

8-9-05



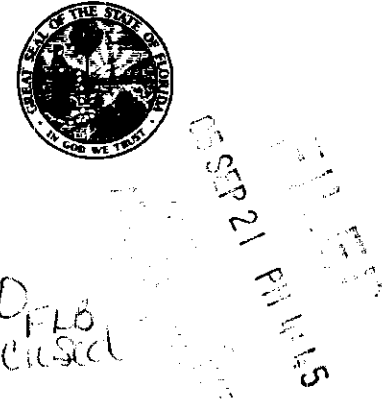
FLORIDA
DEPARTMENT OF
FINANCIAL SERVICES

FILED

TOM GALLAGHER
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA

SEP 21 2005

05-1240
FLO
CLOSED



IN THE MATTER OF:

ALIA SOSSOUS

Docketed by:

CASE NO: 79762-05-AG

AT

FINAL ORDER

THIS CAUSE came on for consideration and final agency action. On December 16, 2004, a Notice of Denial was issued by the Department of Financial Services, (hereinafter referred to as the "Department") denying the license application of the Petitioner, Alia Sossous, (hereinafter sometimes referred to as "the Petitioner"), as a resident life, including variable annuity insurance agent because of her criminal history and failure to reveal it. The Petitioner timely filed a request for a proceeding, which was referred to the Division of Administrative Hearings in order to conduct a Section 120.57(1), Florida Statutes hearing. Pursuant to notice, the matter was heard before Fred L. Buckine, Administrative Law Judge, Division of Administrative Hearings, on June 7, 2005.

After consideration of the record and argument presented at hearing, the Administrative Law Judge issued his Recommended Order on August 9, 2005. (Attached as Exhibit A). The Administrative Law Judge recommended that the Department enter a Final Order finding that the Petitioner did not attempt to obtain the license at issue through material misstatement, misrepresentation or fraud, but that Petitioner has not met the 15 year mandatory waiting period

applicable to her criminal history and is, therefore, ineligible for licensure pursuant to Subsection 626.611(14), Florida Statutes (2004), and denying Petitioner's request for relief.

Neither party filed exceptions to the Recommended Order.

1. So as to correct a typographical error in the preliminary statement of the Recommended Order, on page 2, last paragraph, the date "June 6, 2005" is corrected to read "June 20, 2005".

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

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

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

4. The Administrative Law Judge's recommendation that the Department enter a Final Order finding that the Petitioner did not attempt to obtain the license at issue through material misstatement, misrepresentation or fraud, but that Petitioner has not met the 15 year mandatory waiting period applicable to her criminal history and, is therefore, ineligible for licensure pursuant to Subsection 626.611(14), Florida Statutes (2004), and denying Petitioner's request for relief, is approved and accepted as being the appropriate disposition of this case.

ACCORDINGLY, it is ORDERED that the application for licensure of the Petitioner, Alia Sossous, as a resident life, including variable annuity insurance agent is hereby DENIED.

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 21st day of September, 2005.



A handwritten signature in black ink that reads "Karen Chandler".

KAREN CHANDLER
Deputy Chief Financial Officer

COPIES FURNISHED TO:

Alia Sossous
10310 Birdwatch Drive
Tampa, FL 33647
Petitioner

Honorable Fred L. Buckine
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-1550

Dana M. Wiehle, Esquire
Department of Financial Services
Division of Legal Services
612 Larson Building
200 E. Gaines Street
Tallahassee, FL 32399-0333