or a crime involving moral turpitude or a crime punishable by imprisonment of one (1) year or more under the law of any state, territory, or country. Such suspension shall continue if the licensee has been found guilty of, or has pleaded guilty or no contest to, the crime, whether or not a judgment or conviction has been entered, during a pending appeal. A person may not effect any additional bail bonds after suspension of his license or appointment, however, he may discharge any liability on bonds effected prior to suspension.

Notice is hereby given that the Department shall take prompt action to revoke the license of LEANN KAY OTTUSO in the event she pleads guilty, nolo contendere or is found guilty of this felony or any other lesser offense which is a felony, a crime involving moral turpitude or a crime punishable by imprisonment of one year or more under the law of any state, territory or country whether or not a judgment or conviction has been entered.

WHEREFORE, IT IS HEREBY ORDERED:

(a) That the bail bond agent license held by LEANN KAY OTTUSO, is hereby SUSPENDED. During the period of suspension LEANN KAY OTTUSO, may not engage in any transaction or business for which a license or appointment is required by Chapter 648, Florida Statutes.

(b) That LEANN KAY OTTUSO, shall immediately cease and desist from writing, issuing, or soliciting any bail bonds in the State of Florida and she shall not effect any additional bail bonds. However, pursuant to Section 648.45(1), Florida Statutes, LEANN KAY OTTUSO, may discharge any liability on bonds effected prior to this suspension.



### NOTICE OF RIGHTS

You have the right to request a proceeding to contest this action by the Department of Financial Services ("Department") pursuant to Sections 120.569 and 120.57, Florida Statutes, and Rule 28-106, Florida Administrative Code. The proceeding request must be in writing, signed by you, and must be filed with the Department within twenty-one (21) days of your receipt of this notice. Completion of the attached Election of Proceeding form and/or a petition for administrative hearing will suffice as a written request. The request must be filed with Julie Jones, DFS Agency Clerk, at the Florida Department of Financial Services, 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0390. Your written response must be received by the Department no later than 5:00 p.m. on the twenty-first day after your receipt of this notice. Mailing the response on the twenty-first day will not preserve your right to a hearing.

**FAILURE TO ENSURE THAT YOUR WRITTEN RESPONSE IS RECEIVED BY THE DEPARTMENT WITHIN TWENTY-ONE (21) DAYS OF YOUR RECEIPT OF THIS NOTICE WILL CONSTITUTE A WAIVER OF YOUR RIGHT TO REQUEST A PROCEEDING ON THE MATTERS ALLEGED HEREIN AND A FINAL ORDER OF SUSPENSION OR REVOCATION WILL BE ENTERED AGAINST YOU.**

If you request a proceeding, you must provide information that complies with the requirements of Rule 28-106.2015, Florida Administrative Code. As noted above, completion of the attached Election of Proceeding form conforms to these requirements. Specifically, your response must contain:

(a) The name, address, and telephone number, and facsimile number (if any) of the respondent (for the purpose of requesting a hearing in this matter, you are the "respondent").

(b) The name, address, telephone number, facsimile number of the attorney or qualified representative of the respondent (if any) upon whom service of pleadings and other papers shall be made.

(c) A statement requesting an administrative hearing identifying those material facts that are in dispute. If there are none, the petition must so indicate.

(d) A statement of when the respondent received the notice of temporary suspension.

(e) A statement including the file number to the notice of temporary suspension.

If a hearing of any type is requested, you have the right to be represented by counsel or other qualified representative at your expense, to present evidence and argument, to call and cross-examine witnesses, and to compel the attendance of witnesses and the production of documents by subpoena.

If a proceeding is requested and there is no dispute of material fact, the provisions of Section 120.57(2), Florida Statutes, apply. In this regard, you may submit oral or written evidence in opposition to the action taken by the Department or a written statement challenging the grounds upon which the Department has relied. While a hearing is normally not required in the absence of a dispute of fact, if you feel that a hearing is necessary, one will be conducted in Tallahassee, Florida, or by telephonic conference call upon your request.

However, if you dispute material facts which are the basis for the Department's action, you must request an adversarial proceeding pursuant to Sections 120.569 and 120.57(1), Florida Statutes. These proceedings are held before a State Administrative Law Judge of the Division of Administrative Hearings. Unless the majority of witnesses are located elsewhere, the Department will request that the hearing be conducted in Tallahassee, Florida.


