



CHIEF FINANCIAL OFFICER  
JEFF ATWATER  
STATE OF FLORIDA

**FILED**  
JUN 24 2015  
Docketed by LO

IN THE MATTER OF:

CASE NO.: 152258-14-AG

JEFFREY BRETT RUBIN

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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 September 17, 2014, and being fully advised in the premises, finds that:

1. Jeffrey Brett Rubin (the "Respondent") is currently licensed by the Department of Financial Services (the "Department"), pursuant to the Florida Insurance Code, as a life including variable annuity agent.
2. On September 17, 2014, the Department filed an Administrative Complaint against the Respondent alleging that he violated the laws of this state as a result of the Financial Industry Regulatory Authority ("FINRA") entering a Letter of Acceptance, Waiver and Consent barring the Respondent from associating with any FINRA member in any capacity. A copy of the Administrative Complaint is attached hereto as Exhibit "A."

3. The Administrative Complaint notified the Respondent 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. In accordance with section 120.60(5), Florida Statutes, the Department served the Administrative Complaint upon the Respondent by publication in the Sun-Sentinel on April 27, 2015, May 4, 2015, May 11, 2015, and May 18, 2015. A copy of the publication is attached hereto as Exhibit "B".

5. The Respondent failed to answer the Administrative Complaint or request a proceeding, within twenty-one (21) days, in accordance with sections 120.569 and 120.57, Florida Statutes.

#### FINDINGS OF FACT

6. The factual allegations contained in the Administrative Complaint dated September 17, 2014, and fully incorporated herein by reference, are hereby adopted as the Department's Findings of Fact in this case.

#### CONCLUSIONS OF LAW

7. Based upon the Findings of Fact adopted herein, the Department concludes that the Respondent violated the specific statutes and rules charged in each count of the Administrative Complaint, and hereby adopts the violations charged in each count of the Administrative Complaint as the Conclusions of Law in this case.

PENALTY IMPOSED

8. The failure of the Respondent 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 Respondent's license.

IT IS THEREFORE ORDERED that:

(a) All licenses, appointments and eligibility for licensure heretofore issued to Jeffrey Brett Rubin, within the purview of the Department, are hereby REVOKED.

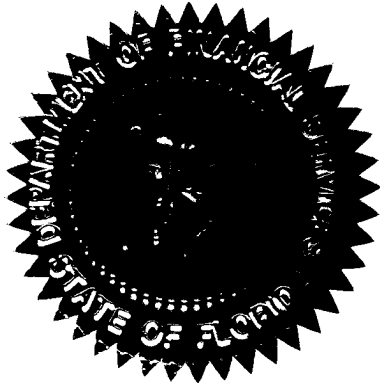
(b) Jeffrey Brett Rubin does not have the right to apply for another license or appointment under the Florida Insurance Code within two years from the date of this Order of Revocation. The Department shall not grant Jeffrey Brett Rubin a new license or appointment or reinstate eligibility to hold such license or appointment if it finds that the circumstances for which the Administrative Complaint was issued still exist or are likely to recur.


(c) During the period of revocation, Jeffrey Brett Rubin 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 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.

(d) Jeffrey Brett Rubin 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 him pursuant to the Florida Insurance Code.

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

DONE and ORDERED this 24<sup>th</sup> day of June, 2015.



  
Gregory Thomas  
Division Director, Agent & Agency Services

### NOTICE OF RIGHT TO APPEAL

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](mailto: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 days of the rendition of this Order.

Copies Furnished To:

Jeffrey Brett Rubin  
6600 N Andrews Avenue  
Suite 130  
Fort Lauderdale, Florida 33309  
leeproports@aol.com

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

Derick Dehmer  
Division of Legal Services  
200 East Gaines Street  
Tallahassee, Florida 32399-0333



CHIEF FINANCIAL OFFICER  
JEFF ATWATER  
STATE OF FLORIDA

**FILED**

SEP 17 2014

Docketed by                     

IN THE MATTER OF:

CASE NO.: 152258-14-AG

JEFFREY BRETT RUBIN  
\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

Jeffrey Brett Rubin  
2385 NE 28th St  
Lighthouse Point, Florida 33064

Jeffrey Brett Rubin  
6600 N Andrews Avenue  
Suite 130  
Fort Lauderdale, Florida 33309

Jeffrey Brett Rubin, license I.D. #A227722, is hereby notified that pursuant to chapter 626, Florida Statutes, the Chief Financial Officer of the State of Florida has caused to be made an investigation of his activities while licensed as a life including variable annuity agent in this state, as a result of which it is alleged:

GENERAL ALLEGATIONS

1. Jeffrey Brett Rubin is currently licensed in this state as a life including variable annuity agent (2-14).
2. At all times pertinent to the allegations contained herein, Jeffrey Brett Rubin was eligible for licensure and licensed as an insurance agent in this state.

