



**DEPARTMENT OF INSURANCE, FINANCIAL
INSTITUTIONS AND PROFESSIONAL REGISTRATION**

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

In the Matter of:

KEVIN KWANGHUI CHOE,

Applicant.

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Case No. 151118511C

CONSENT ORDER

John M. Huff, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, takes up the above matter for consideration and disposition. The Consumer Affairs Division, through counsel Shelly Krueger, and Kevin Kwanghui Choe have reached a settlement in this matter and consent to the issuance of this Consent Order.

1. John M. Huff is the duly appointed Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (“Director” of the “Department”) whose duties, pursuant to Chapters 374 and 375 RSMo,¹ include the supervision, regulation, and discipline of insurance producer licenses.

¹ All civil statutory references are to the 2013 Supplement to the Revised Statutes of Missouri unless otherwise noted.

2. The Consumer Affairs Division (“Division”) of the Department has the duty, charged by the insurance laws of this state, to conduct investigations into the acts of insurance producers and is authorized by the Director to initiate actions necessary to enforce the insurance laws of this state including the discipline of insurance producer licenses and refusal of insurance producer license applications.

3. On or about September 10, 2015, the Department received Kevin Kwanghui Choe’s (“Choe”) completed electronic Application for Insurance Producer License (“Application”).

4. On and with the Application, Choe disclosed a felony conviction and provided court records that revealed the following:

- a. On September 13, 2013, Choe pled guilty to and was convicted of Driving Under the Influence, 3rd Offense, a non-grid, non-person felony, in violation of K.S.A. 8-1567.² *State of Kansas v. Kevin Kwanghui Choe*, Johnson Co. Ks. Dist. Ct., Case No 12CR1384. The court suspended execution of a twelve (12) month sentence, placed Choe on supervised probation for twelve (12) months, and ordered him to serve ten (10) days of incarceration, eighty (80) days of house arrest, pay \$1,500.00 in fines, participate in an Alcohol and Drug Safety Action Program, and use an ignition interlock system for two (2) years.

5. In response to an inquiry by the Division, Choe explained that he was previously arrested for or charged with driving under the influence in October 2000, then again in 2009. Choe further explained that his felony conviction for Driving Under the Influence, 3rd Offense, in violation of K.S.A. 8-1567, occurred in 2013. In his letter, Choe listed the terms of his probation and asserted that he complied with all of the terms of his probation.

² All references to the Kansas Statutes Annotated (“K.S.A.”) are to the criminal statutes in effect at the time the court rendered judgment.

6. Choe completed probation on December 4, 2014. *State of Kansas v. Kevin Kwanghui Choe*, Johnson Co. Kan. Dist. Ct., Case No 12CR1384.

7. Choe acknowledges and understands that the Director may refuse to issue Choe a resident insurance producer license pursuant to § 375.141.1(6) because Choe has been convicted of a felony or a crime involving moral turpitude.

8. Choe acknowledges and understands that he has the right to consult legal counsel at his own expense.

9. Choe stipulates and agrees to waive any waivable rights to a hearing before the Administrative Hearing Commission or the Director, any waivable rights to seek judicial review, and any waivable rights to challenge or contest the terms and conditions of this Consent Order. Choe further stipulates and agrees to forever release and hold harmless the Department, the Director and his agents, and the Division from all liability and claims arising out of, pertaining to, or relating to this matter.

10. Choe acknowledges and understands that this Consent Order is an administrative action and that the Department will report it to other states. Choe further acknowledges and understands that this administrative action should be disclosed on his future applications and renewal applications and that he is responsible for complying with the reporting requirements of each state in which he may be licensed.

11. Each signatory to this Consent Order certifies by signing that he or she is fully authorized, in his or her own capacity or by the named party he or she represents, to accept the terms and provisions of this Consent Order in their entirety and agrees, in his or her personal or representational capacity, to be bound by the terms of this Consent Order.

CONCLUSIONS OF LAW

12. The facts admitted by Choe are grounds to refuse his Application for Insurance Producer License pursuant to § 375.141.1(6).

