

Chapter 5 Reporting of Administrative Actions

Record keeping

Each appointed independent adjuster and licensed public adjuster must maintain a place of business in Florida that is accessible to the public. The usual and customary records must be kept there pertaining to transactions made under the license. The business office does not have to be in an office building or business district; it may be located in the individual's home.

The adjuster's records relating to claims and losses must be retained for a period of not less than three years after completion of the adjustment. This does not prohibit returning documents belonging to the insurer or prepared by the adjuster and required by the insurer to be returned.

Department Communication

Agents should add **MyFloridaCFO.com** to their email software's Trusted or Safe Senders List so that all important notifications are received. Licensees having a valid email address on file with the Department will receive important email notifications regarding applications, licenses, continuing education, or appointments. Warnings regarding new schemes and scams being marketed to licensees and their customers will also be emailed to those who have a MyProfile registration. Agents may update contact information through their MyProfile account (agents are required to keep such information current with the department). Agents are always required to abide by the Florida Insurance Code regardless of whether information was provided, or attempted to be provided, by Florida through MyFloridaCFO.com.

Nonresident Independent or Public Adjusters and Service of Process

Each licensed nonresident public adjuster or all-lines adjuster appointed as an independent adjuster must appoint Florida's Chief Financial Officer and his or her successors as their attorney to receive service of legal process issued against him or her in Florida resulting from transactions completed under the public adjuster license.

The appointment of the Chief Financial Officer (CFO) is irrevocable as long as there could be any cause of action brought against the adjuster due to his or her insurance transactions in Florida. In other words, the adjuster may not have the process delivered anywhere other than to the CFO. However, the CFO will have a copy delivered to the adjuster. The CFO will keep a record of the day and hour of service upon him or her of all legal processes received.

Defined Practices; Hearings, Witnesses, Appearances, Production of Books and Service of Process

According to 626.9571, Whenever the department or office has reason to believe that any person has engaged, or is engaging, in Florida in any unfair method of competition or any unfair or deceptive act or practice or is engaging in the business of insurance without being properly licensed as required by this code and that a proceeding by it in respect thereto would be to the interest of the public, it will conduct a hearing. The penalties for failure to comply with a subpoena or with an order directing discovery is limited to a fine not to exceed \$1,000 per violation.

Statements of charges, notices, and orders under this act may be served by anyone duly authorized by the department or office, either in the manner provided by law for service of process in civil actions or by certifying and mailing a copy thereof to the person affected by such statement, notice, order, or other process at his or her or its residence or principal office or place of business. The verified return by the person so serving such statement, notice, order, or other

process, setting forth the manner of the service, shall be proof of the same, and the return postcard receipt for such statement, notice, order, or other process, certified and mailed as aforesaid, shall be proof of service of the same.