

FILED

JAN 27 2015

Docketed by MC



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

IN THE MATTER OF:

Case No.: 133562-13-AG

WILLIAM WATSON WADE
_____ /

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 on April 18, 2014, and being fully advised in the premises, finds that:

1. William Watson Wade is currently licensed by the Department of Financial Services (the "Department"), pursuant to the Florida Insurance Code, as a limited surety (bail bond) agent.
2. On April 18, 2014, the Department issued an Administrative Complaint, attached hereto as "Exhibit A," against William Watson Wade.
3. The Department notified William Watson Wade 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.
4. The Department made a diligent effort to serve the Administrative Complaint via certified mail and via personal service, but both attempts were unsuccessful.

5. In accordance with section 624.310(6), Florida Statutes, the Administrative Complaint was served upon William Watson Wade by publication in the Dixie County Advocate on November 20 and 27, 2014, and December 4 and 11, 2014. A true and correct copy of the publication is attached hereto as "Exhibit B," and is fully incorporated herein by reference.

6. William Watson Wade failed to answer the Administrative Complaint or request a proceeding in accordance with sections 120.569 and 120.57, Florida Statutes.

FINDINGS OF FACT

7. The factual allegations contained in the Administrative Complaint dated April 18, 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 Watson Wade violated the specific statutes and rules charged in each count of the Administrative Complaint, attached hereto as Exhibit A, 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 Watson Wade to answer the Administrative Complaint or request a proceeding, taken together with the Findings of Fact and Conclusions of Law adopted herein, constitutes grounds for the Chief Financial Officer to revoke the licenses of William Watson Wade.

IT IS THEREFORE ORDERED that:

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

(b) Pursuant to section 648.49(2), Florida Statutes, William Watson Wade does not have the right to apply for another license under chapter 648, Florida Statutes. Further, pursuant

to section 626.641(2), Florida Statutes, William Watson Wade does not have the right to apply for any 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 Watson 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 Florida Insurance Code, or be employed by any bail bond agent or agency, have any ownership in any business involving bail bonds, or have any financial interest of any type in any bail bond business.

(d) During the period of revocation, William Watson 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 Watson Wade 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 order, all licenses issued to pursuant to the Florida Insurance Code.

(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(s) is suspended or revoked, commits a felony of the third degree.

DONE and ORDERED this 27th day of January, 2015.



Gregory Thomas
Director, Agent & Agency Services

NOTICE OF RIGHTS

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.

Copies Furnished To:

FALLGUY12003@YAHOO.COM

William Watson Wade
102 SE 195th St.
Suwannee, FL 32692

William Watson Wade
143 SE Hwy 349
Old Town, FL 32680

Greg Thomas, Director
Division of Agent & Agency Services
200 East Gaines Street
Tallahassee, Florida 32399

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



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

FILED

APR 18 2014

Docketed by ~f Bz

IN THE MATTER OF:

WILLIAM WATSON WADE

CASE NO.: 133562-13-AG

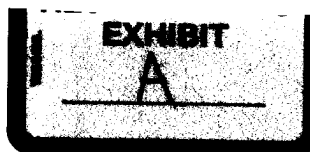
ADMINISTRATIVE COMPLAINT

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

You, WILLIAM WATSON WADE, license number A275167, 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 WATSON 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 WATSON WADE, were licensed in this state as a limited surety (bail bond) agent with license number A275167.
3. Pursuant to Chapter 648, Florida Statutes, the Florida Department of Financial Services ("Department") has jurisdiction over your insurance licenses and appointments.
4. On September 19, 1995, you, WILLIAM WATSON WADE, entered a settlement stipulation for consent order with the Department after which the Department entered a Consent





CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

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IN THE MATTER OF:

WILLIAM WATSON WADE
_____ /

CASE NO.: 133562-13-AG

ADMINISTRATIVE COMPLAINT

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

You, WILLIAM WATSON WADE, license number A275167, 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 WATSON 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 WATSON WADE, were licensed in this state as a limited surety (bail bond) agent with license number A275167.
3. Pursuant to Chapter 648, Florida Statutes, the Florida Department of Financial Services ("Department") has jurisdiction over your insurance licenses and appointments.
4. On September 19, 1995, you, WILLIAM WATSON WADE, entered a settlement stipulation for consent order with the Department after which the Department entered a Consent

Order placing you on probation for six months and imposing a two hundred fifty dollar (\$250.00) administrative penalty for your failure to notify the Department of a change of address within thirty days.

