

FILED

OCT 30 2014



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

Docketed by AM

IN THE MATTER OF:

CASE NO.: 162108-14-AG

KEVIN THOMAS POUND

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 7, 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 Kevin Thomas Pound (the "Respondent"), License #E097860, shall conclude the administrative proceeding of Case No. 162108-14-AG before the Department.

IT IS THEREFORE ORDERED:

- (a) The Settlement Stipulation for Consent Order dated October 7, 2014, and attached hereto as "Exhibit A," is hereby approved and fully incorporated herein by reference.
- (b) All licenses and eligibility for licensure and appointment of the Respondent are hereby surrendered to the Department. Said surrender shall become effective

upon the date of issuance of this Consent Order. The Respondent shall return to the Department of Financial Services, Bureau of Licensing, 200 East Gaines Street, Tallahassee, Florida, 32399-0319, within ten (10) calendar days of the issuance of this Consent Order, all license(s) issued to the Respondent pursuant to the Florida Insurance Code.

(c) The surrender by the Respondent of all of the Respondent's license(s) and eligibility for licensure and appointment under the purview of the Department shall have the same force and effect as a revocation pursuant to section 626.641, Florida Statutes, and shall constitute a revocation for purposes of section 626.641(2), Florida Statutes.

(d) Pursuant to section 626.641, Florida Statutes, the Respondent shall not engage or attempt or profess to engage in any transaction or 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 until the license is reinstated or, if revoked, a new license is issued.

(e) The Respondent shall not have the right to apply to the Department for another license under the Florida Insurance Code within two (2) years of the effective date of revocation. The Department shall not thereafter grant a new license if it finds that the circumstance or circumstances for which the license was revoked still exist or are likely to recur. In the event that the Respondent in the future makes application to the Department or any licensure, and solely for the purpose of section 626.641(2), Florida Statutes, the Respondent shall have the burden of establishing that the same circumstances that caused the revocation of the Respondent's license(s) no longer exist and are not likely to recur, and that the Respondent is otherwise eligible for licensure.

(f) If the Department has good cause to believe that the Respondent has violated any condition of this Consent Order, 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 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, the Respondent shall be subject to contempt sanctions for violating any enforcement order.

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

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



Gregory Thomas
Director, Agent & Agency Services

Copies Furnished To:

kevinpound@comcast.net

Kevin Thomas Pound
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Greg Thomas, Director
Division of Agent & Agency Services
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Complaint & Settlement
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CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

IN THE MATTER OF:

Case No: 162108-14-AG

KEVIN THOMAS POUND /

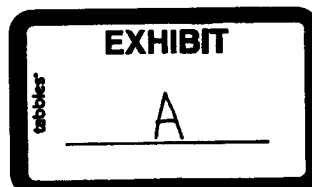
SETTLEMENT STIPULATION FOR CONSENT ORDER

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

1. Respondent is currently licensed as a Life, Health and Variable Annuity Agent and a General Lines Agent. At all times relevant to the dates and occurrences referred to herein, Respondent was so licensed in this state.

2. Pursuant to Chapter 626, Florida Statutes, the Department has jurisdiction over 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 his capacity as a licensee. As a result thereof, the Department alleges that the Respondent misrepresented the terms and conditions of multiple insurance policies, failed to forward applications and premiums to the insurance companies, issued false proof of insurance, failed to forward policy-related documents to insurers resulting in policy cancellations, and demonstrated a lack of reasonably adequate knowledge and technical competence to engage in the transactions authorized by the license or appointment. In order to avoid formal litigation of this matter, Respondent has



determined that it is in his best interests to enter into this Settlement Stipulation for Consent Order.

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

5. 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) All license(s) and eligibility for licensure and appointment of the Respondent are hereby surrendered to the Department. Said surrender shall become effective upon the date of issuance of the Consent Order. Respondent shall return to the Department of Financial Services, Bureau of Licensing, 200 East Gaines Street, Tallahassee, Florida 32399-

0319, within ten (10) calendar days of the issuance of this Consent Order, all license(s) issued to the Respondent pursuant to the Florida Insurance Code.

(c) The surrender by Respondent of all of Respondent's license(s) and eligibility for licensure and appointment under the purview of the Department shall have the same force and effect as a revocation pursuant to section 626.641, Florida Statutes, and shall constitute a revocation for purposes of section 626.641(2), Florida Statutes.

(d) Pursuant to section 626.641, Florida Statutes, Respondent shall not engage or attempt or profess to engage in any transaction or 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 until the license is reinstated or, if revoked, a new license is issued.

(e) The Respondent shall not have the right to apply to the Department for another license under the Florida Insurance Code within two (2) years of the effective date of revocation. The Department shall not thereafter grant a new license if it finds that the circumstance or circumstances for which the license was revoked still exist or are likely to recur. In the event that Respondent in the future makes application to the Department for any licensure, and solely for the purpose of section 626.641(2), Florida Statutes, Respondent shall have the burden of establishing that the same circumstances that caused the revocation of Respondent's license(s) no longer exist and are not likely to recur, and that Respondent is otherwise eligible for licensure.

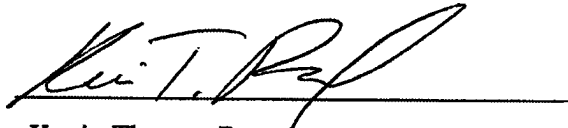
(f) If the Department has good cause to believe that Respondent has violated any condition of the Consent Order, Respondent authorizes the Department to seek the immediate enforcement of the order in the Circuit Court of the Second Judicial Circuit, in and for Leon County, in Tallahassee, Florida. If such an enforcement order is granted 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, Respondent shall be subject to contempt sanctions for violating any enforcement order.

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

11. Respondent certifies that the address and e-mail address below 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 Respondent's signature.

DATED and SIGNED this 7 day of October, 2014.



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