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THE TREASURER OF THE STATE OF FLORIDA  
DEPARTMENT OF INSURANCE

**FILED**

**NOV 19 2002**

TOM GALLAGHER

AT

Treasurer and  
Insurance Commissioner  
Docketed by: Ed

IN THE MATTER OF:

02-2370PL

SEAN DARIN HOYT  
\_\_\_\_\_ /

Dym-Clos  
CASE NO: 33608-02-AG

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FINAL ORDER

THIS CAUSE came on for consideration and final agency action. On May 1, 2002, an Administrative Complaint was issued by the Department of Insurance against the Respondent, Sean Darin Hoyt, alleging that he, on two separate occasions, sold unregistered securities to elderly persons. Respondent timely filed a request for a proceeding pursuant to Section 120.57(1), Florida Statutes. Pursuant to notice, the matter was heard before Daniel Manry, Administrative Law Judge, Division of Administrative Hearings, on August 6, 2002.

After consideration of the record and argument presented at hearing, the Administrative Law Judge issued his Recommended Order on October 25, 2002. (Attached as Exhibit A). The Administrative Law Judge recommended that the Department enter a final order suspending Respondent's licenses and eligibility for licensure as an insurance agent in the State of Florida, for nine (9) months.

Neither party filed exceptions to the Recommended Order.

Therefore, upon careful consideration of the entire record, the submissions of the parties, and being otherwise fully advised in the premises, it is ORDERED:

1. The Findings of Fact of the Administrative Law Judge are adopted in full as the Department's Findings of Fact.

2. The Conclusions of Law of the Administrative Law Judge are adopted in full as the Department's Conclusions of Law.

3. The Administrative Law Judge's recommendation that the Department enter a Final Order finding Respondent guilty of violating Section 626.611(7), Florida Statutes, and suspending Respondent's license(s) and eligibility for licensure in the State of Florida for a period of nine (9) months is approved and accepted as being the appropriate disposition of this case.

ACCORDINGLY, it is ORDERED that Respondent's, SEAN DARIN HOYT's, license(s) and eligibility for licensure as an insurance agent are hereby SUSPENDED for nine (9) months, effective immediately upon issuance of this Final Order. Pursuant to Section 626.651, Florida Statutes, the suspension of Respondent's license(s) and eligibility is applicable to all licenses and eligibility held by Respondent under the Florida Insurance Code.

Pursuant to Section 626.641(4), Florida Statutes, the Respondent shall not engage in or attempt or profess to engage in any transaction or 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, during the period of suspension. Pursuant to Section 626.641(1), Florida Statutes, Respondent's licensure shall not be reinstated except upon request for such reinstatement, and the Respondent shall not engage in the transaction of insurance until his licensure is reinstated. The Department shall not grant reinstatement if it finds that the circumstance or circumstances for which the Respondent's licenses were suspended still exist or are likely to recur.

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of the Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla.R.App.P. Review proceedings must be instituted by filing a petition or Notice of Appeal with the General Counsel, acting as the agency clerk, at 200 East Gaines Street, Tallahassee, FL 32399-0333, and a copy of the same and the filing fee with the appropriate District Court of Appeal within thirty (30) days of the rendition of this Order.

DONE and ORDERED this 19th day of November, 2002.



*Karen Chandler*  
KAREN CHANDLER  
Deputy Insurance Commissioner

COPIES FURNISHED TO:

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