



CHIEF FINANCIAL OFFICER  
JEFF ATWATER  
STATE OF FLORIDA

**FILED**

MAY 26 2015

Docketed by MC

IN THE MATTER OF:

CASE NO.: 165934-14-AG

BERNARD FELDMAN  
\_\_\_\_\_ /

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 May 18, 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 Bernard Feldman (the "Respondent"), an unlicensed individual, shall conclude the administrative proceeding of Case No. 165934-14-AG before the Department.

IT IS THEREFORE ORDERED:

a) The Settlement Stipulation for Consent Order dated May 18, 2015, and attached hereto as "Exhibit A," is hereby approved and fully incorporated herein by reference.

b) The Respondent shall cease and desist from acting as a title agent without a license and shall conform to the Florida Insurance Code, including sections 626.112(1)(a) and (3), Florida Statutes.


c) The Respondent shall be permanently barred from applying for licensure and appointment with the Department and the Department shall refuse to grant or issue any new license or appointment so applied for.

d) Subsequent to the date of the execution of this Consent Order, the Respondent shall not make application to the Department for any license or permit issued under the authority of the Department. Subsequent to the date of the execution of this Consent Order, the Respondent shall be permanently ineligible to receive from the Department any license or permit issued under the authority of the Florida Department of Financial Services.

e) The Respondent shall be immediately and permanently removed, pursuant to section 624.310, Florida Statutes. The Respondent shall otherwise be immediately and permanently removed and permanently barred from any and all direct or indirect participation in and/or affiliation with, any entity which is licensed or regulated under the Florida Insurance Code, as defined in section 624.01, Florida Statutes, and any individual or entity which is otherwise involved in the business or transaction of insurance.

DONE and ORDERED this 26<sup>th</sup> day of May, 2015.



  
Gregory Thomas  
Director, Agent & Agency Services

Copies Furnished To:

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Tallahassee, Florida 32399-0333



CHIEF FINANCIAL OFFICER  
JEFF ATWATER  
STATE OF FLORIDA

IN THE MATTER OF:

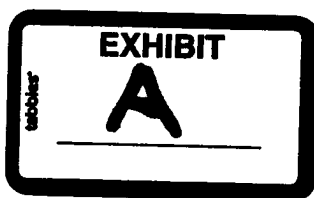
Case No: 165934-14-AG

BERNARD FELDMAN /

SETTLEMENT STIPULATION FOR CONSENT ORDER

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

1. Pursuant to chapter 626, Florida Statutes, the Department has jurisdiction over the Respondent, and the business of insurance.
2. At all times relevant to the dates and occurrences referred to herein, the Respondent did not hold a Title Agent license in Florida.
3. The Department conducted an investigation of the Respondent and alleges that the Respondent acted as a Title Agent without a valid license and appointment, misappropriated premiums collected from insureds, and fraudulently created title commitments from an insurer with which he was not appointed. 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 Stipulation.

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 license disciplinary administrative penalties to be imposed against the Respondent based on the allegations in paragraph 3 above.

6. Neither party will appeal this Settlement Stipulation for Consent Order or the Consent Order to be issued in this cause, 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 attorneys fees.

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 the terms and conditions of this Settlement Stipulation for Consent Order.

(b) The Respondent shall cease and desist from acting as a title agent without a license and shall conform to the Florida Insurance Code, including sections 626.112(1)(a) and (3), Florida Statutes.

(c) The Respondent shall be permanently barred from applying for licensure and appointment with the Department and the Department shall refuse to grant or issue any new license or appointment so applied for.

(d) Subsequent to the date of the execution of the Consent Order, the Respondent shall not make application to the Department for any license or permit issued under the authority of the Department. Subsequent to the date of the execution of the Consent Order, the Respondent shall be permanently ineligible to receive from the Department any license or permit issued under the authority of the Florida Department of Financial Services.

(e) The Respondent shall be immediately and permanently removed, pursuant to section 624.310, Florida Statutes. The Respondent shall otherwise be immediately and permanently removed and permanently barred from any and all direct or indirect participation in and/or affiliation with, any entity which is licensed or regulated under the Florida Insurance Code, as defined in section 624.01, Florida Statutes, and any individual or entity which is otherwise involved in the business or transaction of insurance.

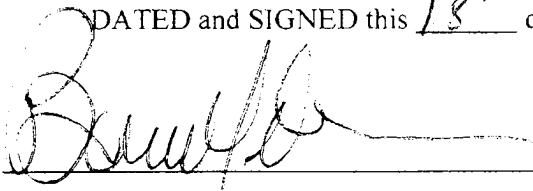
(f) Any person who knowingly transacts insurance or otherwise engages in insurance activities in this state without a license, or while the license is suspended or revoked, commits a felony of the third degree.

(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.

10. The Respondent certifies that the address and e-mail address below the Respondent's signature are valid addresses.

11. 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 18<sup>th</sup> day of May, 2015.



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