State of Missouri

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

IN THE MATTER OF:	)	
	)	
Tisa Angela Moore,	)	Case No. 06A000699
	)	
Applicant.	)	
	)	
Serve at:	)	
	)	
587 Calibre Crest Pkwy #105 Altamonte Springs FL 32714	)	
	)	

REFUSAL TO ISSUE INSURANCE PRODUCER LICENSE

On July 30, 2007, Kathyrn Turner, as Senior Counsel for the Investigations Section of the Consumer Affairs Division, submitted a petition to the Director alleging cause for refusing to issue the insurance producer license of Tisa Angela Moore ("Applicant"). After reviewing the petition, and the investigative report, the Director issues the following findings of fact, conclusions of law and summary order:

FINDINGS OF FACT

1. Tisa Angela Moore ("Applicant") is a Florida resident with an address of 587 Calibre Crest Pkwy, Altamonte Springs, Florida 32714.

2. On May 4, 2006, Applicant filed a Uniform Application for Individual Insurance Producer License ("Application") with the Department of Insurance seeking licensure as an insurance producer.

3. On the application under BACKGROUND QUESTIONS, Questions 2 and 4 ask:

> 2. Have you…ever been involved in an administrative proceeding regarding any professional or occupational license?
>
> 4. 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? Is so, in what jurisdiction(s)?

4. Applicant answered "Yes" in response to both questions and provided some information concerning tax issues with the state of Georgia and insurance license denials in Oklahoma and Virginia.

5. The Insurance Licensing Section sent requests for additional information to Applicant on May 4, 2006, September 13, 2006 and October 31, 2006. No response was received from Applicant.

6. On November 16, 2006, the Consumer Affairs Division initiated an investigation.

7. On December 6, 2006 and February 27, 2007, written requests for information concerning the Georgia tax obligation and the Oklahoma and Virginia administrative actions.

8. On November 22, 2004, the Insurance Commissioner of the State of Oklahoma denied Applicant's application for an Oklahoma insurance producer license.

9. On October 13, 2006, the Insurance Commission of the State of Wisconsin denied Applicant's application for a Wisconsin insurance producer license.

10. This order is in the public interest.

CONCLUSIONS OF LAW

11. Section 375.141.1 RSMo Cum. Supp. 2006 provides, in part:

> 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…;
>
> (8) …demonstrating incompetence…in the conduct of business in this state or elsewhere;
>
> (9) Having an insurance producer license denied…in any other state…;

11. As §375.141 provides that the director "may" refuse a license application, the director has discretion under this section for refusing to issue a license. State Bd. Of Regis'n for the Healing Arts v. Finch, 514 S.W. 2d 608 (Mo. App., E.D. 1984). The issuance of a license to an applicant for an insurance producer license "places the seal of the state's approval upon [the Applicant] ….and certifies to the

public that [she] ... possess[es] these requisites [competency, skill...]" State ex rel. Lentine v. State Bd. Of Health, 66 S.W. 2d 943, 950 (Mo. 1993); Hess v. Director of Insurance, No. 93-000368DI, (Mo. Admin. Hrg. Comm.1993). By her apparent failure to comply with tax requirements in Georgia, failure to respond to requests from two other state insurance commissioners and failure to respond to Missouri department staff reviewing her application for a Missouri insurance producer license, Applicant has demonstrated lack of qualification. In addition to violating the law, being unresponsive to the regulatory agency issuing her license is failing to perform a very basic professional duty. This cavalier approach also contributed to the denial of licenses in two other states, which alone constitutes cause for refusing to issue her a Missouri insurance producer license.

12. In applying this discretion, the Director has considered the history of the Applicant and all of the circumstances surrounding the Application, including the numerous attempts of investigators to obtain information from Applicant, her failures to respond and the denials of licenses in two other states. The Applicant's history raises additional questions regarding Applicant's ability to comply with Missouri law and whether she has demonstrated that he can meet the significant responsibilities of a licensed insurance producer in the near future. For all of these reasons, the Director exercises his discretion in refusing to license the Applicant.

13. The Director, in making this decision, has considered all of the information within the whole record of the Application as presented by the Applicant as well as the Consumer Affairs Division. Any failure to specifically address a piece of evidence, information, position or argument of any party does not indicate that the Director has failed to consider relevant information, but indicates rather that the omitted material was not dispositive of the Director's decision.

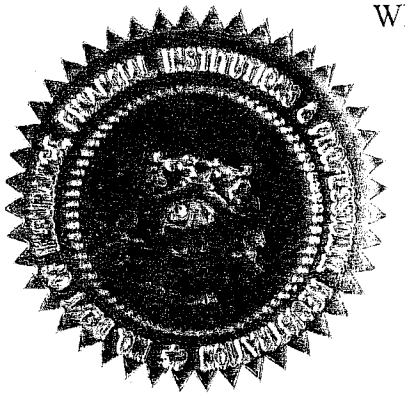
14. This order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the issuance of the insurance producer license of Applicant Tisa Angela Moore is hereby summarily REFUSED.

SO ORDERED.

WITNESS MY HAND THIS 9th DAY OF August, 2007.



DOUGLAS M. OMMEN
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.

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of August, 2007, a copy of the foregoing notice, order and petition was served upon the Applicant in this matter by certified mail.

Karen Crutchfield

Karen Crutchfield
Senior Office Support Staff