STATE OF MISSOURI

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	
Gregory Robert Vorce,	)	**Case No. 12-0416381C**
	)	
Respondent.	)	

CONSENT ORDER

John M. Huff, Director of the Department of Insurance, Financial Institutions and Professional Registration takes up the above matter for consideration and disposition. The Consumer Affairs Division, through counsel Kristen E. Paulsmeyer, and Gregory Robert Vorce, have reached a settlement in this matter and have consented 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, 375, and 385, RSMo,[1] include the supervision, regulation, and discipline of motor vehicle extended service contract producers.

2. The Department's Consumer Affairs Division ("Division") has the duty of conducting investigations into the acts of motor vehicle extended service contract producers

[1] All statutory references are to the 2011 Supplement to the Revised Statutes of Missouri unless otherwise noted.

under Chapters 374, 375 and 385, and is authorized to investigate and recommend enforcement action, including motor vehicle extended service contract producer license application refusal.

3. On or about November 22, 1999, Gregory Robert Vorce ("Vorce") pleaded guilty to the Class C Felony of Assault in the 2nd degree in violation of § 565.060. *State v. Gregory R. Vorce*, Lincoln Co. Cir. Ct., Cause No. CR198-1228FX. Vorce received a suspended imposition of sentence, and the court placed him on probation for a period of five years.

4. On or about December 29, 2000, the court revoked Vorce's probation and sentenced Vorce to the custody of the Missouri Department of Corrections for a period of three years. In June 2001, Vorce was released on probation for a term of five years, which he completed in 2006.

5. On or about December 22, 2011, Vorce submitted an Application for Motor Vehicle Extended Service Contract Producer License ("Application") to the Department which was supplemented on January 12, 2012.

6. Vorce failed to disclose delinquent taxes on his Application, however, on April 11, 2012, Vorce entered into a Delinquent Tax Payment Agreement with the State of Missouri in which Vorce agreed to pay $1,834.31 and $1,039.19 plus 9% interest for the tax period of 2008 and 2009; the Delinquent Tax Payment Agreement required a payment of $100.00 on or before the 15th of each month until the taxes, penalties and interest are paid in full. *State of Missouri, ex rel. Alana M. Barragan-Scott, Director of Revenue v. Gregory Vorce,* Lincoln Co. Cir. Ct.

7. Vorce acknowledges and understands that under § 385.209.1(5), the Director may refuse to issue a motor vehicle extended service contract producer license to Vorce because Vorce has been convicted of a felony.

8. Vorce acknowledges and understands that under § 385.209.1(3), the Director may refuse to issue a motor vehicle extended service contract producer license to Vorce because Vorce obtained or attempted to obtain a license through material misrepresentation or fraud.

9. Vorce acknowledges and understands that he has the right to consult counsel at his own expense.

10. This Consent Order is entered pursuant to §§ 374.046 and 385.216. As such, any interested person aggrieved by this Consent Order may request a hearing before the Director or review of this Consent Order in a circuit court under § 374.055. Although under the Department's interpretation of the relevant statutes, review of this Consent Order by the Administrative Hearing Commission is not available, Vorce nevertheless may have the right, under § 621.045, to submit this Consent Order to the Administrative Hearing Commission for a determination that the facts agreed to in this consent order constitute grounds to refuse Vorce's license.

11. Vorce stipulates and agrees to waive any waivable rights that he may have to a hearing before the Administrative Hearing Commission, the Director, and any rights to seek judicial review or other challenge or contest of the terms and conditions of this Consent Order and forever releases and holds harmless the Department, the Director and his agents, and the Consumer Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

12. 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

13. The actions admitted by Vorce may be grounds to refuse his Missouri motor vehicle extended service producer license application pursuant to § 385.209.1(5) and (3).

14. The Director may impose orders in the public interest under §§ 374.046 and 385.216.

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 motor vehicle extended service contract producer license to Gregory Robert Vorce subject to the conditions set forth herein.

IT IS ORDERED that Gregory Robert Vorce shall respond to all inquiries and consumer complaints forwarded or otherwise communicated to him by the Department or a consumer within five business days of receipt. Vorce shall report in writing all consumer complaints, both written and oral, to the Consumer Affairs Division, within five business days of receipt. If a complaint was not communicated to Vorce by the Department, Vorce shall send a copy of the complaint and Vorce's response to the consumer within five business days of receipt.

IT IS ORDERED that Gregory Robert Vorce shall maintain full compliance with this Consent Order and all court orders and other requirements relating to the Delinquent Tax Payment Agreement of April 11, 2012, *State of Missouri, ex rel. Alana M. Barragan-Scott, Director of Revenue v. Gregory Vorce,* Lincoln Co. Cir. Ct. Vorce shall sign and submit a Statement of Compliance to the Director within 30 days of his payment in full. Should Vorce fail to make payments per the Delinquent Tax Agreement of April 11, 2012, Vorce shall notify

the Consumer Affairs Division within 30 days of such failure and notify the Consumer Affairs Division of the consequences of such failure.

IT IS ORDERED that Gregory Robert Vorce shall report to the Consumer Affairs Division any and all of the following incidents involving Vorce: probation violation, probation revocation, arrest, citation, guilty plea, nolo contendere plea, finding of guilt or conviction concerning a felony or misdemeanor. Vorce shall report all such incidents to the Consumer Affairs Division within five business days of their occurrence.

IT IS ORDERED that for five years subsequent to the date of this executed Consent Order, Gregory Robert Vorce will voluntarily surrender his license to the Department within 30 days of Vorce's entry of a guilty plea, nolo contendere plea, finding of guilt or conviction for a felony, regardless of whether sentence is imposed, suspended or executed.

IT IS ORDERED that Gregory Robert Vorce shall report to the Consumer Affairs Division any administrative action undertaken or initiated against Vorce in another jurisdiction or by another governmental agency in this state within five business days after Vorce receives notification of the initiation of such administrative action.

IT IS ORDERED that Gregory Robert Vorce shall report to the Consumer Affairs Division any violation of or failure to comply with the laws set forth in Chapters 374, 375 or 385 within five business days of such violation or failure to comply.

IT IS ORDERED that if Gregory Robert Vorce maintains his motor vehicle extended service contract producer license beyond the initial term and complies with the terms of this Consent Order, Vorce may apply to renew his license and the Director shall consider the renewal application in accordance with Chapters 374, 375, and 385 without regard to Vorce's prior felony or the underlying conduct in *State v. Gregory R. Vorce*, Lincoln Co. Cir. Ct., Cause No.

CR198-1228FX or *State of Missouri, ex rel. Alana M. Barragan-Scott, Director of Revenue v. Gregory Vorce,* Lincoln Co. Cir. Ct.

IT IS ORDERED that the terms of this Consent Order do not limit or supersede the requirements, obligations and/or consequences set forth in § 324.010.

IT IS ORDERED that the Director may pursue additional legal remedies, as determined appropriate by the Director, and without limitation, as authorized by Chapters 374, 375, and 385 including remedies for violation of, of failure to comply with, the terms of this Consent Order.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 9TH **DAY OF** MAY **, 2012.**

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 Gregory Robert Vorce may have a right to a hearing, but that Gregory Robert Vorce has waived the hearing and consented to the issuance of this Consent Order.

Gregory Robert Vorce
1023 Hasberry Ct.
Troy, MO 63379
Respondent

4-25-12
Date

Counsel for Respondent
Name: _____
Missouri Bar No. _____
Address: _____
_____
Telephone: _____

Date

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5/2/12
Date