# DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

P.O. Box 690, Jefferson City, Mo. 65102-0690

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| **In the Matter of:** | ) | **DIFP Case No. 100122112C** |
| | ) | **AHC Case No. 10-0852 DI** |
| **JASON CHAMBERS** | ) | |

## FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF DISCIPLINE

John M. Huff, Director of the Missouri Department of Insurance, Financial Institutions, and Professional Registration, hereby makes the following Findings of Fact, Conclusions of Law, and Order.

### Findings of Fact

1. John M. Huff is the duly appointed Director ("Director") of the Missouri Department of Insurance, Financial Institutions and Professional Registration (the "Department"), whose duties, pursuant to Chapter 374, RSMo, include supervision, regulation and discipline of bail bond agents.

2. Respondent Jason Chambers ("Chambers") was first issued a bail bond agent license by the Department on June 1, 2009 (license number 8029439). That license expired on June 1, 2011.

3. On May 12, 2010, the Director filed a Complaint with the Administrative Hearing Commission ("AHC"), alleging cause existed to discipline Chambers's bail bond agent license under §§ 374.210.2 and 374.755.1(6), RSMo Supp. 2009.[1]

4. The AHC held a hearing on the Director's Complaint on October 18, 2010, at which the Director appeared through counsel. Neither Chambers nor counsel for Chambers appeared at the hearing.

5. On March 3, 2011, the AHC issued its Decision finding cause to discipline Chambers's bail bond agent license under §§ 374.755.1(6).

6. In support of that finding of cause, the AHC found the following facts:

a. On August 10, 2009, Les Hogue, a special investigator for the Department, mailed a letter to Chambers at his address of record. This letter requested Chambers to respond to a complaint made against him. However, the letter was returned as undeliverable.

b. On September 9, 2009, Hogue mailed a second letter to Chambers at his address of record. This second letter also requested Chambers to respond to the same complaint as the previous letter and requested Chambers to provide a written response to the Department by September 16, 2009.

c. The second letter was not returned as undeliverable.

d. Chambers did not respond to the second letter.

e. By not responding to this letter, Chambers violated 20 CSR 100-4.100(2)(A).

7. On April 5, 2011, the AHC certified its record of its proceedings to the Director pursuant to § 621.110.

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1 All statutory references in this Order shall be to RSMo Supp. 2009 unless otherwise indicated.

8. The Department sent its official Notice of Hearing for a disciplinary hearing before the Director (the "Hearing"), which notified Chambers that the hearing would be held on September 20, 2011, at 9:30 a.m. at the offices of the Department, by certified mail and first class mail to Chambers at 2522 North Indiana Avenue, Joplin, Missouri, 64801-4933. Although no return receipt for the certified mail had been received, neither had the first class letter been returned as undeliverable.

9. On September 20, 2011, the Hearing was held at the offices of the Department. Mary S. Erickson presided as hearing officer at the Hearing. Neither Chambers nor counsel for Chambers appeared at the Hearing. Andy Heitmann, representing the Department's Division of Consumer Affairs, recommended that Chambers's bail bond agent license be revoked.

10. At the Hearing, the hearing officer took judicial notice of the AHC's record of proceedings and admitted it as evidence in the Hearing.

11. The Director hereby incorporates the AHC's March 3, 2011 Decision, including its Findings of Fact and Conclusions of Law, as if fully set out herein as Findings of Fact and as Conclusions of Law of this Order. *Director of Dept. of Ins., Fin. Insts. & Prof. Reg'n vs. Jason Chambers*, No. 10-0852 DI (Mo. Admin. Hearing Comm'n, March 3, 2011).

12. Only two months after issuing Chambers a bail bond agent license, the Director received a complaint against Chambers. Chambers failed to respond to, or cooperate with, the Director's investigation of that complaint, seriously impeding the Director's efforts to determine the truth of the allegations in the complaint and thereby to protect the public.

13. Pursuant to § 374.755.2 and § 621.110, RSMo 2000, the Director has discretion to discipline Chambers's bail bond agent license, including revocation of such license.

## Conclusions of Law

14. Based on the nature of the aforementioned conduct, sufficient grounds exist to revoke Chambers's bail bond agent license pursuant to § 375.755.1(6).

15. The expiration of Chambers's bail bond agent license does not deprive the Director of jurisdiction to discipline Chambers's bail bond agent license. *See* § 374.755.1.

16. This Order is in the public interest.

## ORDER

Based on the evidence presented and the recommendation to revoke, Chambers's bail bond agent license is hereby **REVOKED**.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 14th DAY OF NOVEMBER, 2011.

John M. Huff, Director
Missouri Department of Insurance,
Financial Institutions & Professional
Registration

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was mailed, with sufficient postage attached, via certified mail through the United States Postal Service, certified mail # 7008 2810 0000 2014 9226 on this 14th day of November, 2011 to:

Jason Chambers
2522 N. Indiana Ave.
Joplin, MO 64801-4933

Kathryn Randolph
Kathryn Randolph
301 W. High St., Rm 530
Jefferson City, MO 65101