

FILED

OCT 30 2014

Docketed by AM



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

IN THE MATTER OF:

CASE NO.: 161400-14-AG

NIVIS MARTIN
_____ /

CONSENT ORDER

THIS CAUSE came on for consideration and final agency action. Upon consideration of the record, including the Settlement Stipulation for Consent Order dated September 15, 2014, and being otherwise fully advised in the premises, the Chief Financial Officer finds:

1. The Chief Financial Officer, as agency head of the Florida Department of Financial Services (the "Department"), has jurisdiction over the subject matter of this case and the parties.
2. The entry of this Consent Order and compliance herewith by Nivis Martin (the "Respondent"), License #D051501, shall conclude the administrative proceeding of Case No. 161400-14-AG before the Department.

IT IS THEREFORE ORDERED:

- (a) The Settlement Stipulation for Consent Order dated September 15, 2014, and attached hereto as "Exhibit A," is hereby approved and fully incorporated herein by reference.

(b) The Respondent's licenses and eligibility for licensure and appointments shall be SUSPENDED for a period of twelve (12) months pursuant to sections 626.641(1) and 634.111(1), Florida Statutes. Within ten (10) calendar days of the issuance of the Consent Order, the Respondent shall return to the Department of Financial Services, Bureau of Licensing, 200 East Gaines Street, Tallahassee, Florida 32399-0319, all licenses issued to the Respondent pursuant to the Florida Insurance Code.

(c) During the period of suspension of the licenses or appointment, the Respondent shall not engage in or attempt or profess to engage in any transaction or business for which a license or appointment is required under this code or directly or indirectly own, control, or be employed in any manner by any insurance agent or agency or adjuster or adjusting firm until the license is reinstated or, if revoked, a new license is issued.

(d) The Respondent shall, at the end of the applicable period of suspension, be entitled to file an application for reinstatement of licensure. However, the Respondent's license shall not be reinstated if the Department finds that the circumstance or circumstances for which the license was suspended still exist or are likely to recur, or if the Respondent is not otherwise eligible for licensure.

(e) The Respondent shall cease and desist making material misrepresentations on documents submitted to an insurer.

(f) The Respondent shall not submit unauthorized premium finance agreements.

(g) The Respondent shall promptly forward all premium collected in the normal course of business to the insurer.

(h) If the Department has good cause to believe that the Respondent has violated any condition of this Consent Order, then the Respondent authorizes the Department to seek the immediate enforcement of the order in the Circuit Court of the Second Judicial Circuit, in and for Leon County, in Tallahassee, Florida. If such an enforcement order is granted, then the Respondent agrees that she shall be liable to the Department for all reasonable costs and attorneys fees expended in the enforcement action. Further, if this order is enforced, then the Respondent shall be subject to contempt sanctions for violating any enforcement order.

DONE and ORDERED this 30th day of October, 2014.





Gregory Thomas
Director, Agent & Agency Services

Copies Furnished To:

nivis38@yahoo.com

Nivis Martin

J & E Insurance Services Corporation dba FEDUSA Insurance
11180 West Flagler Street, Suite 10
Miami, Florida 33174

Nivis Martin

21313 Southwest 124 Place
Miami, Florida 33177

Greg Thomas, Director

Division of Agent & Agency Services
200 East Gaines Street
Tallahassee, Florida 32399-0320

Complaint & Settlement

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



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

IN THE MATTER OF:

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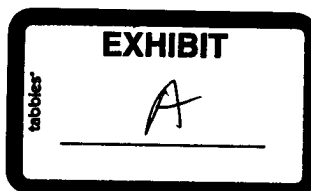
SETTLEMENT STIPULATION FOR CONSENT ORDER

IT IS HEREBY AGREED and STIPULATED by and between Nivis Martin ("the Respondent") and the State of Florida, Department of Financial Services ("the Department"), that:

1. The Respondent is currently licensed as a General Lines Agent and an Automobile Warranty Salesperson. At all times relevant to the dates and occurrences referred to herein, the Respondent was so licensed in this state.

2. Pursuant to Chapters 626 and 634, Florida Statutes, the Department has jurisdiction over the Respondent's licensure and eligibility for licensure and appointment in this state and the subject matter of this proceeding.