**EXHIBIT**

A

3. On September 4, 1997, Jeffrey Brett Rubin first became registered with the Financial Industry Regulatory Authority ("FINRA") as an Investment Company and Variable Products Representative.

4. On June 28, 2000, Jeffrey Brett Rubin became registered as a General Securities Representative.

5. Pursuant to chapter 626, Florida Statutes, the Florida Department of Financial Services (the "Department") has jurisdiction over your insurance licenses and appointments.

#### COUNT I

6. The above general allegations are hereby realleged and fully incorporated herein by reference.

7. On or about March 7, 2013, FINRA entered a Letter of Acceptance, Waiver and Consent barring Jeffrey Brett Rubin from associating with any FINRA member in any capacity based on findings that he made unsuitable recommendations to customers and participated in unapproved securities transactions.

IT IS THEREFORE CHARGED that Jeffrey Brett Rubin has violated or is accountable under the following provision of the Florida Insurance Code, which is grounds for the suspension or revocation of his licenses and appointments:

(a) Section 626.621(13), Florida Statutes, which provides that the department may suspend or revoke the license of any agent if it finds that the agent has had a license, permit, appointment, registration, or other authority to conduct business subject to any decision, finding, injunction, suspension, prohibition, revocation, denial, judgment, final agency action, or administrative order by any court of competent jurisdiction, administrative law proceeding, state agency, federal agency, national securities, commodities, or option exchange, or national



securities, commodities, or option association involving a violation of any federal or state securities or commodities law or any rule or regulation adopted thereunder, or a violation of any rule or regulation of any national securities, commodities, or options exchange or national securities, commodities, or options association.

## COUNT II

8. The above general allegations and the allegation in paragraph 7 are hereby realleged and fully incorporated herein by reference.

9. Jeffrey Brett Rubin failed to report to the Department the aforementioned action taken by FINRA within thirty (30) days.

IT IS THEREFORE CHARGED that Jeffrey Brett Rubin has violated or is accountable under the following provision of the Florida Insurance Code, which is grounds for the suspension or revocation of his licenses and appointments:

(a) Section 626.621(2), Florida Statutes, which provides that the department may, in its discretion, deny an application for, suspend, revoke, or refuse to renew the license or appointment of any agent if it finds that the licensee violated any provision of this code or any other law applicable to the business of insurance in the course of dealing under the license or appointment.

(b) Section 626.536, Florida Statutes, which provides that within 30 days after the final disposition of an administrative action taken against a licensee or insurance agency by a governmental agency or other regulatory agency in this or any other state or jurisdiction relating to the business of insurance, the sale of securities, or activity involving fraud, dishonesty, trustworthiness, or breach of a fiduciary duty, the licensee or insurance agency must submit a copy of the order, consent to order, or other relevant legal documents to the department.

COUNT III

10. The above general allegations are hereby realleged and fully incorporated herein by reference.

11. On August 7, 2013, Jeffrey Brett Rubin was issued a notification of an on-going investigation by mail to 6600 N. Andrews Avenue, Suite 130, Fort Lauderdale, FL 33309-2188, the address which he provided to and had on file with the Department. On August 14, 2013, the U.S. Postal Service returned the mail as undeliverable.

12. On September 4, 2013, the Department attempted calling the two phone numbers that Jeffrey Brett Rubin provided to the Department. Both phone numbers were not in service.

13. Jeffrey Brett Rubin failed to notify the Department, within thirty (30) days, after a change of his home, business and/or e-mail address.

IT IS THEREFORE CHARGED that Jeffrey Brett Rubin has violated or is accountable under the following provision of the Florida Insurance Code, which is grounds for the suspension or revocation of his licenses and appointments:


(a) Section 626.621(2), Florida Statutes, which provides that the department may, in its discretion, deny an application for, suspend, revoke, or refuse to renew the license or appointment of any agent if it finds that the licensee violated any provision of this code or any other law applicable to the business of insurance in the course of dealing under the license or appointment.

(b) Section 626.551, Florida Statutes, which provides that a licensee must notify the department, in writing, within 30 days after a change of name, residence address, principal business street address, mailing address, contact telephone numbers, including a business telephone number, or e-mail address.

WHEREFORE, Jeffrey Brett Rubin is hereby notified that the Chief Financial Officer intends to enter an Order suspending or revoking his licenses and appointments as an insurance agent or to impose such penalties as may be provided under the provisions of sections 626.611, 626.621, 626.641, 626.6815, 626.691 and 626.9521, Florida Statutes, and under the other referenced sections of the Florida Statutes as set out in this Administrative Complaint.

DATED and SIGNED this 18<sup>th</sup> day of August, 2014.



