State of Missouri
Department of Insurance, Financial Institutions &
Professional Registration

IN RE:	)	
	)	Case No. 110411453C
Justin C. Clock,	)	
	)	
Applicant.	)	
	)	
Serve at:	)	
	)	
Verileads d/b/a Your Coverage Matters	)	
533 Forest Ave., Floor 2	)	
Portland, Maine 04101-1503; and	)	
	)	
101 Brook St., Apt. F	)	
Sanford, Maine 04073-2950	)	

ORDER REFUSING TO ISSUE NON-RESIDENT INSURANCE PRODUCER LICENSE

On July 21, 2011, the Consumer Affairs Division submitted a Petition to the Director alleging cause for refusing to issue Justin C. Clock f/k/a Justin C. Staples a Non-Resident Insurance Producer License. After reviewing the Petition, the Investigative Report, and the entirety of the file, the Director issues the following findings of fact, conclusions of law, and summary order.

FACTUAL BACKGROUND

1. Justin C. Clock ("Clock") f/k/a Justin C. Staples is an individual residing in Maine whose mailing address of record is Verileads d/b/a Your Coverage Matters, 533 Forest Avenue Fl. 2, Portland, Maine 04101-1503

2. On October 18, 2010, the Department of Insurance, Financial Institutions and Professional Registration ("Department") received an electronic non-resident insurance producer application ("Application") from Clock.

3. In the "Background Questions" section of the Application, Background Question #1 asks: "Have you ever been convicted of a crime, had a judgement

withheld or deferred, or are you currently charged with committing a crime?" Clock answered "Yes."

4. Along with his Application, Clock submitted a Criminal Docket from the Chelsea District Court of Massachussetts, and a letter, signed by Clock, stating:

> The date of the original complaint was on 02/13/2004, and I was arrested for 266/127/A Destruction of Property +$250, Malicious, and was that date was [sic] charged to Stay Away from 604 Broadway, (the address of the complaint). From that point forward, there were jury trials held throughout until 07/22/2005 where I was found guilty of the crime. At that time I was sentenced to serve time in South Bay House of Corrections, along with probation. Probation was set for 1 year and $1000.00 to be paid join [sic] and several. The final disposition was Dismissed on recommendation of Probation Dept. and closed on 10/11/2006.

5. On October 26, 2010, Investigator Karen Crutchfield sent Clock a letter at the mailing address provided on his Application asking about discrepancies between his Application and the documentation provided with it, and asking for a certified copy of the court documents related to his crime. Clock's reply was due on or before November 16, 2010. The correspondence was not returned to the Department as undeliverable. Clock did not respond and did not contact the Department in any way to provide a reasonable justification for a delayed response.

6. On November 18, 2010, Investigator Crutchfield sent a second letter to Clock at the residence address provided on his Application asking about discrepancies between his Application and the documentation provided with it, and asking for a certified copy of the court documents related to his crime. Clock's reply was due on or before December 9, 2010. The correspondence was not returned to the Department as undeliverable. Clock did not respond and did not contact the Department in any way to provide a reasonable justification for a delayed response.

7. On December 14, 2010, Investigator Crutchfield sent a third letter by certified mail to the residence address provided on Clock's Application asking about discrepancies between his Application and the documentation provided with it, and asking for a certified copy of the court documents related to his crime. The track and confirm results from the United States Postal Service Website for tracking number 7007 3020 0003 1572 5183 show the letter was delivered on December 21, 2010. Clock's reply was due on or before January

4, 2010. Clock did not respond and did not contact the Department in any way to provide a reasonable justification for a delayed response.

CONCLUSIONS OF LAW

8. Section 375.141.1 RSMo (Supp. 2010),[1] provides, in part:

> The director may suspend, revoke, refuse to issue or refuse to renew an insurance producer license for any one or more of the following causes:
>
> ***
>
> (2) Violating any insurance laws, or violating any regulation subpoena or order of the director or of another insurance commissioner in any other state [.]

9. Title 20 CSR 100-4.100(2)(A) Required Response to Inquiries by the Consumer Affairs Division provides:

> Upon receipt of any inquiry from the division, every person shall mail to the division an adequate response to the inquiry within twenty (20) days from the date the division mails the inquiry. An envelope's postmark shall determine the date of mailing. When the requested response is not produced by the person within twenty (20) days, this nonproduction can demonstrate that there is reasonable justification for that delay.

10. "There is a presumption that a letter duly mailed has been received by the addressee." *Clear v. Missouri Coordinating Bd. For Higher Educ.*, 23 S.W.3d 896, 900 (Mo. App. 2000) (internal citations omitted).

11. The principal purpose of § 375.141 is not to punish licensees or applicants, but to protect the public. *Ballew v. Ainsworth*, 670 S.W.2d 94, 100 (Mo. App. 1984).

12. The Director may refuse Clock's non-resident insurance producer license Application pursuant to § 375.141.1(2) because by failing to respond to at least three inquiries from the Consumer Affairs Division, including inquiries dated October 26, 2010, November 18, 2010, and December 14, 2010, Clock violated a Missouri insurance regulation, namely 20 CSR 100-4.100(2)(A).

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[1] All statutory references are to the 2010 Supplement to the Revised Statutes of Missouri unless otherwise noted.

13. The Director has considered Clock's history and all of the facts and circumstances surrounding the Application, and for the reasons stated in this Order refuses to issue Clock a non-resident insurance producer license.

14. Granting Clock's non-resident insurance producer license would not be in the public interest.

15. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the non-resident insurance producer license of **Justin C. Clock f/k/a Justin C. Staples** is hereby summarily **REFUSED**.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 1st DAY OF AUGUST, 2011.

JOHN M. HUFF
DIRECTOR

NOTICE

TO: Applicant and any unnamed persons aggrieved by this Order:

You may request a hearing in this matter. You may do so by filing a complaint with the Administrative Hearing Commission, P.O. Box 1557, Jefferson City, Missouri within 30 days after the mailing of this notice pursuant to § 621.120, RSMo. Under 1 CSR 15-3.290, unless you send your complaint by registered or certified mail, it will not be considered filed until the Administrative Hearing Commission receives it.

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of August, 2011, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by U.S. regular mail and certified mail.

Justin C. Clock
Verileads d/b/a Your Coverage Matters
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Portland, Maine 04101-1503; and
7009 3410 0001 9349 2785

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Kathryn Randolph

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