

**DEPARTMENT OF INSURANCE, FINANCIAL
INSTITUTIONS AND PROFESSIONAL REGISTRATION**

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

IN RE: ELLIOT MCGRATH RAUSCHER
13545 BARRETT PARKWAY DR. STE. 150
BALLWIN, MO 63021

TRACKING ID 20766
RECEIVED
FEB 25 2014

VOLUNTARY FORFEITURE AGREEMENT

MO. DEPT OF INSURANCE,
FINANCIAL INSTITUTIONS
PROFESSIONAL REGISTRATION

It is hereby agreed by Elliot McGrath Rauscher ("Rauscher") and the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration, as follows:

WHEREAS, John M. Huff, is the duly appointed Director of the Department of Insurance, Financial Institutions and Professional Registration, State of Missouri (hereinafter, "Director" of the "Department"), whose duties, pursuant to Chapters 374, 375 and 381, RSMo, include the supervision and regulation of the business of insurance;

WHEREAS, the Consumer Affairs Division of the Department is charged with investigating producers and companies engaged in the business of insurance pursuant to Sections 374.085 and 374.190, RSMo and is authorized by the Director to recommend enforcement action under the laws relating to insurance;

WHEREAS, Rauscher, held a producer license from January 9, 2008 to January 9, 2012 in "Title" with the Department, pursuant to Chapter 375 and 381, RSMo;

WHEREAS, the Consumer Affairs Division's investigation has revealed that Rauscher engaged in the business of title insurance without an insurance producer license between January 9, 2012 and the date of this Agreement in violation of Section 381.115.1, RSMo (Supp. 2012);

1. It is unlawful for any person to transact the business of title insurance unless authorized as a title insurer, title agency or title agent.

Section 381.115.2(2), RSMo (Supp. 2012);

2. It is unlawful for any person to transact business as:
(2) A title agent, unless the person is a licensed individual insurance producer under subsection 1 of section 375.015 or is exempt from licensure under subsection 3 of this section;

subjecting Rauscher to enforcement action by the Director;


WHEREAS, Rauscher has been informed of his right to counsel and of his right to contest any attempt by the Department to refuse to issue an insurance producer license, and states that he understands his rights to contest any such actions;

AND WHEREAS, Rauscher, acknowledges and admits for purposes of this Agreement and for purposes of any future action by the Director or the Consumer Affairs Division based on any additional violation of the insurance laws or regulations by Rauscher, in which action the Director or the Consumer Affairs Division alleges that the violations described herein form part of a course of conduct, a business practice, or other such series of similar violations, or that future violations by Rauscher are committed knowingly, intentionally or in conscious disregard of the law, that he acted as an insurance producer without a license, and that such conduct violated Sections 381.115.1 and 381.115.2(2), RSMo (Supp. 2012);

NOW, THEREFORE, in lieu of any recommendation or initiation by the Consumer Affairs Division of any action based on the violation(s) cited in this Agreement, and after being afforded the opportunity to consult legal counsel, Rauscher does hereby voluntarily and knowingly surrender and forfeit the sum of One Thousand dollars (\$1,000.00), such sum to be paid into the State School Moneys Fund pursuant to Sections 374.046 and 374.280, RSMo.

Rauscher shall submit this sum to the Department by cashier's check or money order made payable to the State School Moneys Fund no later than January 23, 2014. The parties agree that, should the Director or the Division in the future allege an additional violation of the insurance laws or regulations by Rauscher, nothing in this Agreement shall preclude the Director or the Consumer Affairs Division from introducing Rauscher's admissions contained in this Agreement as evidence that the acts described herein form part of a course of conduct, a business practice, or other such series of similar violations, or for purposes of showing that such later alleged acts are committed knowingly, intentionally or in conscious disregard of the law.


DATED: 2/19/2014


Elliot McGrath Rauscher
License No. 0409621

DATED: 2.25.14


Matt Barton, Director
Consumer Affairs Division

DATED: 3.3.14


John M. Huff, Director
Department of Insurance, Financial Institutions
and Professional Registration

Return original to:
Marjorie Thompson
Missouri Department of Insurance,
Financial Institutions and Professional Registration
PO Box 4001
Jefferson City, MO 65102