



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

FILED

OCT 17 2014

Docketed by MC

IN THE MATTER OF:

CASE NO.: 145803-13-AG

JOSEPH DANIEL MUNOZ

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 October 8, 2014, and being otherwise fully advised of the premises, the Chief Financial Officer hereby finds:

1. The Chief Financial Officer, as head of the Department of Financial Services (the "Department"), has jurisdiction over the subject matter of this case and parties hereto.
2. The entry of this Consent Order and compliance herewith by Joseph Munoz (the "Respondent"), License I.D. number E118143, shall conclude the administrative proceeding of Case Number 145803-13-AG before the Department.

IT IS THEREFORE ORDERED:

- (a) The Settlement Stipulation for Consent Order dated October 8, 2014, is hereby approved and fully incorporated herein by reference as "Exhibit A."
- (b) The Respondent's license shall be subject to a one-year probation period. As a condition of probation, the Respondent shall strictly adhere to the Florida Insurance Code.
- (c) The Respondent shall pay an administrative penalty in the amount of five thousand dollars (\$5,000) as authorized by section 626.681(1) Florida Statutes, within thirty (30) days of the entry of this Consent Order. Failure of the Respondent to pay the administrative fine

within the specified time limit shall result in the immediate suspension of the Respondent's license and eligibility for licensure in the state without further proceedings for a period of sixty (60) days. Thereafter, the Respondent shall be entitled to file an application for reinstatement of licensure. Reinstatement shall be conditioned upon the Respondent's compliance with all terms of this Consent Order, including payment of the administrative fine, and upon compliance with the terms of suspension.

(d) The Respondent shall not aid and abet the unlicensed practice of adjusting.

(e) The Respondent shall state his full name as specified in Department records on any public adjuster advertisement, including business cards. Rule 69B-220.051(4)(c), *Florida Administrative Code*.

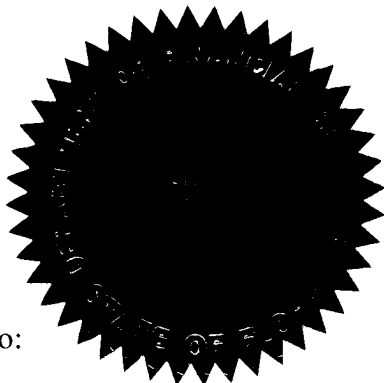
(f) The Respondent shall ensure that the public is not misled to believe that his license number belongs to any other individual. Specifically, on advertisements for public adjusting, the Respondent must clearly associate his name with any use of his public adjuster license number.

(g) The Respondent shall not compensate any person, except for another public adjuster, directly or indirectly, for the principal purpose of referring business to the public adjuster. Section 626.854(13), Florida Statutes.

(h) If the Department has good cause to believe that the Respondent has violated any condition of this Consent Order, he authorizes the Department to seek the immediate enforcement of the order in the Circuit Court in and for Leon County, Florida. If such an enforcement order is granted in the Circuit Court, the Respondent agrees that he shall be liable to the Department for all reasonable costs and attorneys fees expended in the enforcement

action. Further, if this order is enforced in the Circuit Court, the Respondent shall be subject to contempt sanctions for violating any enforcement order.

DONE and ORDERED this 17th day of October, 2014.



Gregory Thomas
Director, Agent & Agency Services

Copies Furnished To:

JOSEPH DANIEL MUNOZ
14411 Commerce Way
Suite 250
Miami Lakes, FL 33016

BEN MURPHEY, ESQ.
bmurphey@lwlegal.com

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

RECEIVED
2014 OCT 27 AM 10:23

INVOICE

MAIL SERVICES
ADMINISTRATIVE PENALTY IMPOSED BY CONSENT ORDER

In order to ensure that your payment is received and properly credited, please make your check payable to:

Department of Financial Services
Division of Legal Services
Revenue Processing Section
Post Office Box 6100
Tallahassee, FL 32399-6100

REFERENCE

NAME Joseph Daniel Munoz
ADDRESS: 14411 Commerce Way
CITY, STATE, ZIP: Miami Lakes, FL 33016
SS# or AGENT#: E118143
Case #: 145803-13-AG
Attorney: Jessica Harmsen
Source: Agent and Agency Investigations

