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CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

Docketed by AM

IN THE MATTER OF:

WILLIAM ROSS WADE

CASE NO.: 133567-13-AG

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 and served on April 29, 2014, and June 19, 2014, respectively, and being fully advised in the premises, finds that:

1. William Ross Wade currently holds a limited surety (bail bond) agent license in this state.
2. On April 29, 2014, the Department of Financial Services ("the Department") issued an Administrative Complaint against William Ross Wade alleging that he executed and filed with an appearance bond a duplication of a power of attorney he had previously used in the administration of an unrelated bond; executed and filed with an appearance bond an altered duplication of a power of attorney he had previously used in the administration of an unrelated bond; and executed and filed a carbon copy or photocopy of a power of attorney in the administration of a bond. A true and correct copy of the Administrative Complaint, including a Notice of Rights and Election of Proceeding form, is attached hereto as "Exhibit A."
3. In accordance with section 120.60(5), Florida Statutes, the Administrative Complaint was served upon William Ross Wade via personal service on June 19, 2014, at 211 SE 18th

Avenue, Cross City, Florida 32628. A true and correct copy of service of the Administrative Complaint is attached hereto as "Exhibit B."

4. William Ross Wade was notified 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.

5. William Ross Wade failed to request a proceeding in accordance with sections 120.569 and 120.57, Florida Statutes, within twenty-one (21) days.

6. Based upon William Ross Wade's failure to respond to the Administrative Complaint, the Chief Financial Officer finds that an Order of Revocation should be entered in this cause.

FINDINGS OF FACT

7. The factual allegations contained in the Administrative Complaint dated April 29, 2014, 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

8. Based upon the Findings of Fact adopted herein, the Department concludes that William Ross Wade violated the specific statutes and rules charged in each count of the Administrative Complaint and hereby adopts the violations charged in each count of the Administrative Complaint as the Conclusions of Law in this case.

PENALTY IMPOSED

9. The failure of William Ross Wade to timely request a proceeding in accordance with sections 120.569 and 120.57, Florida Statutes, taken together with the Findings of Fact and

Conclusions of Law adopted herein, constitute grounds for the Chief Financial Officer to revoke all licenses and appointments held by William Ross Wade under the Florida Insurance Code.

IT IS THEREFORE ORDERED that:

a) All licenses, appointments and eligibility for licensure within the purview of the Department heretofore issued to William Ross Wade are hereby REVOKED.

b) Pursuant to section 648.49(2), Florida Statutes, William Ross Wade does not have the right to apply for another license under chapter 648 of the Insurance Code. In addition, pursuant to section 626.641(2), Florida Statutes, William Ross Wade does not have the right to apply for any other license or appointment under the Florida Insurance Code for a period of two years after the effective date of revocation.

c) Subsequent to this revocation, William Ross Wade shall not engage in or attempt or profess to engage in any transaction or business for which a license or appointment is required under chapter 648 of the Insurance Code, or be employed by any bail bond agent or agency, have ownership in any business involving bail bonds, or have any financial interest of any type in any bail bond business.

d) William Ross Wade shall not engage in or attempt or profess to engage in any transaction of business for which a license or appointment is required under the Florida Insurance Code or directly or indirectly own, control, or be employed in any manner by any insurance agent or agency or adjuster or adjusting firm.

e) William Ross Wade shall return to the Department of Financial Services within ten (10) calendar days of the issuance of this order, all licenses heretofore issued to William Ross Wade pursuant to the Florida Insurance Code, Attention: Bureau of Licensing, 200 East Gaines Street, Tallahassee, Florida 32399-0319

f) Pursuant to section 648.49(3), Florida Statutes, 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 on this 4th day of September, 2014.



[REDACTED]
Gregory Thomas
Director, Agent & Agency Services


NOTICE OF RIGHT TO APPEAL

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.

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.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent to Respondent, William Ross Wade, via U.S. Certified Mail, return receipt requested, at 211 SE 18th Avenue, Cross City, Florida 32628, on this 4th day of September, 2014.