13. Section 375.141 provides, in relevant part:

1. 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:

* * *

(6) Having been convicted of any felony or a crime involving moral turpitude[.]

14. The Director may impose consent orders in the public interest under § 374.046.

15. The terms set forth in this Consent Order are an appropriate disposition of this matter, and entry of this Consent Order is in the public interest.

ORDER

IT IS ORDERED that the Department will issue a resident insurance producer license to Kevin Kwanghui Choe subject to the terms set forth herein and the following special conditions:

1. Kevin Kwanghui Choe shall report to the Division any violation of or failure to comply with Missouri insurance regulations and Missouri insurance laws, including those set forth in Chapters 374 or 375, within five (5) business days of such violation or failure to comply.
2. Kevin Kwanghui Choe shall respond to all inquiries from the Department in accordance with 20 CSR 100-4.100(2)(A).

3. If a consumer complaint is communicated directly to Kevin Kwanghui Choe, Choe shall send the Department a copy of the complaint and a copy of Choe's response to the consumer within five (5) business days of receipt of the consumer complaint.
4. Kevin Kwanghui Choe shall report to the Division any and all of the following incidents involving Choe: any criminal court proceeding within five (5) days of the first court hearing or appearance, guilty plea, nolo contendere plea, Alford plea, finding of guilt, or conviction concerning a felony or misdemeanor. Choe shall report all such incidents to the Division within five (5) business days of their occurrence.
5. Kevin Kwanghui Choe shall report to the Division any administrative action undertaken or initiated against Choe in another jurisdiction or by another governmental agency in this state within the five (5) business days after Choe receives notification of the initiation of such administrative action.
6. The special conditions listed in paragraphs 1 through 5 will expire upon the earlier of: 1) the expiration of Kevin Kwanghui Choe's resident insurance producer license; 2) the refusal or revocation of such license; or 3) two (2) years subsequent to the date of issuance of this Consent Order.

IT IS FURTHER ORDERED that, for two (2) years subsequent to the date that Kevin Kwanghui Choe is issued a resident producer license, Kevin Kwanghui Choe will voluntarily surrender his resident insurance producer license to the Department within five (5) business days of Choe entering a guilty plea, entering a nolo contendere plea or Alford plea, being

found guilty, or being convicted for a felony, regardless of whether the sentence is suspended or executed.

IT IS FURTHER ORDERED that if Kevin Kwanghui Choe has complied with the terms of this Consent Order and no cause for the Director to discipline Choe's resident insurance producer license can be found, then Choe may apply to renew his resident insurance producer license, and the Director shall consider his renewal application in accordance with Chapters 374 and 375 without regard to Choe's prior felony conviction or the underlying conduct in *State of Kansas v. Kevin Kwanghui Choe*, Johnson Co. Kan. Dist. Ct., Case No 12CR1384 (Sep. 13, 2013).

IT IS FINALLY ORDERED that the Director may pursue additional legal remedies, as determined appropriate by the Director, without limitation as authorized by Chapters 374 and 375 including remedies for violation of or failure to comply with the terms of this Consent Order.

**SO ORDERED, SIGNED, AND OFFICIAL SEAL AFFIXED THIS 10th DAY
OF November, 2016.**





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

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Kevin Kwanghui Choe may have a right to a hearing but that Kevin Kwanghui Choe waives the hearing and consents to the issuance of this Consent Order.



Kevin Kwanghui Choe
811 Grand Boulevard
Apartment 510
Kansas City, Missouri 64106
Applicant

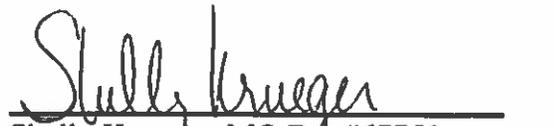
11/2/16

Date

Counsel for Applicant
Name: _____
Missouri Bar No.: _____
Address: _____

Telephone: _____
Facsimile: _____
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Date



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11/10/16

Date