

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

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

**IN RE:**

**KEVIN J. FARINA,**

**Applicant.**

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**Case No. 171215612C**

**CONSENT ORDER**

CHLORA LINDLEY-MYERS, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, takes up the above matter for consideration and disposition. The Consumer Affairs Division, through counsel Mark J. Rachel, and Kevin J. Farina have reached a settlement in this matter and have agreed to the issuance of this Consent Order.

**FINDINGS OF FACT**

1. Chlora Lindley-Myers 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 and 375, RSMo<sup>1</sup> include the licensure, supervision, and discipline of insurance producers.
2. The Consumer Affairs Division of the Department (the “Division”) has the duty of conducting investigations into the qualifications of insurance producer license applicants and

<sup>1</sup> All civil statutory references are to the 2016 Missouri Revised Statutes.

has been authorized by the Director to initiate actions before the Director to enforce the insurance laws of Missouri, including insurance producer license application refusal.

3. Kevin J. Farina (“Farina”) is a Missouri resident and the subject of a child support order from Eau Claire County, Wisconsin, but has not always paid his obligation in full.

4. Since 2017, Farina has been making regular payments to address his child support arrearage.

5. On April 9, 2017, the Department received Farina’s Uniform Application for Individual Producer License/Registration (“Application”).

6. Farina disclosed his child support obligation on the Application, as required.

7. Farina understands and agrees that pursuant to § 375.141.1(13) the Director may refuse to issue Farina a resident insurance producer license because he has failed to comply with an administrative or court order imposing a child support obligation.

8. Farina stipulates and agrees to waive any waivable rights that he may have to a hearing before the Administrative Hearing Commission or 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 Division, the Director, and her agents from all liability and claims arising out of, pertaining to, or relating to this matter.

9. Farina acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other jurisdictions. Farina further acknowledges and understands that this administrative action should be disclosed on future license applications and renewal applications in this state and elsewhere, and that it is his responsibility to comply with the reporting requirements of each jurisdiction in which he may be licensed.

10. All signatories to this Consent Order certify by signing that they are fully authorized, in their own capacities, or by the named parties they represent, to accept the terms and provisions of this Consent Order in their entirety and agree, in their personal or representative capacities, to be bound by the terms of this Consent Order.

**CONCLUSIONS OF LAW**

11. Section 375.141.1 provides, in relevant 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:

\* \* \*

(13) Failing to comply with an administrative or court order imposing a child support obligation[.]

12. The foregoing facts hereby admitted by Farina constitute cause for the Director to refuse his Application pursuant to § 375.141.1(13).

13. The Director is authorized to settle this matter and issue this Consent Order in the public interest pursuant to §§ 374.046, 536.060, and 621.045.

14. The terms set forth in this Consent Order are an appropriate disposition of this matter and issuance of this Consent Order is in the public interest.

**ORDER**

IT IS ORDERED that the Department will issue a resident insurance producer license to Kevin J. Farina, subject to the conditions set forth herein and the following special conditions:

1. Kevin J. Farina shall respond to all inquiries from the Consumer Affairs Division in accordance with 20 CSR 100-4.100.

2. If a consumer complaint is communicated directly to Kevin J. Farina, he shall send the Consumer Affairs Division a copy of the complaint and a copy of his response to the consumer within five business days of receipt of the consumer complaint.

3. Kevin J. Farina shall report to the Consumer Affairs Division any administrative action initiated against him by any other state or federal governmental agency within five business days after Farina receives notification of the initiation of such administrative action.

4. Kevin J. Farina shall report to the Consumer Affairs Division within five business days any of the following incidents involving him: the first court hearing or appearance in any criminal proceeding, guilty plea, *Alford* plea, nolo contendere plea, finding of guilt, or conviction for a felony or misdemeanor.

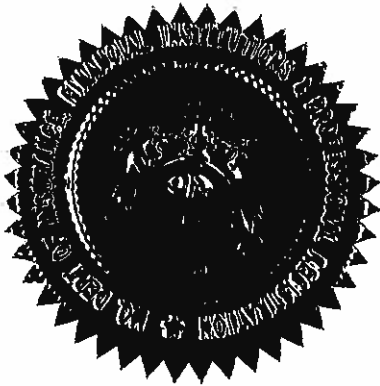
5. Kevin J. Farina shall voluntarily surrender his resident insurance producer license to the Department within five business days of any of the following incidents involving him: guilty plea, *Alford* plea, nolo contendere plea, finding of guilt, or conviction for a felony or crime involving moral turpitude, regardless of whether any associated sentence is suspended or executed.

6. The special conditions listed in the immediately preceding five paragraphs shall expire upon the expiration, lapse, termination, revocation, or renewal of Kevin J. Farina's resident insurance producer license, whichever occurs first.

IT IS FURTHER ORDERED that if Kevin J. Farina fully complies with the terms and conditions of this Consent Order, he may apply to renew his resident insurance producer license and the Director shall consider any renewal application in accordance with Chapters 374 and 375, but without regard to the administrative or court order imposing a child support obligation originating from Eau Claire County, Wisconsin in case number 1803FA000363.

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

SO ORDERED, SIGNED, AND OFFICIAL SEAL AFFIXED THIS 07<sup>th</sup> DAY OF February, 2018.



*Chlora Lindley-Myers*  
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**CHLORA LINDLEY-MYERS, Director**  
Missouri Department of Insurance, Financial  
Institutions and Professional Registration

**CONSENT AND WAIVER OF HEARING**

The undersigned persons understand and acknowledge that Kevin J. Farina has the right to a hearing, but that Kevin J. Farina has waived the hearing and agreed to the issuance of this Consent Order.

Kevin J. Farina  
Kevin J. Farina, Applicant  
3628 Southwest Windsong Place  
Lee's Summit, Missouri 64082-4000

01/29/2018  
Date

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Counsel for Applicant  
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Telephone: \_\_\_\_\_  
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7 February 2018  
Date