Rachic' A. Wilson
Assistant General Counsel



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

FILED

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Docketed by FR

IN THE MATTER OF:

WILLIAM ROSS WADE

CASE NO.: 133567-13-AG

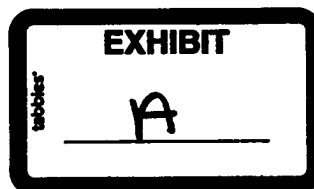
ADMINISTRATIVE COMPLAINT

WILLIAM ROSS WADE
Post Office Box 145
Old Town, Florida 32680

You, WILLIAM ROSS WADE, license I.D. # P063690, are hereby notified that the Chief Financial Officer of the State of Florida has caused to be made an investigation of your 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, you, WILLIAM ROSS WADE, are currently licensed in this state as a limited surety (bail bond) agent (2-34).
2. At all times relevant to the dates and occurrences referred to herein, you, WILLIAM ROSS WADE, were licensed in this state as a limited surety (bail bond) agent with license number P063690.
3. Pursuant to Chapter 648, Florida Statutes, the Florida Department of Financial Services ("Department") has jurisdiction over your insurance licenses and appointments.



4. You, WILLIAM ROSS WADE, were conducting bail bond business through Wade's Bail Bonds & Associates, Inc. ("Wade's") at 139 SE County Road 349, Old Town, Florida 32860 at all times pertinent to the allegations in this Administrative Complaint.

5. At all times relevant to the dates and occurrences herein, you, WILLIAM ROSS WADE, were appointed by Continental Heritage Insurance Company ("Continental"), a surety company.

6. As an appointee of Continental, you, WILLIAM ROSS WADE, were given the power of attorney to act and to execute and file bonds on behalf of Continental.

7. Each power of attorney issued by Continental to you, WILLIAM ROSS WADE, was pre-printed with a distinct power number and consisted of an original with three carbon copies attached thereto.

8. Rule 69B-221.075(2)(f), Florida Administrative Code, provides that where a surety's power of attorney form that accompanies an appearance bond contains multiple copies, the power shall bear the identity of each party to receive a part of the form.

9. Continental's powers directed that the original blue form go to the court; the pink copy to the surety company; the yellow copy to the agent; and the white copy to the indemnitor.

10. Continental's powers also reflected that altering or erasing them would render them void and that agents were limited to using each power only once in the administration of a bail bond.

COUNT I

11. The general allegations are re-alleged and fully incorporated herein by reference.

12. You, WILLIAM ROSS WADE, executed and filed with an appearance bond a duplication of a power you had previously used in the administration of an unrelated bond.

13. On or around February 19, 2012, you, WILLIAM ROSS WADE, executed and filed power number PC7-00960359 to accompany a five thousand (\$5,000.00) appearance bond filed on behalf of J.J., in Dixie County, Florida. The appearance bond indicated that the attached power was numbered PC7-00960359.

14. Subsequently, on or around March 3, 2012, you, WILLIAM ROSS WADE, executed and filed a carbon copy or photocopy of power number PC7-00960359 to accompany a seven thousand (\$7,000.00) appearance bond filed on behalf of D.V. in Dixie County, Florida. The appearance bond indicated that the attached power was numbered PC7-00960359.

15. You, WILLIAM ROSS WADE, knew or should have known that you were required to provide the original power of attorney to the court; that the power authorized you to use it only once in the administration of a bond; that said power had been previously used in the administration of J.J.'s bond; and that you filed a carbon copy or photocopy of the power in the subsequent administration of D.V.'s bail bond.

16. You, WILLIAM ROSS WADE, signed and filed a record which you knew to be false or misleading.

IT IS THEREFORE CHARGED that you, WILLIAM ROSS WADE, have violated one or more of the following provisions of the Florida Statutes or Florida Administrative Code, which constitutes grounds for the suspension or revocation of your license as a limited surety (bail bond) agent in the state:

A. Section 648.45(2)(e), Florida Statutes, which provides that it is a violation of law to demonstrate a lack of fitness or trustworthiness to engage in the bail bond business.

