



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

FILED

FEB 09 2015

Docketed by Ed

IN THE MATTER OF:

PAN AMERICAN TITLE COMPANY

CASE NO.:144193-14-AG

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 January 16, 2015, and being otherwise fully advised in the premises, the Chief Financial Officer hereby finds:

1. The Chief Financial Officer, as head of the Department of Financial Services ("Department"), has jurisdiction over the subject matter of this case and parties hereto.

2. The entry of this Consent Order and compliance herewith by Pan American Title Company shall conclude the administrative proceeding in Case No. 144193-14-AG before the Department.

IT IS THEREFORE ORDERED:

(a) The Settlement Stipulation for Consent Order dated January 16, 2015, 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 six (6) 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 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 and shall not be employed by any title agent or agency, have any ownership interest in any business involving title, or have any financial interest of any type in any title business during the period of suspension.

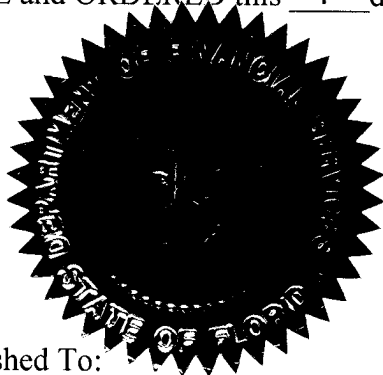
(d) The Respondent shall be placed on probation for a period of two (2) years following the Respondent's reinstatement of license. As a condition of probation, the Respondent shall strictly adhere to all provisions of the Florida Insurance Code and Rules of the Florida Department of Financial Services and Chief Financial Officer and all other laws of the State of Florida. If during the period of probation, the Department has good cause to believe that the Respondent has violated the terms or conditions of this probation or any other probation, it shall promptly initiate administrative action to suspend or revoke the licenses and appointments of the Respondent.

(e) Both parties acknowledge that the Respondent has disbursed funds to correct many of the allegations in the pending amended administrative complaint. If other disbursements are necessary to resolve remaining allegations in the amended administrative complaint, the Respondent shall satisfy or cause to satisfy all outstanding disbursements within ninety (90) days of the anticipated Consent Order and shall provide the Department with proof of said disbursements. If the Respondent is unable to locate the individuals identified in the amended administrative complaint for the purposes of paying disbursements, the Respondent shall within ninety (90) days of the entry of the Consent Order remit said funds to the Bureau of

Unclaimed Property, 200 E. Gaines Street, Tallahassee, Florida 32399-0358, and shall enclose a copy of the Settlement Stipulation For Consent Order and the Consent Order along with the remittance. Reinstatement shall be conditioned upon the Respondent's compliance with all terms of this Settlement Stipulation for Consent Order and the Consent Order to be entered in this cause, including disbursements, and upon compliance with the terms of suspension. Failure of the Respondent to comply with this paragraph shall constitute a material breach of this Settlement Stipulation and the resulting Consent Order.

3. If the Department has good cause to believe that the Respondent has violated any condition of the Consent Order to be issued in this case, the Respondent 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 it 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.

DONE and ORDERED this 9th day of February, 2015.



Gregory Thomas
Director, Agent & Agency Services

Copies Furnished To:

Pan American Title Company
Nilsa Santos Fernandez
8220 Hanley Road
Tampa, Florida 33634

N. Burton Williams, PA
324 South Hyde Park Avenue, Suite 275
Tampa, FL 33606

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

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

Attorney for Department



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

IN THE MATTER OF:

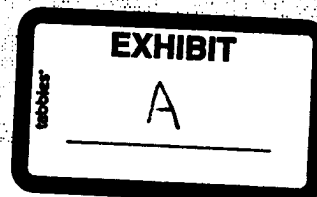
Case No: 144193-14-AG

PAN AMERICAN TITLE COMPANY/

SETTLEMENT STIPULATION FOR CONSENT ORDER

IT IS HEREBY AGREED and STIPULATED by and between Pan American Title Company (the "Respondent") and the State of Florida, Department of Financial Services (the "Department"), that:

1. The Respondent is currently licensed as a title insurance agency. At all times relevant to the dates and occurrences referred to herein, the Respondent is 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. On May 8, 2014, the Department issued an Administrative Complaint alleging the Respondent mishandled escrow funds, failed to charge the promulgated rates for title insurance, made overcharges for related title services, failed to properly document the closing service fees in the HUD-1 Settlement Statement, and failed to disburse funds according to the HUD-1 Settlement Statement. The matter is presently pending at the Florida Division of Administrative Hearings. In order to avoid expending additional costs and attorney's fees pursuing formal litigation of this matter, the Respondent has determined that it is in its best interest 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. 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 disciplinary penalties to be imposed against the Respondent based on the allegations in the Administrative Complaint.

6. 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.

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

8. Each party to this proceeding shall bear its own costs and attorney's fees, unless otherwise provided herein.

9. 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 six (6) 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 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 and shall not be employed by any title agent or agency, have any ownership interest in any business involving title, or have any financial interest of any type in any title business during the period of suspension.

(d) The Respondent shall be placed on probation for a period of two (2) years following the Respondent's reinstatement of license. As a condition of probation, the Respondent shall strictly adhere to all provisions of the Florida Insurance Code and Rules of the Florida Department of Financial Services and Chief Financial Officer and all other laws of the State of Florida. If during the period of probation, the Department has good cause to believe that the Respondent has violated the terms or conditions of this probation or any other probation, it shall promptly initiate administrative action to suspend or revoke the licenses and appointments of the Respondent.

(e) Both parties acknowledge that the Respondent has disbursed funds to correct many of the allegations in the pending amended administrative complaint. If other disbursements are necessary to resolve remaining allegations in the amended administrative complaint, the Respondent shall satisfy or cause to satisfy all outstanding disbursements within ninety (90) days of the anticipated Consent Order and shall provide the Department with proof of said disbursements. If the Respondent is unable to locate the individuals identified in the amended administrative complaint for the purposes of paying disbursements, the Respondent shall within ninety (90) days of the entry of the Consent Order remit said funds to the Bureau of Unclaimed Property, 200 E. Gaines Street, Tallahassee, Florida 32399-0358, and shall enclose a

copy of the Settlement Stipulation For Consent Order and the Consent Order along with the remittance. Reinstatement shall be conditioned upon the Respondent's compliance with all terms of this Settlement Stipulation for Consent Order and the Consent Order to be entered in this cause, including disbursements, and upon compliance with the terms of suspension. Failure of the Respondent to comply with this paragraph shall constitute a material breach of this Settlement Stipulation and the resulting Consent Order.

10. If the Department has good cause to believe that the Respondent has violated any condition of the Consent Order to be issued in this case, the Respondent 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 it 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.


11. The Respondent certifies that the address below the Respondent's signature is a valid address at which the Respondent will receive the Consent Order when mailed to that address.

12. The person signing this Settlement Stipulation for Consent Order on behalf of the Respondent has the authority to enter into the Settlement Stipulation for Consent Order.

DATED and SIGNED this 16th day of JANUARY, 2015.



Pan American Title Company
Nilsa Santos Fernandez
8220 Hanley Road
Tampa, Florida 33634


Zaynab Saliman, Esq.
Department of Financial Services
Division of Legal Services
200 East Gaines Street
Tallahassee, Florida 32399-0320

NILSA SANTOS FERNANDEZ

Print Name of Signee

cc: N. Burton Williams, PA
324 South Hyde Park Avenue, Suite 275
Tampa, FL 33606