5. At all times pertinent to the allegations in this Administrative Complaint, you, WILLIAM WATSON WADE, were the owner and designated primary bail agent of Wade's Bail Bonds & Associates, Inc. ("Wade's Bail Bonds") located at 139 SE County Road 349, Old Town, Florida 32860.

6. As primary bail bond agent of Wade's Bail Bonds, you, WILLIAM WATSON WADE, were liable for the actions taken by company and its employees, pursuant to section 648.387, Florida Statutes.

7. Section 648.387(2), Florida Statutes, provides:

The primary bail bond agent is responsible for the overall operation and management of a bail bond agency location, whose responsibilities may include, without limitations, hiring and supervising of all individuals within the location, whether they deal with the public in the solicitation or negotiation of bail bond contracts or in the collection or accounting of moneys. A person may be designated a primary bail bond agent for only one location.

8. At all times relevant to the dates and occurrences herein, William Ross Wade ("Ross Wade") was licensed in this state as a limited surety (bail bond) agent with license number P063690 and conducted bail bond business through Wade's Bail Bonds under your, WILLIAM WASTON WADE's, management and supervision.

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

10. As appointees of Continental Heritage, you, WILLIAM ROSS WADE, and Ross Wade were given the power of attorney to act and to execute and file bonds on behalf of Continental Heritage.

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

12. 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.

13. Continental Heritage'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.

14. Continental Heritage'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

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

16. Pursuant to your appointment with Continental Heritage, you, WILLIAM WATSON WADE, entered into an agent's contract on or around June 4, 1999, with Continental Heritage and C.E. Parish General Agency, Inc. ("C.E. Parish"), of Bushnell, Florida, Continental Heritage's Managing General Agency.

17. Paragraph 6 of your, WILLIAM WATSON WADE's, contract with Continental Heritage and C.E. Parish states, in pertinent part:

PREMIUMS. All premiums collected for [Continental Heritage] by [WILLIAM WATSON WADE] shall be deemed trust funds, shall not be mingled with other funds and shall be turned over immediately to [C.E. Parish] for [Continental Heritage] according to such routine as [C.E. Parish] and [Continental Heritage] may prescribe.

18. Paragraph 5 of your, WILLIAM WATSON WADE's, contract with Continental Heritage and C.E. Parish states, in pertinent part, as follows:

REPORTS. [WILLIAM WATSON WADE] shall transmit to [C.E. Parish] within ten (10) business days of execution date, reports on all bond business written by him, showing, among other things, the risks assumed, premiums collected, collateral received and returned, forfeitures incurred, claims paid, bonds discharged, any and all other information which [Continental Heritage] and [C.E. Parish] may from time to time request. [WILLIAM WATSON WADE] shall also promptly file within ten (10) business days of execution date with [C.E. Parish] for [Continental Heritage] copies of any documents executed by him on behalf of [Continental Heritage].

19. With respect to lost or otherwise unaccounted powers of attorney, Paragraph 6 of your, WILLIAM WATSON WADE's, contract with Continental Heritage and C.E. Parish states, in pertinent part, as follows:

Should any Powers of Attorney be unaccounted for, lost or mislaid, such Powers of Attorney shall be considered as issued and posted for the maximum amount endorsed thereon, and [WILLIAM WATSON WADE] shall immediately report to [C.E. Parish] and [Continental Heritage] a list of such Powers of Attorney and shall pay therewith the full premium and reserve, less applicable commission, which would be due if such Powers of Attorney had been issued or posted for the maximum amount endorsed thereon. Should any Powers of Attorney thereafter be found and returned to [C.E. Parish] for [Continental Heritage] with satisfactory evidence that the same had never been issued or posted and that [Continental Heritage] never became liable thereon, [Continental Heritage] and [C.E. Parish] shall refund all amounts paid thereon by [WILLIAM WATSON WADE].