B. Section 648.45(2)(g), Florida Statutes, which provides that it is a violation of law to engage in fraudulent or dishonest practices in the conduct of business under the license or appointment.

C. Section 648.45(2)(j), Florida Statutes, which provides that it is a violation of law to willfully fail to comply with or willfully violate any proper order or rule of the department or willfully violate any provision of the insurance code.

D. Section 648.45(2)(l), Florida Statutes, which provides that it is a violation of law to demonstrate a lack of good faith in carrying out contractual obligations and agreements.

E. Section 648.45(2)(o)1., Florida Statutes, which provides that it is a violation of law to sign and file a report or record in the capacity of an agent which the licensee knows to be false or misleading.

F. Section 648.45(3)(c), Florida Statutes, which provides that it is a violation of law to violate any law relating to the business of bail bond insurance or violate any provision of the insurance code.

G. Rule 69B-221.075(1), which provides, in pertinent part:

[E]very licensed limited surety agent must attach to each bond a duly executed power of attorney in an amount of at least the penal sum of the bond.

COUNT II

17. The general allegations are re-alleged and fully incorporated herein by reference.

18. You, WILLIAM ROSS WADE, executed and filed with an appearance bond an altered duplication of a power you had previously used in the administration of an unrelated bond.

19. You, WILLIAM ROSS WADE, executed and filed an appearance bond which you knew to be false or misleading.

20. On or around March 9, 2012, you, WILLIAM ROSS WADE, executed and filed power number PC75-00972229 which accompanied a thirty thousand (\$30,000.00) appearance bond you executed and filed on behalf of C.R., in Dixie County, Florida.

21. The appearance bond indicated that the attached power was numbered PC75-00972229.

22. Subsequently, on or around March 11, 2012, you, WILLIAM ROSS WADE, executed and filed a carbon copy or photocopy of power number PC75-00972229, altered to reflect that the power was numbered PC75-00992229, to accompany a fifty thousand dollar (\$50,000.00) appearance bond filed on behalf of M.I. in Dixie County, Florida. The appearance bond indicated that the attached power was numbered PC75-00992229.

23. You, WILLIAM ROSS WADE, knew or should have known that you were required to file the original power of attorney to the court; that the power authorized you to use it only once in the administration of a bond; that said power had been previously used in the administration of C.R.'s bond; that you filed a carbon copy or photocopy of the power in the subsequent administration of M.I.'s bail bond; and that the carbon copy or photocopy had been altered, rendering it void.

24. You, WILLIAM ROSS WADE, knew or should have known that the power number reflected on the appearance bond for M.I. was inaccurate.

25. You, WILLIAM ROSS WADE, signed and filed records which you knew to be false or misleading.

IT IS THEREFORE CHARGED that you, WILLIAM ROSS WADE, have violated one or more of the following provisions of the Florida Statutes or Florida Administrative Code, which constitutes grounds for the suspension or revocation of your license as a limited surety (bail bond) agent in the state:

A. Section 648.45(2)(e), Florida Statutes, which provides that it is a violation of law to demonstrate a lack of fitness or trustworthiness to engage in the bail bond business.

B. Section 648.45(2)(g), Florida Statutes, which provides that it is a violation of law to engage in fraudulent or dishonest practices in the conduct of business under the license or appointment.

C. Section 648.45(2)(j), Florida Statutes, which provides that it is a violation of law to willfully fail to comply with or willfully violate any proper order or rule of the department or willfully violate any provision of the insurance code.

D. Section 648.45(2)(l), Florida Statutes, which provides that it is a violation of law to demonstrate a lack of good faith in carrying out contractual obligations and agreements.

