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DEC 24 2014

Docketed by AM



CHIEF FINANCIAL OFFICER  
JEFF ATWATER  
STATE OF FLORIDA

IN THE MATTER OF:

CASE NO.: 165056-14-AG

JANET HEREDIA  
\_\_\_\_\_ /

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 November 24, 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 Janet Heredia (the "Respondent"), License #P053776, shall conclude the administrative proceeding of Case No. 165056-14-AG before the Department.

IT IS THEREFORE ORDERED:

(a) The Settlement Stipulation for Consent Order dated November 24, 2014, and attached hereto as "Exhibit A," is hereby approved and fully incorporated herein by reference.

(b) The Respondent's license and eligibility for licensure and appointments shall be suspended for a period of three (3) months pursuant to section 626.641(1), Florida Statutes. 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 licenses issued to the Respondent pursuant to the Florida Insurance Code.

(c) During the period of suspension of the license 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. Pursuant to section 626.865, Florida Statutes, the Respondent must retake and pass the public adjuster examination prior to license reinstatement. 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.

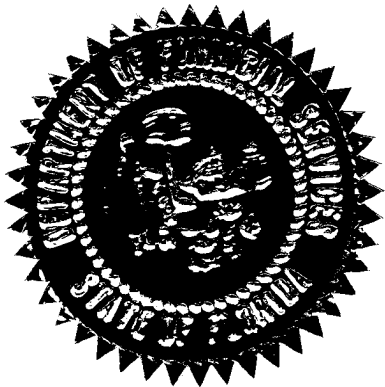
(e) The Respondent shall timely return moneys belonging to others.


(f) 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.

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

DONE and ORDERED this 24<sup>th</sup> day of December, 2014.



  
Gregory Thomas  
Director, Agent & Agency Services

Copies Furnished To:

janet@countywidepublicadjusters.com

Janet Heredia  
Countrywide Public Adjusters  
14221 Southwest 120th Street, #119  
Miami, Florida 33186

Janet Heredia  
16161 Southwest 43rd Terrace  
Miami, Florida 33185

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:

Case No: 165056-14-AG

JANET HEREDIA/

SETTLEMENT STIPULATION FOR CONSENT ORDER

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

1. The Respondent is currently licensed as a Public Adjuster. At all times relevant to the dates and occurrences referred to herein, the Respondent was so licensed in this state.
2. Pursuant to chapter 626, 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 timely return money belonging to another. 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 license and eligibility for licensure and appointments shall be SUSPENDED for a period of three (3) months pursuant to section 626.641(1), Florida Statutes. 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 licenses issued to the Respondent pursuant to the Florida Insurance Code.

(c) During the period of suspension of the license 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. Pursuant to section 626.865, Florida Statutes, the Respondent must retake and pass the public adjuster examination prior to license reinstatement. 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.

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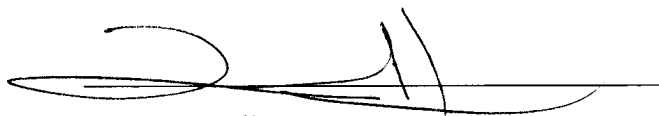
(f) If the Department has good cause to believe that the Respondent has violated any condition of the Consent Order, then the Respondent authorizes the Department to seek the immediate enforcement of the order in the Circuit Court of the Second Judicial Circuit, in and for Leon County, in Tallahassee, 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.

(g) 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.

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 24 day of November, 20 14.



Janet Heredia  
3688 Southwest 147th Place  
Miami, Florida 33185

JDLEON088@GMAIL.COM



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