  
Gregory Thomas  
Director, Agent & Agency Services

#### NOTICE OF RIGHTS

Respondent has 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 Respondent, 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. Respondent's 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 RESPONDENT'S WRITTEN RESPONSE IS RECEIVED BY THE DEPARTMENT WITHIN TWENTY-ONE (21) DAYS OF HIS RECEIPT OF THIS NOTICE WILL CONSTITUTE A WAIVER OF HIS RIGHT TO REQUEST A PROCEEDING ON THE MATTERS ALLEGED HEREIN AND A CEASE AND DESIST ORDER SHALL BE ENTERED AGAINST HIM.**

If Respondent requests a proceeding, he 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, Respondent's 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, Respondent has the right to be represented by counsel or other qualified representative at his 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, Respondent 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 Respondent feels that a hearing is necessary, one will be conducted in Tallahassee, Florida, or by telephonic conference call upon your request.

However, if Respondent disputes any material facts which are the basis for the Department's action, he 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 freeform 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.

STATE OF FLORIDA  
DEPARTMENT OF FINANCIAL SERVICES  
DIVISION OF LEGAL SERVICES

IN THE MATTER OF:

JEFFREY BRETT RUBIN  
\_\_\_\_\_ /

CASE NO.: 1522258-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.: \_\_\_\_\_


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:

Jeffrey Brett Rubin  
2385 NE 28th St  
Lighthouse Point, Florida 33064

Jeffrey Brett Rubin  
6600 N Andrews Avenue  
Suite 130  
Fort Lauderdale, Florida 33309

by certified mail this 17<sup>th</sup> day of September, 2014.

  
Derick Dehmer  
Attorney  
Division of Legal Services  
200 East Gaines Street  
612 Larson Building  
Tallahassee, Florida 32399-0333  
(850) 413-4305

91 7108 2133 3936 8028 7896

91 7108 2133 3936 8028 7889

RECEIVED

MAY 22 2015

GENERAL COUNSEL

**SUN-SENTINEL**  
**Published Daily**  
**Fort Lauderdale, Broward County, Florida**  
**Boca Raton, Palm Beach County, Florida**  
**Miami, Miami-Dade County, Florida**

**STATE OF FLORIDA**

**COUNTY OF: BROWARD/PALM BEACH/MIAMI-DADE**

Before the undersigned authority personally appeared  
MARK KUZNITZ, who on oath says that he or she is a duly authorized representative of the SUN-  
SENTINEL, a DAILY newspaper published in BROWARD/PALM BEACH/MIAMI-DADE County,  
Florida; that the attached copy of advertisement, being a Legal Notice in:

The matter of 11745-Other Legal Notices

Florida Department of Financial Services  
Case No.: 152258-14-AG

Was published in said newspaper in the issues of; Apr 27, 2015; May 04, 2015; May 11, 2015; May  
18, 2015

3232033

Affiant further says that the said SUN-SENTINEL is a newspaper published in said  
BROWARD/PALM BEACH/MIAMI-DADE County, Florida, and that the said newspaper has  
heretofore been continuously published in said BROWARD/PALM BEACH/MIAMI-DADE County,  
Florida, each day and has been entered as second class matter at the post office in BROWARD  
County, Florida, for a period of one year next preceding the first publication of the attached copy of  
advertisement; and affiant further says that he or 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 the said newspaper.

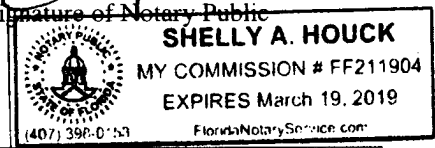
*Mark Kuznitz*

Signature of Affiant

Sworn to and subscribed before me this: May 18, 2015.

*Shelly A. Houck*

Signature of Notary Public



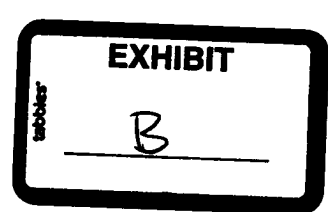
Name of Notary, Typed, Printed, or Stamped  
Personally Known (X) or Produced Identification ( )

**NOTICE OF ADMINISTRATIVE  
COMPLAINT**

TO: Jeffrey Brett Rubin  
Fort Lauderdale, FL  
Lighthouse Point, FL

Case No.: 152258-14-AG

AN ADMINISTRATIVE COMPLAINT to  
suspend or revoke your license(s) and eli-  
gibility for licensure and appointment has  
been filed against you. You have the right  
to request a hearing pursuant to Sections  
120.569 and 120.57 (1) and (2), Florida  
Statutes, by mailing a request for same to  
Julie Jones, the DFS Agency Clerk. Filing  
with the Agency Clerk may be accom-  
plished via U.S. Mail, express overnight  
delivery, hand delivery, facsimile transmis-  
sion, or electronic mail. The address for  
overnight delivery or hand delivery is Julie  
Jones, DFS Agency Clerk, Department  
of Financial Services, 612 Larson Build-  
ing, 200 East Gaines Street, Tallahassee,  
Florida, 32399-0390. The fax number is  
(850) 488-0697. The email address is Julie.  
Jones@myfloridacfo.com. If a request for  
hearing is not received by June 8, 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.  
04/27, 05/04, 05/11, 05/18/2015



Order # - 3232033