State of Missouri

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS &
PROFESSIONAL REGISTRATION

IN RE:	)	
	)	**No. 140409391C**
Lawrence J. Ruemker,	)	
	)	
Renewal Applicant.	)	

ORDER REFUSING TO RENEW INSURANCE PRODUCER LICENSE

On April 17, 2014, the Consumer Affairs Division, through counsel, submitted a Petition to the Director alleging cause for refusing to renew Lawrence J. Ruemker's individual resident insurance producer license. After reviewing the Petition and the entirety of the file, James R. McAdams, Deputy Director, issues the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Lawrence J. Ruemker ("Ruemker") is a Missouri resident with a residential and mailing address of 8208 Watson Road, Apt. 5, St. Louis, Missouri, 63119, and a business address of 8460 Watson Road, Suite 130, St. Louis, Missouri, 63119.

2. On April 16, 2014, the Department of Insurance, Financial Institutions and Professional Registration ("Department") received an electronic resident insurance producer license renewal application ("Application") from Ruemker.

3. The Department originally issued Ruemker an insurance producer license (No. 0287316) on April 17, 1980. Ruemker's license has since subsequently been renewed and will expire on April 17, 2014.

4. On April 19, 2011, the Director issued a Consent Order, signed by Ruemker, fining Ruemker $ 250.00, and placing certain conditions upon his license. *In the Matter of: Lawrence J. Ruemker,* No. 09-1116769C.

5. The Consent Order contains the following relevant facts:

   a. On or about March 6, 2001, the Family Court of St. Louis County Circuit Court, State of Missouri, ordered Ruemker to pay $425.00 per month for child support for four children. *Donna Ruemker v. Lawrence Ruemker*, No. 00FC-010057.

b. On or about August 27, 2007, Ruemker pleaded guilty to three counts of the Class D Felony of Criminal – Non Support for the offense date of January 1, 2006 through December 31, 2006, in St. Louis County Circuit Court, State of Missouri. *State of Missouri v. Lawrence J. Ruemker*, No. 06CR-4322.

c. On or about September 27, 2007, the St. Louis County Circuit Court suspended the imposition of sentence on the three counts of the Class D Felony of Criminal – Non Support, placed Ruemker on five years' probation, and ordered him to pay court costs.

d. As a condition to his probation, the Court ordered Ruemker to pay the sum of $600 per month ($425/current and $175/arrearage) beginning November 15, 2007.

e. Ruemker failed to report to the Director the Class D Felony of Criminal – Non Support within thirty days as required by § 375.141.7.

f. On or about April 23, 2009, Ruemker was called for a Probation Revocation Hearing and Judgment in St. Louis County Circuit Court, State of Missouri. *State of Missouri v. Lawrence Ruemker,* No. 2106R-4322.

g. On or about April 23, 2009, the St. Louis County Circuit Court held a probation revocation hearing as a result of Ruemker's failure to pay child support which was a condition of his probation. *State of Missouri v. Lawrence Ruemker*, No. 2106R-4322. The Court sentenced Ruemker to one year in the Department of Justice Services for St. Louis County for each count, with the sentences of each count to be served concurrently. The court suspended execution of sentence on each count and placed Ruemker on five years' probation.

h. As a condition to his probation, the Court ordered Ruemker to pay the sum of $600 per month ($425/current and $175/arrearage) for child support beginning June 1, 2009.

In the Matter of: Lawrence J. Ruemker, No. 09-1116769C.

6. In the Consent Order, Ruemker admitted that his actions were grounds to discipline his insurance producer license pursuant to § 375.141.1(2), (6), and (13). *Id.,* ¶ 20.

7. Rather than discipline Ruemker's insurance producer license, e.g., suspend or revoke Ruemker's license as allowed under § 375.141.1, the Director entered into the Consent Order with Ruemker which ordered him to comply with the multiple conditions, including, but not limited to the following:

> IT IS FURTHER ORDERED that Lawrence J. Ruemker shall maintain full compliance with child support obligations as required by all court orders, including but not limited to the terms of his probation in *State of Missouri v. Lawrence Ruemker*, No. 2106R-4322.

IT IS FURTHER ORDERED and Lawrence J. Ruemker acknowledges and agrees that if at any time he fails to timely make any child support payment required under the conditions of his probation in *State of Missouri v. Lawrence Ruemker*, No. 2106R-4322, or required by any other court or administrative body, then Ruemker will be deemed to have failed to satisfy the conditions of this Consent Order and such failure shall be grounds for discipline of his insurance producer license.

In the Matter of: Lawrence J. Ruemker, No. 09-1116769C.