20. A March 15, 2007, Addendum to your, WILLIAM WATSON WADE's, contract

with Continental Heritage and C.E. Parish states, in pertinent part:

[WILLIAM WASTON WADE] shall pay [C.E. Parish] 15% of Gross Premiums charged. [WILLIAM WATSON WADE] shall pay [C.E. Parish] a Minimum of \$10.00 on any bond written.

[WILLIAM WASTON WADE] shall pay to [Continental Heritage] for deposit in [the Build Up Fund] the rate of 10% of Gross Premium charged per bond written.

21. Paragraph 8 of your, WILLIAM WATSON WADE's, contract with Continental Heritage and C.E. Parish states, in pertinent part:

INDEMNITY AGREEMENT. [WILLIAM WATSON WADE] will indemnify [Continental Heritage and C.E. Parish] and save them and each of them harmless from 100% of any and all liability, loss, costs, damages, claims, suits, attorneys' fees and expenses of whatever kind or nature which any of them may sustain or incur as a result of or in connection with the execution of any bond heretofore or hereafter written by or through [WILLIAM WATSON WADE]. . .

22. On or about September 24, 2012, your, WILLIAM WASTON WADE's, appointment with Continental Heritage expired.

23. You, WILLIAM WATSON WADE, have failed to return or otherwise account for 173 powers of attorney issued to you and Wade's Bail Bonds between April 11, 2000, and August 4, 2012, which represent a potential liability of one million seven hundred seventeen thousand and five hundred dollars (\$1,717,500.00) for Continental Heritage.

24. You, WILLIAM WATSON WADE, failed to furnish C.E. Parish with a written execution report accounting for the use of the above-referenced powers of attorney, failed to furnish C.E. Parish a remittance equal to the requisite percentage of the total premium written using said powers of attorney, and failed to furnish Continental Heritage a remittance equal to ten percent (10%) of the gross premium written using said powers of attorney for deposit into your Build Up Fund.

25. You, WILLIAM WATSON WADE, or someone under your management and supervision, failed to discharge your duties with respect to the forfeiture of a bail bond (Power No.: PC30-00922822) totaling thirty thousand dollars (\$30,000.00), written by or through you for defendant J.V.L., which resulted in the entry of a judgment against Continental Heritage in the amount of \$30,000.00 on or about January 11, 2012, by the Clerk of the Circuit Court in and for Levy County, Florida.

26. You, WILLIAM WATSON WADE, or someone under your management and supervision, failed to discharge your duties with respect to the judgment and, as a result, on or about March 3, 2012, C.E. Parish, through Continental Heritage, paid the Clerk of the Circuit Court in and for Levy County, Florida, \$30,000.00, to satisfy the judgment.

27. You, WILLIAM WATSON WADE, or someone under your management and supervision, have failed to reimburse C.E. Parish or Continental Heritage the \$30,000.00 payment or otherwise address the forfeiture or judgment with respect to Power No.: PC30-00922822.

28. You, WILLIAM WATSON WADE, or someone under your management and supervision, also failed to discharge your duties with respect to the forfeiture of a bail bond (Power No.: PC7-00964267) in the amount of five thousand dollars (\$5,000.00), written by or through you for defendant W.R.W., which resulted in the entry of a judgment against C.E. Parish in the amount of \$5,000.00 on or about May 9, 2012, by the Clerk of the Circuit Court in and for Levy County, Florida.

29. You, WILLIAM WATSON WADE, or someone under your management and supervision, failed to discharge your duties with respect to the judgment and, as a result, on or about July 5, 2012, C.E. Parish, through Continental Heritage, paid the Clerk of the Circuit Court

in and for Levy County, Florida, \$5,000.00, to satisfy the judgment.

30. You, WILLIAM WATSON WADE, or someone under your management and supervision, have failed to reimburse C.E. Parish or Continental Heritage the \$5,000.00 payment or otherwise address the forfeiture or judgment with respect to Power No.: PC7-00964267.

