DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

RECEIVED
MAR 09 2010
DEPT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

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

IN RE: JORGE PENA
19495 BISCAYNE BLVD STE 604
AVENTURA FL 33180

Tracking ID 92176

VOLUNTARY FORFEITURE

It is hereby agreed by Jorge Pena and the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration, as follows:

WHEREAS, John M. Huff is the duly appointed Director of the Department of Insurance, Financial Institutions and Professional Registration, State of Missouri (hereinafter, Director) whose duties, pursuant to Chapters 374 and 375, RSMo, include the supervision and regulation of the business of insurance;

WHEREAS, the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration is charged with investigating producers and companies engaged in the business of insurance pursuant to Section 374.085, RSMo 2000 and is authorized by the Director to recommend enforcement action under the laws relating to insurance;

WHEREAS, Jorge Pena currently has a non-resident insurance producer license (Accident and Health) in the state of Missouri with the Department of Insurance,

Financial Institutions and Professional Registration;

WHEREAS, Jorge Pena currently has an insurance producer application pending (Life) in the state of Missouri with the Department of Insurance;

WHEREAS, information has been received by the Consumer Affairs Division concerning the licensure application of Jorge Pena, in which Jorge Pena answered "no" to background question #1, "Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?" on his original producer application from 2008. In 1998, Pena pleaded *nolo contendere* to the Felony crimes of Forgery, Uttering, Fraudulent Use of a Credit Card and to the misdemeanor crimes of Petit Theft, Possession of Cannabis and Operating while Driver's License is Suspended/Cancelled/Revoked. Additionally, in 2006 Pena pleaded *nolo contendere* to the Misdemeanor crime of Resisting/Obstructing without Violence. These misstatements on the producer application are violations of Section 375.141.1(1), RSMo (Cum. Supp. 2009), and subject Pena to enforcement action by the Director;

WHEREAS, Pena has been informed of the nature of his violations, of his right to counsel and of his right to contest any attempt by the Department of Insurance, Financial Institutions and Professional Registration, to refuse or revoke his insurance producer license, or to recover whatever penalties or other monetary relief as may be provided for by statute, and states that he understands his rights to contest any such actions;

NOW, THEREFORE, in lieu of the institution by the Department of Insurance, Financial Institutions and Professional Registration of any action to refuse the insurance producer license of Jorge Pena or to impose any other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal

counsel, Jorge Pena does hereby voluntarily and knowingly surrender and forfeit the sum of five hundred dollars ($500), such sum to be paid into the Missouri State School Fund pursuant to Sections 374.046 and 374.280, RSMo

Jorge Pena shall submit this sum to the Department of Insurance, Financial Institutions and Professional Registration, by cashier's check or money order made payable to the Missouri State School Fund no later than March 10, 2010.

DATED: 2/26/10

Jorge Pena

DATED: 3/10/2010

Angela L Nelson

Angela L. Nelson
Director, Division of Consumer Affairs

DATED: 3-12-10

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

Please submit this agreement along with payment to:
Missouri Department of Insurance
Attention: Carrie Couch, Special Investigator
PO Box 4001
Jefferson City, MO 65102
(573) 526-3410