



CHIEF FINANCIAL OFFICER  
JEFF ATWATER  
STATE OF FLORIDA

**FILED**  
JUN 23 2015  
Docketed by LO

IN THE MATTER OF:

CASE NO.: 174636-15-AG

ANN MACFARLANE TOFFOLI  
\_\_\_\_\_ /

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 June 4, 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 Ann MacFarlane Toffoli (the "Respondent"), license #P078376, shall conclude the administrative proceeding of Case No. 174636-15-AG before the Department.

IT IS THEREFORE ORDERED:

(a) The Settlement Stipulation for Consent Order dated June 4, 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.

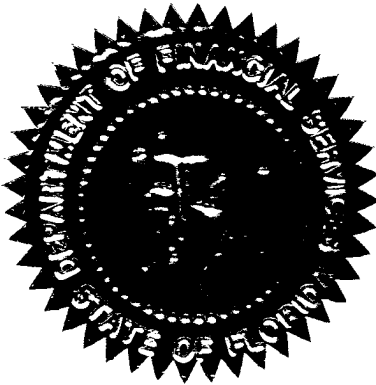
(c) The Respondent shall pay an administrative penalty in the amount of two thousand five hundred dollars (\$2,500.00) as authorized by section 626.681(1), Florida Statutes, within thirty (30) calendar days of the entry of this Consent Order. Failure of the Respondent to pay the administrative penalty within the specified time limit shall result in the immediate suspension of the Respondent's license and eligibility for licensure in this state without further proceedings for a period of sixty (60) days.


(d) The Respondent shall ensure all employees are properly supervised.

(e) 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 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) 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 she shall be liable to the Department for all reasonable costs and attorneys fees expended in the enforcement action.

DONE and ORDERED this 23<sup>rd</sup> day of June, 2015.



  
\_\_\_\_\_  
Gregory Thomas  
Director, Agent & Agency Services

Copies Furnished To:

ATOFFOLI@HUNTER-INS.com

Ann MacFarlane Toffoli  
1299 West Fairbanks Avenue  
Suite B  
Winter Park, Florida 32789

Ann MacFarlane Toffoli  
102 Spring Lake Lane  
Altamonte Springs, Florida 32714

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 Ann Macfarlane Toffoli  
ADDRESS: 1299 West Fairbanks Avenue, Suite B  
CITY, STATE, ZIP: Winter Park, FL 32789  
SS# or AGENT#: P078376  
Case #: 174636-15-AG  
Attorney: Complaint & Settlement  
Source: Agent & Agency Investigations

15 JUL - 7 AM 12: 20

Fine Due: .....	\$	2,500.00
Cost Due: .....	\$	
Total Amount Due: .....	\$	2,500.00
Amount remitted: .....	\$	<u>2,500</u>

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

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

RECEIVED  
DEPARTMENT OF  
FINANCIAL SERVICES  
2015 JUL - 1 AM 9: 03  
CASHIER'S OFFICE



CHIEF FINANCIAL OFFICER  
JEFF ATWATER  
STATE OF FLORIDA

IN THE MATTER OF:

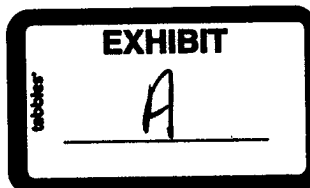
Case No: 174636-15-AG

ANN MACFARLANE TOFFOLI/

SETTLEMENT STIPULATION FOR CONSENT ORDER

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

1. The Respondent is currently licensed as a General Lines 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 her capacity as a licensee. As a result thereof, the Department alleges that the Respondent failed to properly supervise an agent in her employ. In order to avoid formal litigation of this matter, the Respondent has determined that it is in her 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 two thousand five hundred dollars (\$2,500.00) 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 license and eligibility for licensure in this state without further proceedings for a period of sixty (60) days.

(d) The Respondent shall ensure all employees are properly supervised.

(e) 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 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) 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 she 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 4 day of JUNE, 2015.

Ann MacFarlane Toffoli


Ann MacFarlane Toffoli  
102 Spring Lake Lane  
Altamonte Springs, Florida 32714-6507

ATOFFOLI@HUNTER-INS.COM

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