



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

FILED

APR 17 2015

Docketed by KL

IN THE MATTER OF:

CASE NO.: 171290-15-AG

HOWARD LESTER SCHWARTZ
_____ /

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 March 31, 2015, 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 Howard Lester Schwartz (the "Respondent"), license #A235996, shall conclude the administrative proceeding of Case No. 171290-15-AG before the Department.

IT IS THEREFORE ORDERED:

(a) The Settlement Stipulation for Consent Order dated March 31, 2015, and attached hereto as "Exhibit A," is hereby approved and fully incorporated herein by reference.

(b) The Respondent shall be placed on probation pursuant to section 626.691, Florida Statutes, for a period of one (1) year. As a condition of probation, the Respondent shall

strictly adhere to all provisions of the Florida Insurance Code and Rules of the Department. 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 it shall initiate administrative action to suspend or revoke the license and appointments of the Respondent.

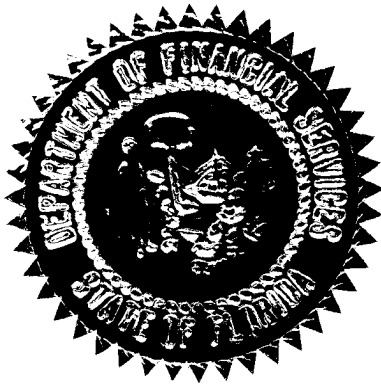
(c) The Respondent shall pay an administrative penalty in the amount of one thousand five hundred dollars (\$1,500.00) as authorized by section 626.681(1), Florida Statutes, within thirty (30) calendar days of the entry of this Consent Order. Failure of the Respondent to pay the administrative penalty within the specified time limit shall result in the immediate suspension of the Respondent's licenses and eligibility for licensure in this state without further proceedings for a period of sixty (60) days.


(d) If the Respondent is suspended for violating the Settlement Stipulation for Consent Order or this Consent Order, the Respondent shall, at the end of the applicable period of suspension, be entitled to file an application for reinstatement of licensure. However, the Respondent's licenses 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 report all administrative actions taken against him within thirty (30) days of the final disposition.

(f) If the Department has good cause to believe that the Respondent has violated any condition of this 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 he shall be liable to the Department for all reasonable costs and attorneys fees expended in the enforcement action.

DONE and ORDERED this 17 day of April, 2015.




Gregory Thomas
Director, Agent & Agency Services

Copies Furnished To:

sue@howardschwartzpa.com

Howard Lester Schwartz
7781 Northwest Beacon Square Boulevard
Suite 102
Boca Raton, Florida 33487-1313

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

INVOICE

ADMINISTRATIVE PENALTY IMPOSED BY CONSENT ORDER

In order to ensure that your payment is received and properly credited, please **return this invoice with your check payable to:**

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

PAYMENT MUST BE RECEIVED WITHIN 30 DAYS OF ISSUANCE OF CONSENT ORDER

REFERENCE

NAME Howard Lester Schwartz
ADDRESS: 7781 Northwest Beacon Square Boulevard, Suite 102
CITY, STATE, ZIP: Boca Raton, Florida 33487-1313
SS# or AGENT#: A235996
Case #: 171290-15-AG
Attorney: Complaint & Settlement
Source: Agent & Agency Investigations

CASHER'S OFFICE
2015 APR 20 AM 9:41

Fine Due:	\$	<u>1,500.00</u>
Cost Due:	\$	<u> </u>
Total Amount Due:	\$	<u>1,500.00</u>
Amount remitted:	\$	<u>1500.00</u>

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

B/T	T/C	F/T	INV AMT (inserted by operator)
M	6100	J	

15 APR 21 AM 12:27
SPECIAL AGENT



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

IN THE MATTER OF:

Case No: 171290-15-AG

HOWARD LESTER SCHWARTZ/

SETTLEMENT STIPULATION FOR CONSENT ORDER

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

1. The Respondent is currently licensed as a Life and Variable Annuity Agent, a Life, Health and Variable Annuity Agent, a Life Agent, a Life and Health Agent, and a Health Agent. 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 his capacity as a licensee. As a result thereof, the Department alleges that the Respondent failed to report an administrative action taken against him by the Financial Industry Regulatory Authority (FINRA)

EXHIBIT

A

within thirty (30) days of the final disposition. In order to avoid formal litigation of this matter, the Respondent has determined that it is in his 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 shall be placed on probation pursuant to section 626.691, Florida Statutes, for a period of one (1) year. As a condition of probation, the Respondent shall strictly adhere to all provisions of the Florida Insurance Code and Rules of the Department. 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 it shall initiate administrative action to suspend or revoke the license and appointments of the Respondent.

(c) The Respondent shall pay an administrative penalty in the amount of one thousand five hundred dollars (\$1,500.00) as authorized by section 626.681(1), Florida Statutes, within thirty (30) calendar days of the entry of the Consent Order to be issued in this case. Failure of the Respondent to pay the administrative penalty within the specified time limit shall result in the immediate suspension of the Respondent's licenses and eligibility for licensure in this state without further proceedings for a period of sixty (60) days.

(d) If the Respondent is suspended for violating the Settlement Stipulation for Consent Order or the Consent Order to be entered in this cause, the Respondent shall, at the end of the applicable period of suspension, be entitled to file an application for reinstatement of licensure. However, the Respondent's licenses 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 report all administrative actions taken against him within thirty (30) days of the final disposition.

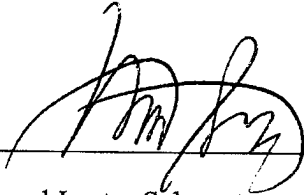
(f) If the Department has good cause to believe that the Respondent has violated any condition of this Consent Order, then the Respondent authorizes the Department to seek the immediate enforcement of the order in the Circuit Court of the Second Judicial Circuit, in and for Leon County, in Tallahassee,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

the Respondent agrees that he shall be liable to the Department for all reasonable costs and attorneys fees expended in the enforcement action.

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 31st day of March, 2015.



Howard Lester Schwartz
7781 Northwest Beacon Square Boulevard
Suite 102
Boca Raton, Florida 33487-1313
SUE@HOWARDSCHWARTZPA.COM



Barry K. Lanier, FLMI, CLU
Bureau Chief
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