State of Missouri

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

IN RE:	)	
	)	
MAURICE LANDERS,	)	**Case No. 160726364C**
	)	
Applicant.	)	

ORDER REFUSING TO ISSUE MOTOR VEHICLE EXTENDED SERVICE CONTRACT PRODUCER LICENSE

On September 22, 2016, the Consumer Affairs Division submitted a Petition to the Director alleging cause for refusing to issue a motor vehicle extended service contract producer license to Maurice Landers. After reviewing the Petition, Investigative Report, and the entirety of the file, the Director issues the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Maurice Landers ("Landers") is a Missouri resident with a residential and mailing address of 3278 Cross Keys, Florissant, Missouri 63033.

2. On June 10, 2016, the Department of Insurance, Financial Institutions and Professional Registration ("Department") received Landers's completed Application for Motor Vehicle Extended Service Contract Producer License ("Application").

3. The "Applicant's Certification and Attestation" section of the Application states, in relevant part:

> 1. I hereby certify, under penalty of perjury, that all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties.

* * *

5. I further certify, under penalty of perjury, that a) I have no child support obligation, b) I have a child support obligation and I am currently in compliance with that obligation, or c) I have a child support obligation that is in arrears, I am in compliance with a repayment plan to cure the arrears, and I have provided all information and documentation requested in Background Information Question [7].

4. Landers accepted the "Applicant's Certification and Attestation" section by signing the Application before a notary public.

5. Background Question No. 7 of the Application asks the following:

Do you currently have or have you had a child support obligation?

If you answer yes:

a) are you in arrearage?
b) by how many months are you in arrearage? _____ months
c) what is the total amount of your arrearage? _____
d) are you currently subject to a repayment agreement to cure the arrearage? (If you answer yes, provide documentation showing an approved repayment plan from the appropriate state child support agency.)
e) are you in compliance with said repayment agreement? (If you answer yes, provide documentation showing proof of current payments from the appropriate state child support agency.)
f) are you the subject of a child support related subpoena/warrant? (If you answer yes, provide documentation showing proof of current payments or an approved repayment plan from the appropriate state child support agency.)
g) have you ever been convicted of a misdemeanor or felony for failure to pay child support?

6. Landers answered "No" to Background Question No. 7 and all of its subparts. During its investigation the Consumer Affairs Division discovered a child support obligation in arrearage that Landers failed to disclose as required. As of the date he signed his Application, Landers owed a total of $32,773.70 in arrears. As of September 22, 2016, Landers owes a total of $32,568.47 in arrears. *State of Missouri, Div. of Child Support Enforcement v. Maurice Landers,* St. Louis Co. Cir. Ct., Case No. 2106FC-07341.

7. It is inferable, and hereby found as fact, that Landers failed to disclose his child support obligation or arrearage on his Application in order to misrepresent to the Director that he did not have a child support obligation, and accordingly, in order to improve the chances that the Director would approve his Application and issue him a motor vehicle extended service contract ("MVESC") producer license.

CONCLUSIONS OF LAW

8. Section 385.209.1 RSMo (Supp. 2013)[1] states, in relevant part:

> The director may suspend, revoke, refuse to issue, or refuse to renew a registration or license under sections 385.200 to 385.220 for any of the following causes, if the applicant or licensee or the applicant's or licensee's subsidiaries or affiliated entities acting on behalf of the applicant or licensee in connection with the applicant's or licensee's motor vehicle extended service contract program has:
>
> * * *
>
> (3) Obtained or attempted to obtain a license through material misrepresentation or fraud; [or]
>
> * * *
>
> (12) Failed to comply with an administrative or court order imposing a child support obligation[.]

9. The Director may refuse to issue a MVESC producer license to Landers pursuant to § 385.209.1(3) because Landers attempted to obtain a MVESC producer license through material misrepresentation or fraud in that he failed to disclose his child support arrearage. *See State of Missouri, Div. of Child Support Enforcement v. Maurice Landers,* St. Louis Co. Cir. Ct., Case No. 2106FC-07341.

10. The Director may refuse to issue a MVESC producer license to Landers pursuant to § 385.209.1(12) because Landers has failed to comply with an administrative or court order imposing a child support obligation and, as a result, currently owes $32,568.47 in arrears. *See id.*

[1] All statutory references are to the Revised Statutes of Missouri (2000), as updated by the 2013 Supplement.

11. The Director has considered Landers's history and all of the circumstances surrounding Landers's Application. Issuing Landers a MVESC producer license would not be in the interest of the public. Accordingly, the Director exercises his discretion to refuse to issue Landers a MVESC producer license.

12. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the motor vehicle extended service contract producer license application of **Maurice Landers** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 26th **DAY OF** September**, 2016.**

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

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.

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CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of September, 2016, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required service, at the following address:

Maurice Landers
3278 Cross Keys Drive
Florissant, Missouri 63033

No. 1Z0R15W84298321037

Kathryn Latimer, Paralegal
Missouri Department of Insurance, Financial
Institutions and Professional Registration
301 West High Street, Room 530
Jefferson City, Missouri 65101
Telephone: (573) 751-6515
Facsimile: (573) 526-5492
Email: Kathryn.Latimer@insurance.mo.gov