



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

FILED

APR 15 2015

Docketed by MC

IN THE MATTER OF:

CASE NO.: 170736-15-AG

DUNCAN COMRIE DEWAHL
_____ /

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 19, 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 Duncan Comrie Dewahl (the "Respondent"), license #E120019, shall conclude the administrative proceeding of Case No. 170736-15-AG before the Department.

IT IS THEREFORE ORDERED:

(a) The Settlement Stipulation for Consent Order dated March 19, 2015, and attached hereto as "Exhibit A," is hereby approved and fully incorporated herein by reference.

(b) 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 denial of the Respondent's application for reinstatement of licensure, should the Respondent file an application for reinstatement of licensure.

(c) 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 license(s) issued to the Respondent pursuant to the Florida Insurance Code.

(d) 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.


(e) 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 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.

(f) The Respondent shall report any administrative action taken against him within thirty (30) days of the final disposition.

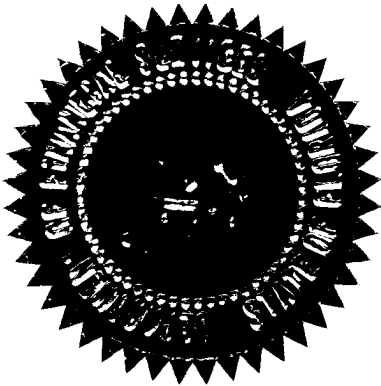
(g) If the Department has good cause to believe that the Respondent has violated any condition of this Consent Order, then the Respondent authorizes the Department to seek the immediate enforcement of the order in the Circuit Court of the Second Judicial Circuit, in and for Leon County, in Tallahassee,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

(h) 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.

DONE and ORDERED this 15th day of April, 2015.



Gregory Thomas
Director, Agent & Agency Services



Copies Furnished To:

duncandewahl@yahoo.com

Duncan Comrie Dewahl
541 Dommerich Drive
Maitland, Florida 32751

mswann@srsllaw.net

K. Michael Swann
Snyderburn, Rishoi & Swann, LLP
2250 Lucien Way, Suite 140
Maitland, Florida 32751

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



RESIDENT
LICENSE

Chief Financial Officer
State of Florida
DUNCAN C DEWAHL
License Number E120019
IS LICENSED TO TRANSACT THE FOLLOWING CLASS OF BUSINESS:
Life, Health & Var Annuity

61000 VAL: 21670075 2015-05-04
460843 \$1,500.00 PID: 3536475

INVOICE

FINES AND PENALTIES IMPOSED BY CONSENT ORDER

This licensee must have an active appointment with the insurer or employer for which products or services are being marketed. See reverse for additional requirements.
The Florida Community College System's experience is subcontracted for providing test centers for the fulfillment of its contract with the Florida Department of Financial Services.

DEPARTMENT OF FINANCIAL SERVICES

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 Duncan Comrie Dewahl
ADDRESS: 541 Dommerich Drive
CITY, STATE, ZIP: Maitland, Florida 32751
SS# or AGENT#: E120019
Case #: 170736-15-AG
Attorney: Complaint & Settlement
Source: Agent & Agency Investigations

15 MAY -5 AM 10:26
DIV OF LEGAL SERVICES
RECEIVED

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



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

IN THE MATTER OF:

Case No: 170736-15-AG

DUNCAN COMRIE DEWAHL/

SETTLEMENT STIPULATION FOR CONSENT ORDER

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

1. The Respondent is currently licensed as a Life, Health and Variable Annuity 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. On April 29, 2014 the Financial Industry Regulatory Authority (FINRA) entered a Letter of Acceptance, Waiver and Consent imposing a \$5000.00 fine and suspending the Respondent for six (6) months in all capacities from any FINRA member firm and he failed to



report the administrative action taken by FINRA to the Department 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 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 denial of the Respondent's application for reinstatement of licensure, should the Respondent file an application for reinstatement of licensure.

(c) 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 license(s) issued to the Respondent pursuant to the Florida Insurance Code.

(d) 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.

(e) 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 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.

(f) The Respondent shall report any administrative action taken against him within thirty (30) days of the final disposition.

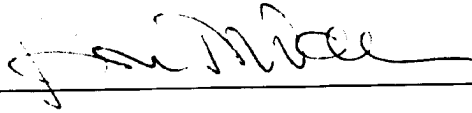
(g) If the Department has good cause to believe that the Respondent has violated any condition of the Consent Order, then the Respondent authorizes the Department to seek the immediate enforcement of the order in the Circuit Court of the Second Judicial Circuit, in and for Leon County, in Tallahassee, Florida. If such an enforcement order is granted, then the Respondent agrees that he shall be liable to the Department for all reasonable costs and attorneys fees expended in the enforcement action.

(h) 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 19 day of MARCH, 2015.



Duncan Comrie DeWahl
541 Dommerich Drive
Maitland, Florida 32751-4502

DUNCANDEWAHL@YAHOO.COM



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

K. Michael Swann, Esquire
Snyderburn, Rishoi & Swann, LLP
2250 Lucien Way, Suite 140
Maitland, Florida 32751

MSWANN@SRSLAW.NET

Attorney for the Respondent