

## Who Should I Contact To Report Unlicensed Activity Or File A Complaint?

The Division of Licensing works to ensure that the legal authority, rights, and obligations of licensed recovery agents are directed to serving the needs of the people of Florida. I hope this pamphlet will be helpful to you. If you have any questions, the Division of Licensing staff will be happy to assist you.

### Write to:

Bureau of Regulation and Enforcement  
Post Office Box 3927  
Tallahassee, Florida, 32315-3927

### Internet Address:

<http://www.mylicensesite.com>

### Or call:

(850) 245-5499



This material is available in alternate formats upon request. (850) 245-5500 TDD (850) 922-4085

## Answers to Questions About Recovery Agents

FLORIDA DEPARTMENT OF  
AGRICULTURE AND CONSUMER SERVICES  
Division of Licensing

Adam H. Putnam  
Commissioner

**T**he Department of Agriculture and Consumer Services, Division of Licensing, licenses and regulates the recovery industry in accordance with Chapter 493, Florida Statutes. Recovery agents and recovery agencies serve in positions of trust. Untrained and unlicensed persons or businesses or persons not of good moral character are a threat to the public's safety and welfare. The recovery industry is regulated to ensure the interests of the public are adequately served and protected. The purpose of this pamphlet is to inform Florida citizens about licensing requirements.

## What Is A Recovery Agent?

"Recovery agent" means any individual and recovery agency is an agency who, for consideration, advertises as providing or performs repossessions as described below. These individuals and agencies must be licensed.

"Repossession" means the recovery of a motor vehicle as defined under s.320.01(1), mobile home as defined in s. 320.01(2), a motorboat as defined under s. 327.02, an aircraft as defined in s. 330.27 (1), a personal watercraft as defined in s. 327.02, an all-terrain vehicle as defined in s. 316.2074, farm equipment as defined under s. 686.402, or industrial equipment, as defined in s. 493.6101 (22), by an individual who is authorized by the legal owner, lienholder, or lessor to recover, or to collect money payment in lieu of recovery of, that which has been sold or leased under a security agreement that contains a repossession clause. A repossession is complete when a licensed recovery agent is in control, custody, and possession of such repossessed property.

## Types of Licenses

### For Individuals

- "E" – Recovery Agent
- "EE" – Recovery Agent Intern
- "MR" – Recovery Agency Manager

### For Agencies

- "R" – Recovery Agency
- "RR" – Recovery Agency Branch Office

### For Schools and Instructors

- "RI" – Repossessor School Instructor
- "RS" – Repossessor School

## Who is Exempt From Licensing?

- "In-house" recovery agents who are solely, exclusively, and regularly employed in connection with the business of the employer when an employer-employee relationship exists
- Banks or bank holding companies, credit unions, and small loan companies operating pursuant to Chapters 516 and 520, Florida Statutes
- Consumer credit reporting agencies regulated under 15 U.S.C. ss. 1681 et seq.
- Collection agencies, and their employees, not engaging in repossessions

## Firearms

Licensed recovery agents and recovery agent interns are prohibited from carrying firearms while on private property and in the course of repossession activities. This is prohibited even if the licensee possesses a Concealed Weapon or Firearm License or a Class "G" Statewide Firearm License by virtue of other licensure as a security officer or private investigator.

## How Do I Apply For A License?

Applications are available from the Department of Agriculture and Consumer Services, Division of Licensing, or any regional office, or you may visit our website at: <http://www.mylicensesite.com>

When the application is submitted, the Florida Department of Law Enforcement and the Federal Bureau of Investigation perform a criminal history record check to determine if the applicant has a criminal history, which will disqualify him or her from licensure.

To qualify as a Class "E" Recovery Agent or a Class "EE" intern, the applicant must have completed 40 hours of training at a licensed recovery school.

To qualify as a Class "E" Recovery Agent, the applicant must have one year of lawfully gained, verifiable, full-time experience performing repossessions or have one year of experience as a Class "EE" Recovery Agent Intern.

### Any person applying for a license must:

- Be at least 18 years of age
- Be a citizen of the United States or a legal resident of the United States or have been granted authority to work by the U.S. Citizenship and Immigration Service
- Have no disqualifying criminal history
- Be of good moral character
- Have no disqualifying history of mental illness or alcohol or controlled substance abuse

### The applicant must provide the following:

- Name
- Date of birth
- Social security number
- Place of birth
- Residence addresses for the past five years
- Occupations for the past five years
- Statement of all criminal convictions
- Statement whether he or she has been adjudicated incompetent or committed to a mental institution
- Statement regarding any history of alcohol or controlled substance abuse
- One Passport type color photograph
- Full set of prints on the Division's Fingerprint card
- Personal inquiry waiver
- Appropriate fees
- Affidavit/statement of qualifying experience or training
- A certificate of completion of recovery agent training

## Violations

If a licensed recovery agent violates the provisions of Chapter 493, F.S. the Department has the power to initiate administrative action.

The following are examples of violations that are prohibited by law and may result in administrative action such as a fine, probation, revocation or suspension of license.

- A recovery agent cannot commit a breach of the peace by acting riotously, forcibly, or unlawfully when conducting a repossession. Example: A debtor objects verbally or physically to a recovery in progress and the recovery agent does not retreat or cease recovery activities when the debtor refuses to surrender the vehicle.
- Failing to safeguard and inventory personal property.
- Failing to keep the inventory of personal property for two years.
- Charging the debtor an unreasonable fee for the recovery, transportation, inventory, storage, and disposal of personal property.
- Failing to return all personal property once the debtor has paid the fee.
- Failing to give written notice to the debtor about the whereabouts of personal property within five days after repossession.
- Failing to notify the debtor by certified mail or postal proof of mailing within 45 days prior to disposal of personal property.
- Disposing of personal property before the end of the 45-day period the debtor is given by law to retrieve personal property.
- Carrying any weapon or firearm on private property when performing repossessions.
- The recovery agency's license number does not appear on the repossession vehicle and there is other identifying information on the recovery vehicle during a repossession.
- Failure to notify the police or sheriff in the jurisdiction of the repossession within two hours after recovery.

## Division of Licensing Regional Offices

**Fort Walton Regional Office**  
212 Eglin Parkway S.E., Suite A  
Fort Walton Beach, Florida 32548  
(850) 833-9146

**Jacksonville Regional Office**  
7825 Baymeadows Way  
Suite 106A, Center Building  
Jacksonville, Florida 32256  
(904) 448-4341

**Miami Regional Office**  
401 N.W. Second Avenue  
Suite 720-N  
Miami, Florida 33128  
(305) 377-5950

**Orlando Regional Office**  
400 West Robinson Street, Room 110  
Orlando, Florida 32801  
(407) 245-0883

**Punta Gorda Regional Office**  
230 Bal Harbor Blvd.  
Suite 111  
Punta Gorda, Florida 33950  
(941) 575-5770

**Tallahassee Regional Office**  
1851 N Martin Luther King Jr  
Blvd.  
Tallahassee, Florida 32303  
(850) 245-5498

**Tampa Regional Office**  
1313 Tampa Street, Suite 712  
Tampa, Florida 33602  
(813) 272-2552

**West Palm Beach Regional Office**  
The Forum, Tower A, Suite 100  
1675 Palm Beach Lakes Boulevard  
West Palm Beach, Florida 33401  
(561) 640-6144