E. Section 648.45(2)(o)1., Florida Statutes, which provides that it is a violation of law to sign and file a report or record in the capacity of an agent which the licensee knows to be false or misleading.

F. Section 648.45(3)(c), Florida Statutes, which provides that it is a violation of law to violate any law relating to the business of bail bond insurance or violate any provision of the insurance code.

G. Rule 69B-221.075(1), which provides, in pertinent part:

[E]very licensed limited surety agent must attach to each bond a duly executed power of attorney in an amount of at least the penal sum of the bond.

COUNT III

26. The general allegations are re-alleged and fully incorporated herein by reference.

27. On or around April 21, 2012, you, WILLIAM ROSS WADE, executed and filed a carbon copy or photocopy of power number PC7-00964267 to accompany a four thousand dollar (\$4,000.00) appearance bond filed on behalf of J.R. in Dixie County, Florida.

28. You, WILLIAM ROSS WADE, knew or should have known that you were required to file the original power of attorney with the court and that you filed a carbon copy or photocopy of the power in the administration of J.R.'s bail bond.

IT IS THEREFORE CHARGED that you, WILLIAM ROSS WADE, have violated one or more of the following provisions of the Florida Statutes or Florida Administrative Code, which constitutes grounds for the suspension or revocation of your license as a limited surety (bail bond) agent in the state:

A. Section 648.45(2)(f), Florida Statutes, which provides that it is a violation of law to demonstrate a lack of reasonably adequate knowledge and technical competence to engage in the transactions authorized by the license or appointment.

B. Section 648.45(3)(c), Florida Statutes, which provides that it is a violation of law to violate any law relating to the business of bail bond insurance or violate any provision of the insurance code.

WHEREFORE, you, WILLIAM ROSS WADE, are hereby notified that the Chief Financial Officer, through his designee, intends to enter an Order suspending or revoking your licenses and appointments as a limited surety (bail bond) agent, or to impose penalties, including administrative fines and restitution, as may be provided under the provisions of sections 648.442, 648.45, 648.49, 648.50, 648.51, 648.52, 648.53 and 648.571, Florida Statutes, and under the

referenced sections of the Florida Statutes and Florida Administrative Code, as set out in this Administrative Complaint. Additionally, the Department intends to enter an order to cease and desist from violation of Chapter 648, Florida Statutes.

You are further notified that any order entered in this case revoking or suspending any license or eligibility for licensure held by you shall also apply to all other licenses and eligibility held by you under the Florida Insurance Code.

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 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 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

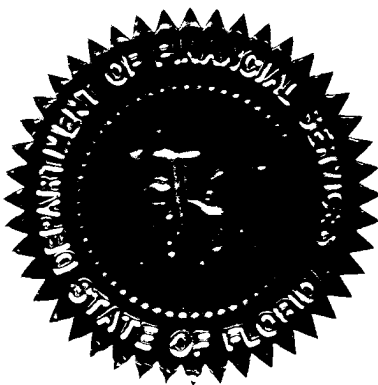
the absence of a dispute of fact, if you feel that a hearing is necessary, one will be conducted in Tallahassee, Florida, or by telephonic conference call upon your request.

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 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 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 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.


DATED and SIGNED this 29th day of April, 2014.



Gregory Thomas
Director, Agent & Agency Services

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: WILLIAM ROSS WADE, at Post Office Box 145, Old Town, Florida 32680, at P.O. Box 1302, Chiefland, Florida, 32644, and at 9210 127th Ct., Chiefland, Florida, 32626 by Certified Mail this 24th day of April, 2014.



Rachic' A. Wilson
Senior Attorney
Department of Financial Services
Division of Legal Services
200 East Gaines Street
Tallahassee, Florida 32399-0333

STATE OF FLORIDA
DEPARTMENT OF FINANCIAL SERVICES
DIVISION OF LEGAL SERVICES

IN THE MATTER OF:

WILLIAM ROSS WADE

CASE NO.: 133567-13-AG

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.: _____

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