State of Missouri

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS &
PROFESSIONAL REGISTRATION

IN RE:	)	
	)	
	)	Case No. 120106016C
Richard K. Rosdal,	)	
	)	
Applicant.	)	

ORDER REFUSING TO ISSUE NON-RESIDENT INSURANCE PRODUCER LICENSE

On January 18, 2012, the Consumer Affairs Division submitted a Petition to the Director alleging cause for refusing to issue a non-resident insurance producer license to Richard K. Rosdal. After reviewing the Petition, the Investigative Report, and the entirety of the file, the Director issues the following findings of fact, conclusions of law, and summary order.

FACTUAL BACKGROUND

1. Richard K. Rosdal ("Rosdal") is an individual residing in Colorado whose residence and mailing address is 5783 South Rome Street, Aurora, Colorado 80015. Rosdal's business address is 5500 Greenwood Plaza Boulevard, Greenwood Village, Colorado 80111.

2. On or about July 14, 2011, the Department of Insurance, Financial Institutions and Professional Registration ("Department") received an electronic Uniform Application for Individual Insurance Producer License ("Application") submitted on Rosdal's behalf.

3. In the section of the Application headed "Background Questions," Background Question #1 asks, "Have you ever been convicted of a crime, had a judgement withheld or deferred, or are you currently charged with committing a crime? . . . Conviction includes, but is not limited to, having been found guilty by verdict of a judge or jury, having entered plea of guilty or nolo contendere, or having been given probation, or suspended sentence or a fine."

4. Rosdal answered "Yes" to Background Question #1. The Application

requires that if an applicant answers affirmatively to Background Question #1, the applicant must send a written statement explaining the circumstances of each incident, a copy of the charging document, and a copy of the official document which demonstrates the resolution of the charges or any final judgment. Rosdal submitted additional documentation from the Superior Court of California, County of Contra Costa, which indicated the court clerk did not find records under the name "Richard Rosdal." Rosdal submitted no additional documentation concerning his affirmative response to Background Question #1.

5. In the section of the Application headed "Background Questions," Background Question #4 asks, "Have you been notified by any jurisdiction to which you are applying of any delinquent tax obligation that is not the subject of a repayment agreement? If so, in what jurisdiction(s)?" Rosdal answered "No" to Background Question #4.

6. On or about August 17, 2011, Rosdal submitted a letter which stated:

> I am currently filing my 2009 federal and state taxes. I will not owe taxes for that year based upon a limited income and high expenses. After 2010 is filed I will set up a plan to pay the IRS for approximately 2,600 in taxes for 2010.

7. On September 9, 2011, Consumer Affairs Division Investigator Karen Crutchfield ("Crutchfield") sent a letter to Rosdal at his mailing address with sufficient postage attached. Crutchfield's letter inquired into Rosdal's criminal history and tax issues and required a response by September 30, 2011. The letter was not returned as undeliverable. Rosdal never provided a written response or justification for a delayed response.

8. On October 4, 2011, Crutchfield sent a letter to Rosdal at his business address with sufficient postage attached. Crutchfield's letter inquired into Rosdal's criminal history and tax issues and required a response by October 25, 2011. The letter was not returned as undeliverable and Rosdal never provided a written response or justification for a delayed response.

9. On October 27, 2011, Crutchfield sent letter to Rosdal at his mailing and business addresses by certified mail with sufficient postage attached. Crutchfield's letters inquired into Rosdal's criminal history and tax issues and required a response by November 17, 2011. Rosdal signed for the letter sent to his mailing address and the letter sent to his business address was claimed. However, Rosdal never provided a written response

15. The Director has considered Rosdal's history and all of the circumstances surrounding Rosdal's Application for licensure and exercises his discretion in summarily refusing to grant Rosdal's non-resident insurance producer license.

16. Granting Rosdal's non-resident insurance producer license would not be in the public interest.

17. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the non-resident insurance producer license application of Richard K. Rosdal is hereby summarily REFUSED.

SO ORDERED, SIGNED, AND OFFICIAL SEAL AFFIXED THIS 19TH DAY OF JANUARY, 2012.

JOHN M. HUFF
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, P.O. Box 1557, Jefferson City, Missouri within 30 days after the mailing of this notice pursuant to §621.120, RSMo. Under 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 20th day of January, 2012, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by regular and certified mail at the following address:

Richard K. Rosdal
5783 South Rome Street
Aurora, Colorado 80015

Certified Mail No. 7008 2810 0000 2014 9035

Richard K. Rosdal
5500 Greenwood Plaza Boulevard
Greenwood Village, Colorado 80111

Certified Mail No. 7008 2810 0000 2014 9028

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