8. The Division's investigation regarding Ruemker's child support obligations and payments revealed the following:

a. On or about March 6, 2001, the St. Louis County Circuit Court ordered Ruemker to pay $425.00 per month for child support for four children. *Donna Ruemker v. Lawrence Ruemker*, No. 00FC-010057.[1]

b. In past 26 months, since March 2012, Ruemker owed $ 11,050.00 in child support. However, in the entirety of those 26 months, Ruemker only paid $ 2,625.00.

c. During the last year Ruemker accumulated $5,100.00 in child support obligations, and only made three payments totaling $650.00.

d. As of April 8, 2014, Ruemker's total arrearage is $23,686,50.

9. By failing to maintain full compliance with child support obligations as required by the court orders in *Donna Ruemker v. Lawrence Ruemker*, No. 00FC-010057, and *State v. Lawrence Ruemker,* No. 2106R-4322-01, Ruemker has violated the Consent Order issued by the Director and violated the terms of his probation.

10. By failing to timely make child support payments, Ruemker has violated the Consent Order issued by the Director.

CONCLUSIONS OF LAW

11. Section 375.141 RSMo (Supp. 2013)[2] provides, in part:

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[1] In his Felony Non Support case, the court ordered Ruemker, as a condition of his probation, to pay the sum of $600 per month ($425/current and $175/arrearage) for child support beginning June 1, 2009. *State v. Lawrence Ruemker,* St. Louis Co. Cir. Ct. No. 2106R-4322-01. However, the records of the Family Support Division, Missouri Department of Social Services, only reflect Ruemker's obligation to pay the $ 425.00 ordered in *Donna Ruemker v. Lawrence Ruemker*, St. Louis Co. Cir. Ct., No. 00FC-010057.

[2] All statutory references are to the Revised Statutes of Missouri (Supp. 2013). Section 375.141 has not been amended since the Director issued the Consent Order in April 2011.

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:

* * *

(2) Violating any insurance laws, or violating any regulation, subpoena or order of the director or of another insurance commissioner in any other state;

* * *

(13) Failing to comply with an administrative or court order imposing a child support obligation[.]

12. 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. E.D. 1984).

13. The Director may refuse to renew Ruemker's insurance producer license pursuant to § 375.141.1(2) because he violated an order of the Director as follows:

a. By failing to maintain full compliance with child support obligations as required by the court orders in *Donna Ruemker v. Lawrence Ruemker*, St. Louis Co. Cir. Ct., No. 00FC-010057, and *State v. Lawrence Ruemker,* St. Louis Co. Cir. Ct., No. 2106R-4322-01;

b. By failing to timely make child support payments as required by the court orders in *Donna Ruemker v. Lawrence Ruemker*, St. Louis Co. Cir. Ct., No. 00FC-010057, and *State v. Lawrence Ruemker,* St. Louis Co. Cir. Ct., No. 2106R-4322-01.

14. Each separate violation of the Consent Order is a separate and sufficient ground to refuse to renew Ruemker's license under § 375.141.1(2).

15. Each failure by Ruemker to make a timely child support payment is a separate and sufficient ground to refuse to renew Ruemker's license under § 375.141.1(2).

16. The Director may refuse to renew Ruemker's license under § 375.141.1(13) because he failed to comply with an administrative or court order imposing a child support obligation.

17. As an insurance producer regulated by the Department, Ruemker agreed to terms and conditions in a Consent Order issued by the Director. The terms and conditions in many ways merely mirrored Ruemker's obligations in his child support and criminal cases. By his actions, Ruemker has demonstrated disregard of the orders and authority of the courts and the Director.

18. Rather than discipline Ruemker's license, the Director gave Ruemker the opportunity to continue to conduct the business of insurance so that Ruemker could pay his child support. However, Ruemker's failures to comply with court orders and the Consent Order support the

Director's exercise of his discretion to refuse to renew Ruemker's license.

19. The Director has considered Ruemker's history and all of the circumstances surrounding Ruemker's Application for renewal. Renewing Ruemker's individual resident insurance producer license would not be in the interest of the public. Accordingly, the Director exercises his discretion to refuse to renew Ruemker's insurance producer license for the reasons stated in Paragraphs 13 (including its subparts) through 18 above.

20. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the individual resident insurance producer license renewal application of **Lawrence J. Ruemker** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 17th DAY OF APRIL, 2014.

JAMES R. McADAMS
DEPUTY 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 of Missouri, P.O. Box 1557, Jefferson City, Missouri, within 30 days after the mailing of this notice pursuant to Section 621.120, RSMo. Pursuant to 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 18th day of April, 2014 a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required, at the following addresses:

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8208 Watson Road
Apt. 5
St. Louis, MO 63119

No. 1Z0R15W84298082064

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