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CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

FILED

SEP 5 2012

Docketed by 

IN THE MATTER OF:

CASE NO.: 124209-12-AG

EMERGENCY SERVICES 24, INC.
_____ /

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 August 8, 2012, 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 ("Department"), has jurisdiction over the subject matter of this case and the parties.

2. The entry of this Consent Order and compliance herewith by EMERGENCY SERVICES 24, INC. ("Respondent"), shall conclude the administrative proceeding of Case No. 124209-12-AG before the Department.

IT IS THEREFORE ORDERED:

(a) The Settlement Stipulation for Consent Order dated August 8, 2012, and attached hereto as "Exhibit A", is hereby approved and fully incorporated herein by reference.

(b) Respondent shall CEASE AND DESIST FROM:

(1) Advertising themselves as a public adjuster.

- (2) Holding themselves out as a public adjuster.
- (3) Acting as a public adjuster.
- (4) Preparing, completing, or filing an insurance claim form or forms for an insured or third-party claimant.
- (5) Initiating settlement negotiations for loss or damage covered by an insurance contract.
- (6) Engaging in claims handling.
- (7) Entering into an agreement, or contract, proposal, or similar document, with clients that grant the Respondents authority over the client's insurance claim or insurance-related matters.
- (8) Using the following, or similar phrases on websites and advertisements: "We represent you, the consumer, and handle the insurance claims and adjusters on your behalf."
- (9) Routinely requesting from the insurer a copy of the insured's policy, declaration page stating policy limits, and a statement of policy or coverage defense available to the insurer.

(c) If the Department discovers that Respondent, subsequent to the entry of this Consent order, has engaged in any of the prohibited acts specified in paragraphs (b)(1) through (b)(9) of this Consent Order, Respondent acknowledges that such conduct would represent a violation of the Settlement Stipulation for Consent Order and this Consent Order, including the cease and desist provisions contained herein, and that Respondent would be subject to the provisions of Section 626.9601, including the imposition of a fine in the amount of up to \$50,000.

DONE and ORDERED this 5th day of September, 2012.



Gregory Thomas
Director, Agent & Agency Services

Copies Furnished To:

EMERGENCY SERVICES 24, INC.
6703 Mott Ave
Orlando, FL 32810

PHILIP M. FOUNTAIN, ASSISTANT DIRECTOR
Division of Agent & Agency Services
200 East Gaines Street
Tallahassee, Florida 32399-0320

TOD STUPSKI
Division of Legal Services
200 East Gaines Street
Tallahassee, Florida 32399-0333



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

IN THE MATTER OF:

DFS Case No.: 124209-12-AG

EMERGENCY SERVICES 24, INC.

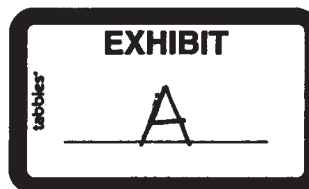
SETTLEMENT STIPULATION FOR CONSENT ORDER

IT IS AGREED and STIPULATED by and between EMERGENCY SERVICES 24, INC. and their employees ("Respondent"), and the Department of Financial Services ("Department"), that:

1. Respondent is not licensed as a public adjuster, and does not hold any other licenses issued under or pursuant to the Florida Insurance Code. At all times relevant to the dates and occurrences referred to herein, Respondent did not hold a public adjuster license, or any other licenses issued under or pursuant to the Florida Insurance Code.

2. Pursuant to Chapter 626, Florida Statutes, the Department has jurisdiction over the subject matter of this proceeding.

3. On January 5, 2012, the Department initiated an investigation of the Respondent to determine whether the Respondent was acting as a public adjuster without a license. The Department alleges that the Respondent was acting as a public adjuster without a license. In order to avoid formal litigation of this matter, Respondent has determined that it is in his best interests to enter into this Settlement Stipulation for Consent Order.



4. Respondent voluntarily waives the right to a hearing in this matter and voluntarily enters into this Settlement Stipulation for Consent Order.

5. By entering into this Settlement Stipulation for Consent Order, the filing of a Consent Order in this case, and satisfying the administrative sanctions set forth therein, Respondent and the Department intend to and do resolve all issues pertaining to this administrative matter as outlined in paragraph three (3) above.

6. 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.

7. This document, and the resulting Consent Order, are public records and contain information that is routinely published and disclosed by the Department.

8. Each party to this proceeding shall bear its own costs and attorney's fees.

9. This Settlement Stipulation for Consent Order is subject to the approval of the Chief Financial Officer or his designee. Upon his or his designee's 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 of the terms and conditions of this Settlement Stipulation for Consent Order.

(b) Respondent shall CEASE AND DESIST from:

(1) Advertising themselves as a public adjuster.

(2) Holding themselves out as a public adjuster.

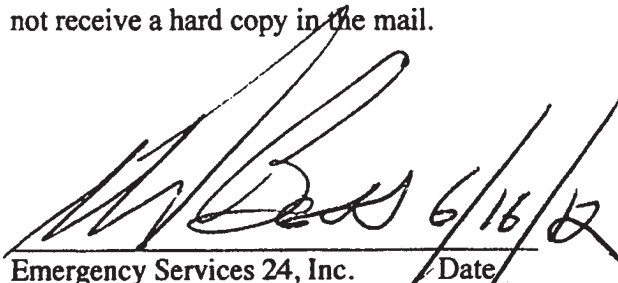
(3) Acting as a public adjuster.


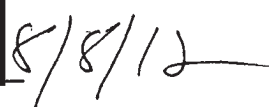
- (4) Preparing, completing, or filing an insurance claim form or forms for an insured or third-party claimant.
- (5) Initiating settlement negotiations for loss or damage covered by an insurance contract.
- (6) Engaging in claims handling.
- (7) Entering into an agreement, or contract, proposal, or similar document, with clients that grant the Respondents authority over the client's insurance claim or insurance-related matters.
- (8) Using the following, or similar phrases on websites and advertisements:
"We represent you, the consumer, and handle the insurance claims and adjusters on your behalf."
- (9) Routinely requesting from the insurer a copy of the insured's policy, declaration page stating policy limits, and a statement of policy or coverage defense available to the insurer.

10. If the Department discovers that Respondent, subsequent to the entry of the Consent Order in this case, has engaged in any of the prohibited acts specified in paragraphs 9(b)(1) through 9(b)(9) of this Settlement Stipulation for Consent Order, Respondent acknowledge that such conduct would represent a violation of this Settlement Stipulation for Consent Order and the Consent Order to be issued in this case, including the cease and desist provisions contained herein, and that Respondent would be subject to the provisions of Section 626.9601, including the imposition of a fine in the amount of up to \$50,000.

11. Respondent certifies that the address following his signature below is a valid address at which Respondent will receive the Consent Order when mailed to that address.

12. The Respondent agrees that the Consent Order herein may be sent to the Respondent via the e-mail address below the Respondent's signature and that Respondent will not receive a hard copy in the mail.


Emergency Services 24, Inc. Date
A Florida For Profit Corporation
By: M.D. Bass
ITS: President
mbass@waterdamage24.com
President Emergency Services 24, Inc.
6703 Mott Avenue
Orlando, Florida 32810

 Date 
Tod Stupski Date
Senior Attorney
Division of Legal Services
200 East Gaines Street
Larson Building, Suite 624
Tallahassee, Florida 32399-0333

Attorney for the Department