# DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

IN RE: KIRA PHELPS
147 PINEDALE DRIVE
ST. CHARLES MO 63301

TRACKING ID 273205 E

VOLUNTARY FORFEITURE AGREEMENT

It is hereby agreed by Kira Phelps ("Phelps") 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" of the "Department"), whose duties, pursuant to Chapters 374, 375 and 385 RSMo, include the supervision and regulation of the business of Motor Vehicle Extended Service Contracts ("MVESC");

WHEREAS, the Consumer Affairs Division of the Department is charged with investigating producers and companies engaged in the business of MVESC pursuant to Sections 374.085, 374.190 and 385.216, RSMo and is authorized by the Director to recommend enforcement action under the laws relating to MVESC;

WHEREAS, Phelps has applied to receive a MVESC producer license with the

Department, pursuant to Chapter 385, RSMo;

WHEREAS, the Consumer Affairs Division has received information concerning Phelps's misstatement on her applications, which are violations of Section 374.210.1, RSMo (Non Cum. Supp. 2014), and subjects Phelps to enforcement action by the Director;

WHEREAS, Phelps has been informed of her right to counsel and of her right to contest any attempt by the Department to refuse her MVESC producer license application, and states that she understands her rights to contest any such actions;

AND WHEREAS, Phelps , acknowledges and admits for purposes of this Agreement and for purposes of any future action by the Director or the Consumer Affairs Division based on any additional violation of the insurance laws, MVESC laws, or regulations by Phelps, in which action the Director or the Consumer Affairs Division alleges that the violations described herein form part of a course of conduct, a business practice, or other such series of similar violations, or that future violations by Phelps are committed knowingly, intentionally or in conscious disregard of the law, that she provided materially incorrect, misleading, incomplete or untrue information on her license applications, and that such conduct violated Section 374.210.1, RSMo (Non Cum. Supp. 2014);

NOW, THEREFORE, in lieu of any recommendation or initiation by the Consumer Affairs Division of any action based on the violations cited in this Agreement, and after being afforded the opportunity to consult legal counsel, Phelps does hereby voluntarily and knowingly surrender and forfeit the sum of two hundred fifty dollars ($250.00), such sum to be paid into the State School Moneys Fund pursuant to Sections 374.046 and 374.280, RSMo.

Phelps shall submit this sum to the Department by cashier's check or money order made payable to the State School Moneys Fund no later than August 8, 2016.

The parties agree that, should the Director or the Division in the future allege any additional violation of the insurance laws, MVESC laws, or regulations by Phelps, nothing in this Agreement shall preclude the Director or the Consumer Affairs Division from introducing

Phelps's admissions contained in this Agreement as evidence that the acts described herein form part of a course of conduct, a business practice, or other such series of similar violations, or for purposes of showing that such later alleged acts are committed knowingly, intentionally or in conscious disregard of the law.

DATED: 8/1/16

Kira Phelps
Applicant

DATED: 8/11/16

Carrie Couch, Director
Consumer Affairs Division

DATED: 8/16/16

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

Return original to:
Andrew Engler
Missouri Department of Insurance,
Financial Institutions and Professional Registration
PO Box 4001
Jefferson City, MO 65102