3. The Department conducted an investigation of the Respondent in her capacity as a licensee. As a result thereof, the Department alleges that the Respondent failed to forward the full premium amount collected in the normal course of business to an insurer causing at least one insured a lapse in coverage, submitted documents to an insurer containing false statements, and submitted a premium finance agreement without the consumer's authorization. In



order to avoid formal litigation of this matter, the Respondent has determined that it is in her best interests to enter into this Settlement Stipulation for Consent Order.

4. The Respondent voluntarily waives the right to a hearing in this matter and voluntarily enters into this Settlement Stipulation for Consent Order.

5. The Respondent voluntarily waives receipt of an administrative complaint pursuant to section 120.60(5), Florida Statutes, or any notice or charges other than this Settlement Stipulation for Consent Order.

6. By entering into this Settlement Stipulation for Consent Order and by the filing of a Consent Order in this case, the Respondent and the Department intend to and do resolve all issues pertaining to the license disciplinary administrative penalties to be imposed against the Respondent based on the allegations in paragraph 3 above.

7. No party will appeal this Settlement Stipulation for Consent Order or the Consent Order to be issued in this case, and the parties specifically waive notice of the right to appeal as required by section 120.569(1), Florida Statutes.

8. This document is a public record and contains information which is routinely published by the Department.

9. Each party to this proceeding shall bear its own costs and attorneys fees, unless otherwise provided herein.

10. This Settlement Stipulation for Consent Order is subject to the approval of the Chief Financial Officer or his designee. Upon his approval, and without further notice, the Chief Financial Officer or his designee may issue a Consent Order providing for the following:

(a) Incorporation by reference of all the terms and conditions of this Settlement Stipulation for Consent Order.

(b) The Respondent's licenses and eligibility for licensure and appointments shall be SUSPENDED for a period of twelve (12) months pursuant to sections 626.641(1) and 634.111(1), Florida Statutes. Within ten (10) calendar days of the issuance of the Consent Order, the Respondent shall return to the Department of Financial Services, Bureau of Licensing, 200 East Gaines Street, Tallahassee, Florida 32399-0319, all licenses issued to the Respondent pursuant to the Florida Insurance Code.

(c) During the period of suspension of the licenses or appointment, the Respondent shall not engage in or attempt or profess to engage in any transaction or business for which a license or appointment is required under this code or directly or indirectly own, control, or be employed in any manner by any insurance agent or agency or adjuster or adjusting firm until the license is reinstated or, if revoked, a new license is issued.

(d) The Respondent shall, at the end of the applicable period of suspension, be entitled to file an application for reinstatement of licensure. However, the Respondent's license shall not be reinstated if the Department finds that the circumstance or circumstances for which the license was suspended still exist or are likely to recur, or if the Respondent is not otherwise eligible for licensure.

(e) The Respondent shall cease and desist making material misrepresentations on documents submitted to an insurer.

(f) The Respondent shall not submit unauthorized premium finance agreements.

(g) The Respondent shall promptly forward all premium collected in the normal course of business to the insurer.

(h) If the Department has good cause to believe that the Respondent has violated any condition of the Consent Order, then the Respondent authorizes the Department to

seek the immediate enforcement of the order in the Circuit Court of the Second Judicial Circuit, in and for Leon County, in Tallahassee, Florida. If such an enforcement order is granted, then the Respondent agrees that she shall be liable to the Department for all reasonable costs and attorneys fees expended in the enforcement action. Further, if this order is enforced, then the Respondent shall be subject to contempt sanctions for violating any enforcement order.

11. The Respondent certifies that the address and e-mail address below the Respondent's signature are valid addresses.

12. The Respondent agrees that the Consent Order may be sent to the Respondent via the e-mail address below the Respondent's signature.


DATED and SIGNED this 15 day of SEPT, 2014.

Nivis Martin

Nivis Martin
21313 Southwest 124th Place
Miami, Florida 33177-5784

NIVIS38@YAHOO.COM

NIVIS MARTIN
Print Name of Signee


Barry K. Lanier, FLMI, CLU
Bureau Chief
Division of Agent & Agency Services
Bureau of Investigation
200 East Gaines Street
Tallahassee, Florida 32399-0320