Failure to follow the procedure outlined with regard to your response to this notice may result in the request being denied. All prior oral communication or correspondence in this matter shall be considered freeform agency action, and no such oral communication or correspondence shall operate as a valid request for an administrative proceeding. Any request for an administrative proceeding received prior to the date of this notice shall be deemed abandoned unless timely renewed in compliance with the guidelines as set out above.

Mediation of this matter pursuant to Section 120.573, Florida Statutes, is not available. No Department attorney will discuss this matter with you until the response has been received by the Department.

Any party adversely affected by this Notice is also entitled to seek review of this Notice pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Florida Rules of Appellate Procedure. Review proceedings must be instituted by filing a petition or notice of appeal with Julie Jones, DFS Agency Clerk, at 612 Larson Building, Tallahassee, Florida 32399-0390, and a copy of same with the appropriate District Court of Appeal within thirty (30) days of rendition of this Order.

DATED AND SIGNED this 26<sup>th</sup> day of April, 2013.



  
Gregory Thomas  
Director, Agent & Agency Services

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing NOTICE OF TEMPORARY SUSPENSION has been furnished to: LEANN KAY OTTUSO, Ace Pilot Bail Bonds, 1600 E. Vine Street, Suite A, Kissimmee, FL 34744; LEANN KAY OTTUSO, 1254 Timberbend Circle, Orlando, FL 32824, by Certified Mail this 2nd day of May, 2013.

  
\_\_\_\_\_  
Laura Anstead  
Managing Attorney  
Department of Financial Services  
Division of Legal Services  
612 Larson Building  
200 East Gaines Street  
Tallahassee, Florida 32399-0333  
(850) 413-4227

STATE OF FLORIDA  
DEPARTMENT OF FINANCIAL SERVICES  
DIVISION OF LEGAL SERVICES

IN THE MATTER OF:

LEANN KAY OTTUSO

CASE NO.: 132554-13-AG

ELECTION OF PROCEEDING

I have received and have read the Notice of Temporary Suspension filed by the Florida Department of Financial Services ("Department") against me, including the Notice of Rights contained therein, and I understand my options. I am requesting disposition of this matter as indicated below. **(CHOOSE ONE)**

1. ☐ I do not dispute any of the Department's factual allegations and I do not desire a hearing. I understand that by waiving my right to a hearing, the Department may enter a final order that adopts the Notice of Temporary Suspension and imposes the sanctions sought, including suspending or revoking my licenses and appointments as may be appropriate.
2. I do not dispute any of the Department's factual allegations and I hereby elect a proceeding to be conducted in accordance with Section 120.57(2), Florida Statutes. In this regard, I desire to **(CHOOSE ONE)**:
  - ☐ Submit a written statement and documentary evidence in lieu of a hearing; or
  - ☐ Personally attend a hearing conducted by a department hearing officer in Tallahassee; or
  - ☐ Attend that same hearing by way of a telephone conference call.
3. ☐ I do dispute one or more of the Department's factual allegations. I hereby request a hearing pursuant to Section 120.57(1), Florida Statutes, to be held before the Division of Administrative Hearings. I have attached to this election form the information required by Rule 28-106.2015, Florida Administrative Code, as specified in subparagraph (c) of the Notice of Rights. Specifically, I have identified the disputed issues of material fact.

TO PRESERVE YOUR RIGHT TO A HEARING, YOU MUST FILE YOUR RESPONSE WITH THE DEPARTMENT OF FINANCIAL SERVICES WITHIN TWENTY-ONE (21) DAYS OF YOUR RECEIPT OF THE NOTICE OF TEMPORARY SUSPENSION. THE RESPONSE MUST BE RECEIVED BY THE DEPARTMENT NO LATER THAN 5:00 P.M. ON THE TWENTY-FIRST DAY AFTER YOUR RECEIPT OF THE NOTICE OF TEMPORARY SUSPENSION.

The address for filing is: Julie Jones, DFS Agency Clerk, Florida Department of Financial Services, 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0390.

Signature \_\_\_\_\_

Print Name \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Date Administrative  
Complaint Received: \_\_\_\_\_

**If you are represented by an attorney or qualified  
representative, please attach to this election form his  
or her name, address, telephone and fax numbers**

Phone No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_