



## **2013 Bulletin 21**

### **NTP Designation May NOT Be Used in Florida**

**August 20, 2013**



As you know, Florida has a strict rule on the use of designations and certifications by any type of licensed insurance agent. This rule was modeled on work done by the National Association of Insurance Commissioners (NAIC) and intended to protect the consumer from deceptive and even illusory claims of special expertise. Apparently some insurance agents, especially in the life insurance arena, were using designations and certifications to give the appearance they had special knowledge and expertise, when the primary test for achieving the designation was whether their check cleared.

[Here's our bulletin](#) at the time the Florida rule was adopted and a link to the rule.

As with any bright-line test, this rule will occasionally catch things for which it may not have been intended. After careful review and discussion with ALTA, the Florida Department of Financial Services (DFS) determined that ALTA's National Title Professional (NTP) designation was not in compliance with the Florida Rule and therefore could NOT be used in connection with title insurance in Florida. [Here's the letter from DFS.](#)

In the letter, the Department stressed that ALTA was free to amend their NTP program and submit it for reconsideration. Kelly Romeo at ALTA confirmed that the NTP Council will be meeting this fall and will be evaluating the feasibility of revising the NTP program to comply with Florida law.

In the meantime, you should be aware that this ruling may present a number of issues for agents, agencies and insurers licensed or doing business in Florida.

1. Any Florida licensed Agent who has obtained the NTP designation should immediately remove any reference to it from your emails, your business cards, your company's website and any promotional materials you may have.
2. If you were considering pursuing the NTP designation, it's probably wise to wait until ALTA has determined if it will revise the program and apply at that time in order to avoid questions about your credentials.
3. If you are employed by an agency or insurer licensed to sell insurance in Florida (even if you are not personally licensed in Florida), be very careful. The rule states "A designation may not be lawfully used under the [Florida] Insurance Code" so there is a

risk of your company being sanctioned if your NTP designation appears in an email or other material that makes its way to Florida. Given the highly competitive environment, and that Florida agents are precluded from using the NTP designation, we can foresee complaints being made to the Department and pressure being brought to stop such “unfair competition.”

We’ll keep you informed as this develops.

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