DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	**AHC Case No. 12-2268 DI**
	)	**DIFP Case No. 11-1128808C**
GABRIEL GONZALEZ	)	

SUMMARY ORDER OF REVOCATION

JOHN M. HUFF, Director of the Missouri Department of Insurance, Financial Institutions, and Professional Registration, hereby issues the following Findings of Fact, Conclusions of Law, and Summary Order of Revocation.

Findings of Fact

1. John M. Huff is the duly appointed Director of the Missouri Department of Insurance, Financial Institutions, and Professional Registration (hereinafter, "Director"). The Director has the duty to administer Chapters 374 and 375, RSMo, which includes the supervision, regulation, and discipline of insurance companies, agencies, and producers licensed to operate and conduct business in the State of Missouri.

2. The Missouri Department of Insurance, Financial Institutions and Professional Registration ("Department") originally issued Gabriel Gonzalez ("Gonzalez") a non-resident insurance producer license (No. 0355703) on September 26, 2005. Gonzalez's license expired on September 26, 2011, and Gonzalez did not apply for renewal.

3. On December 31, 2012, the Director filed a Complaint before the Administrative Hearing Commission ("AHC"), Case No. 12-2268 DI, against Gonzalez alleging that he has cause to discipline his insurance producer license pursuant to § 375.141.1(2), (4), (8), and (9), RSMo (Supp. 2012) for the following reasons:

a. Having an insurance producer license or its equivalent revoked in Kansas;

b. Failing to report the revocation to the Director within 30 days of the final disposition of the matter as required by § 375.141.6, a Missouri insurance law;

c. Failing to respond to two Department inquiries as required by 20 CSR 100-4.100(2)(A), an insurance regulation;

d. Improperly withholding, misappropriating, or converting moneys or properties received in the course of doing insurance business;

e. Violating § 375.144(4), an insurance law, in connection with the offer, sale, solicitation, or negotiation of insurance by engaging in conduct which operated as a fraud or deceit on insurance customers and an insurance company; and

f. Using fraudulent or dishonest practices or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

4. The AHC attempted to serve Gonzalez with the Notice of Complaint/Notice of

Hearing via Certified Mail (Receipt # 7160 3901 9848 8482 0927) on January 3, 2013, at the last address Gonzalez provided to the Director, 2406 South 24th St., Apt. 101, Kansas City, KS 66104. The United States Postal Service returned the certified mail containing the Notice of Complaint/Notice of Hearing to the AHC on January 29, 2013, marked "Unclaimed – Unable to Forward – Return to Sender."

5. On February 4, 2013, the AHC forwarded the Personal Service packet to the Department, so that it could attempt service.

6. The Department attempted to serve Gonzalez with the Notice of Complaint/Notice of Hearing via United Parcel Service (UPS) mail on February 7, 2013 to 2406 South 24th St., Apt. 101, Kansas City, KS 66106-4354. UPS attempted delivery to that address, and on the third attempt delivered the package, but an individual named "Kletzky" signed for it, rather than Gonzalez Gonzalez.

7. The Department has no other known address for Respondent Gonzalez.

8. Section 375.141.5 provides:

> Every insurance producer licensed in this state shall notify the director of any change of address, on forms prescribed by the director, within thirty days of the change. If the failure to notify the director of the change of address results in an inability to serve the insurance producer with a complaint as provided by sections 621.045 to 621.198, RSMo, then the director may immediately revoke the license of the insurance producer until such time as service may be obtained.

Conclusions of Law

9. Pursuant to § 375.141, the Director has the discretion to discipline Respondent Gonzalez's insurance license, including revocation of such license.

10. Pursuant to § 375.141.5, such revocation may be immediate when an insurance

producer's failure to notify the Director of any change of address within thirty (30) days of the change results in an inability to serve the insurance producer with a complaint as provided by §§ 621.045 to 621.198 RSMo. Such revocation may be effective until such time as service may be obtained.

SUMMARY ORDER

IT IS HEREBY ORDERED that the non-resident insurance producer license of Gabriel Gonzalez (License No. 0355703) is REVOKED until such time as service of the Complaint filed with the Administrative Hearing Commission on December 31, 2012, Case No. 12-2268 DI, may be obtained or until such time as service of a complaint in a future Administrative Hearing Commission action against Respondent Gabriel Gonzalez may be obtained.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 5TH DAY OF MARCH, 2013.

JOHN M. HUFF, Director
Missouri Department of Insurance,
Financial Institutions & Professional
Registration