31. You, WILLIAM WATSON WADE, or someone under your management and supervision, also failed to discharge your duties with respect to the forfeitures of two bail bonds (Power Nos.: PC75-00938558 and PC7-00915993) in the amounts of five thousand dollars (\$5,000.00) and one thousand five hundred dollars (\$1,500.00), respectively, written by or through you for defendant N.M.O., which resulted in the entry of judgments against C.E. Parish in the amounts of \$1,500.00 and \$5,000.00 on or about February 16, 2012, by the Clerk of the Circuit Court in and for Gilchrist County, Florida.

32. You, WILLIAM WATSON WADE, or someone under your management and supervision, failed to discharge your duties with respect to the judgment and, as a result, on or about July 13, 2012, C.E. Parish, through Continental Heritage, paid the Clerk of the Circuit Court in and for Gilchrist County, Florida, \$6,500.00, to satisfy the judgment.

33. You, WILLIAM WATSON WADE, or someone under your management and supervision, have failed to reimburse C.E. Parish or Continental Heritage for the \$6,500.00 payment or otherwise address the forfeiture or judgment with respect to Power Nos.: PC75-00938558 and PC7-00915993.

34. You, WILLIAM WATSON WADE, or someone under your management and supervision, failed to discharge your duties with respect to the forfeiture of a bail bond (Power No.: PC2-00906051) totaling two thousand dollars (\$2,000.00), written by or through you for defendant C.L.B., which resulted in the entry of a judgment against Continental Heritage in the

amount of \$2,000.00 on or about June 11, 2012, by the Clerk of the Circuit Court in and for Marion County, Florida.

35. You, WILLIAM WATSON WADE, or someone under your management and supervision, failed to discharge your duties with respect to the judgment and, as a result, on or about August 6, 2012, C.E. Parish, through Continental Heritage, paid the Clerk of the Circuit Court in and for Marion County, Florida, \$2,000.00, to satisfy the judgment.

36. You, WILLIAM WATSON WADE, or someone under your management and supervision, have failed to reimburse C.E. Parish or Continental Heritage the \$2,000.00 payment or otherwise address the forfeiture or judgment with respect to Power No.: PC2-00906051.

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

A. Section 648.295(1), Florida Statutes, which provides that all premiums, return premiums, or other funds belonging to insurers or others received by a licensee in transactions under the license are trust funds received by the licensee in a fiduciary capacity and the licensee must account for and pay the same to the insurer, insured, or other person entitled to such funds.

B. Section 648.295(3), Florida Statutes, which provides that any licensee who unlawfully diverts or appropriates funds received in a fiduciary capacity, or any portion thereof, to her or his own use commits larceny by embezzlement, punishable as provided by law.

C. 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.

D. 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.

E. 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.

F. 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 this chapter of the insurance code.

G. 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.

H. Section 648.45(2)(m), Florida Statutes, which provides that it is a violation of law to fail to perform a contractual obligation or agreement with a managing general agent or insurer which results in an unrecovered loss due to nonpayment of a forfeiture or judgment by the licensee.

I. Section 648.45(2)(p), Florida Statutes, which provides that it is a violation of law to demonstrate a course of conduct or practices which indicate that the licensee is incompetent, negligent, or dishonest or that property or rights of clients cannot safely be entrusted to the licensee.

J. 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 to violate any provision of the insurance code.

K. Section 648.45(3)(e), Florida Statutes, which provides that it is a violation of law to be found to be a source of injury or loss to the public or detrimental to the public interest or to be found to no longer carry on the bail bond business in good faith.

COUNT II

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

38. On or around February 19, 2012, 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.

39. Subsequently, on or around March 3, 2012, 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.

40. Ross Wade knew or should have known that he was required to provide the original power of attorney to the court; that the power authorized him to use it only once in the administration of a bond; that he had previously used said power in the administration of J.J.'s bond; and that he filed a carbon copy or photocopy of the power in the subsequent administration of D.V.'s bail bond.

41. Under your, WILLIAM WATSON WADE's, management and supervision, Ross Wade signed and filed a record which he knew to be false or misleading.