14 OCT 29 PM 3:52

Fine Due:	\$	5,000.00
Cost Due:	\$	0.00
Total Amount Due:	\$	5,000.00
Amount remitted:	\$	

OFFICIAL USE ONLY - PLEASE, DO NOT MARK BELOW THIS LINE

B/T	T/C	F/T	INV AMT (inserted by operator)
M	1106	J	

RECEIVED
DEPARTMENT OF
FINANCIAL SERVICES
2014 OCT 27 PM 12:45
CASHIER'S OFFICE



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

IN THE MATTER OF:

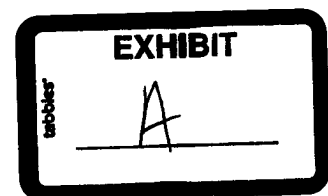
CASE NO.: 145803-13-AG

JOSEPH MUNOZ
_____ /

SETTLEMENT STIPULATION FOR CONSENT ORDER

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

1. Respondent is currently licensed in this state as a public adjuster. At all times relevant to the dates and occurrences referred to herein, Respondent was so licensed in this state.
2. Respondent is currently, and has been at all material times to this matter, the owner, president and designated primary adjuster of All Florida Insurance Claims Service, Inc.
3. Pursuant to Chapter 626, Florida Statutes, the Department has jurisdiction over Respondent's license and appointment in this state, and the subject matter of this proceeding.
4. On August 26, 2014, the Department filed an administrative complaint against Respondent, which alleges that he committed advertising violations, and that he improperly compensated an individual for public adjusting business referrals.
5. In order to avoid formal litigation of this matter, Respondent has determined that it is in its best interests to enter into this Settlement Stipulation for Consent Order.



6. By execution of this Settlement Stipulation for Consent Order and by the entry of the subsequent Consent Order, the Department and Respondent intend to and do resolve all issues pertaining to the matters referred to above.

7. Respondent voluntarily and knowingly enters into this Settlement Agreement..

8. 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.

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

10. Each party to this proceeding shall bear its own costs and attorney's fees.

11. 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) Respondent's license shall be subject to a one-year probation period. As a condition of probation, Respondent shall strictly adhere to the Florida Insurance Code.

Respondent shall pay an administrative penalty in the amount of five thousand dollars (\$5,000) as authorized by section 626.681(1) Florida Statutes, within thirty (30) days of the entry of the Consent Order to be issued in this case. Failure of Respondent to pay the administrative fine within the specified time limit shall result in the immediate suspension of Respondent's license and eligibility for licensure in the state without further proceedings for a period of sixty (60) days. Thereafter, Respondent shall be entitled to file an application for reinstatement of licensure. Reinstatement shall be conditioned upon Respondent's compliance with all terms of this Settlement Stipulation for Consent Order and the Consent Order to be

entered in this case, including payment of the administrative fine, and upon compliance with the terms of suspension.

(c) Respondent shall not aid and abet the unlicensed practice of adjusting.

(d) Respondent shall state his full name as specified in department records on any public adjuster advertisement, including business cards. Rule 69B-220.051(4)(c), *Florida Administrative Code*.

(e) Respondent shall ensure that the public is not misled to believe that his license number belongs to any other individual. Specifically, on advertisements for public adjusting, Respondent must clearly associate his name with any use of his public adjuster license number.

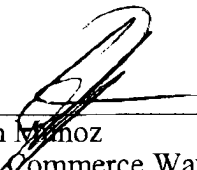
(f) Respondent shall not compensate any person, except for another public adjuster, directly or indirectly, for the principal purpose of referring business to the public adjuster. Section 626.854(13), Florida Statutes.

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

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

13. Respondent agrees that the Consent Order may be sent to Respondent via the e-mail address below Respondent's signature and that Respondent will not receive a hard copy in the mail.


WHEREFORE, the undersigned parties hereby acknowledge and agree to the terms and conditions of the foregoing Settlement Stipulation for Consent Order, subject to final approval by the Chief Financial Officer, or his designee, by written consent on the last date executed below.



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c/o Ben Murphey, Esq.
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Licensee



Jessie Harmsen
Attorney
Department of Financial Services
Division of Legal Services
Larson Building
200 East Gaines Street
Tallahassee, Florida 32399-0333
(850) 413-4236

Attorney for the Department

Dated and Signed this
30th day of September, 2014.

Dated and Signed this
6th day of October, 2014.