IT IS THEREFORE CHARGED that you, WILLIAM WATSON 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

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

43. On or around March 9, 2012, Ross Wade executed and filed power number PC75-00972229 to accompany a thirty thousand (\$30,000.00) appearance bond filed on behalf of C.R., in Dixie County, Florida. The appearance bond indicated that the attached power was numbered PC75-00972229.

44. On or around March 11, 2012, 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.

45. Ross Wade knew or should have known that he was required to file the original power of attorney to the court; that the power authorized him 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 he 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.

46. Under your, WILLIAM WATSON WADE's, management and supervision, Ross Wade signed and filed a record which he knew to be false or misleading.

IT IS THEREFORE CHARGED that you, WILLIAM WATSON 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 IV

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

48. On or around March 30, 2012, you, WILLIAM WATSON WADE, or an employee of Wade's Bail Bonds under your management and supervision, executed and filed a carbon copy or photocopy of power number PC7-00964267, altered to reflect that the power was numbered PC7-00964287. The power accompanied a seven thousand dollar (\$7,000.00)

appearance bond filed on behalf of William Ross Wade in Gilchrist County, Florida for charges arising out of Dixie County, Florida.

49. The appearance bond indicated that the attached power was numbered PC7-00964287.

50. On or around April 21, 2012, you, WILLIAM WATSON WADE, or an employee of Wade's Bail Bonds under your management and supervision, 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.

51. You, WILLIAM WATSON WADE, or an employee under your management and control, knew or should have known that the power number reflected on Ross Wade's appearance bond was inaccurate.

52. You, WILLIAM WATSON WADE, or an employee of Wade's Bail Bonds under your management and supervision, knew or should have known that Continental Heritage powers required that the original form be filed with the court; that a carbon copy or photocopy, not the original, was filed in the administration of Ross Wade's bond; that the carbon copy or photocopy had been altered, rendering it void; and that an altered photocopy or carbon copy of the power was perviously used in the administration of J.R.'s bond.

53. You, WILLIAM WATSON WADE, or an employee under your management and supervision, signed and filed records known to be false or misleading.

IT IS THEREFORE CHARGED that you, WILLIAM WATSON 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.

WHEREFORE, you, WILLIAM WATSON 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 18th day of April, 2014.



A solid black rectangular box used to redact the signature of Gregory Thomas.

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 WATSON WADE, Post Office Box 145, Old Town, Florida 32680, by Certified Mail this 18th 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 WATSON WADE

CASE NO.: 133562-13-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.: _____

STATE OF FLORIDA

COUNTY OF DIXIE

Before the undersigned authority personally appeared Jean Davis who on oath says she is Customer Service Representative of the Dixie County Advocate, a weekly newspaper published at Cross City in Dixie County, Florida; that the attached copy of advertisement, being a **Legal Notice of Administrative Complaint**. *Run date, November 20th & 27th and December 4th & 11th, 2014.* The Advocate is a newspaper published at Cross City in said Dixie County, Florida, and that the said newspaper has therefore been continuously published in said Dixie County, Florida, each week and has been entered as second class mail matter at the Post Office in Cross City, in said Dixie County, Florida, for the period of one year preceding the first publication of attached advertisement ; and affidavit further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me this **11th** day of **December, 2014** by,

X Jean Davis

Signature

Who is personally known to me or has produced identification.

X Kimberli Karlson

(SEAL/ STAMP)  KIMBERLI KARLSEN
Notary Public
Commission #EP-633719
EXPIRES: October 1, 2016
Bonded Thru Budget Notary Services

ADMINISTRATIVE COMPLAINT

William Watson Wade
ADMINISTRATIVE COMPLAINT
Case No. 15-00013-AG
Old Town, Florida

An ADMINISTRATIVE COMPLAINT has been filed against you. You have the right to request a hearing pursuant to Sections 120.000 and 120.07 (1) and (2), Florida Statute, by making a request for same to the Department of Financial Services, Division of Legal Services, 200 E. Gaines St., Tallahassee, Florida 32300-0533. If a request for hearing is not received by January 1, 2015, the right to a hearing in this matter will be waived and the Chief Financial Officer will dispose of this case in accordance with the law.

47,48,49,50

