



**FINAL ORDER**  
**EFFECTIVE**  
**01-09-17**

**State of Missouri**

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

**IN RE:** )  
 )  
**JASON DAVID ALBALADEJO,** ) **Case No. 160712343C**  
 )  
**Applicant.** )

**ORDER REFUSING TO ISSUE MOTOR VEHICLE  
EXTENDED SERVICE CONTRACT PRODUCER LICENSE**

On November 29, 2016, the Consumer Affairs Division submitted a Petition to the Director alleging cause for refusing to issue a motor vehicle extended service contract producer license to Jason David Albaladejo. After reviewing the Petition and Investigative Report, the Director issues the following findings of fact, conclusions of law, and order:

**FINDINGS OF FACT**

1. Jason David Albaladejo ("Albaladejo") is a Missouri resident with a residential and mailing address of 1 Masters Ct., St. Peters, Missouri 63376 and a business address of 5301 Veterans Memorial Parkway, St. Peters, Missouri 63376.
2. On May 25, 2016, the Department of Insurance, Financial Institutions and Professional Registration ("Department") received Albaladejo's completed Application for Motor Vehicle Extended Service Contract Producer License ("Application").
3. Albaladejo answered "Yes" in response to Background Question No. 1 of the Application that asks, in relevant part, "Have you ever been convicted of a crime, had a judgment withheld or deferred, received a suspended imposition of sentence ("SIS") or suspended execution of sentence ("SES"), or are you currently charged with committing a crime?"
4. Background Question No. 1 of the Application also instructs:  
  
If you answer yes, you must attach to this application:
  - a) a written statement explaining the circumstances of each incident,
  - b) a certified copy of the charging document, and
  - c) a certified copy of the official document which demonstrates the resolution of the charges or any final judgment.
5. Albaladejo attached copies of court records and a letter to his Application to further

explain his response to Background Question No. 1.

6. The court records Albaladejo provided with his Application revealed that on or about April 13, 2010, Albaladejo pled guilty to, and was convicted of:
  - a. Distribution, Delivery, Manufacture or Production of a Controlled Substance, a Class B Felony, in violation of § 195.211 RSMo.<sup>1</sup> The court sentenced Albaladejo to five (5) years' incarceration, but suspended the execution of sentence and placed Albaladejo on supervised probation for five (5) years. *State v. Jason David Albaladejo*, St. Charles Co. Cir. Ct., Case No. 0811-CR05886-01.
  - b. Burglary – 2<sup>nd</sup> Degree, a Class C Felony, in violation of § 569.170 RSMo. The court sentenced Albaladejo to four (4) years' incarceration, but suspended the execution of sentence and placed Albaladejo on supervised probation for five (5) years. *State v. Jason David Albaladejo*, St. Charles Co. Cir. Ct., Case No. 0911-CR04428-01.
  - c. Theft/Stealing (Value of Property or Services is \$500 or More But Less Than \$2,500), a Class C Felony, in violation of § 570.030 RSMo. The court sentenced Albaladejo to four (4) years' incarceration, but suspended the execution of sentence and placed Albaladejo on supervised probation for five (5) years. *Id.*

#### CONCLUSIONS OF LAW

7. Section 385.209 RSMo (Supp. 2013)<sup>2</sup> provides, in part:
  1. The director may suspend, revoke, refuse to issue, or refuse to renew a registration or license under sections 385.200 to 385.220 for any of the following causes, if the applicant or licensee or the applicant's or licensee's subsidiaries or affiliated entities acting on behalf of the applicant or licensee in connection with the applicant's or licensee's motor vehicle extended service contract program has:

\* \* \*

(5) Been convicted of any felony[.]

8. The Director may refuse to issue a MVESC producer license to Albaladejo pursuant to § 385.209.1(5) because Albaladejo has been convicted of three (3) felonies:
  - a. Distribution, Delivery, Manufacture or Production of a Controlled Substance, a Class B Felony. *State v. Jason David Abaladejo*, St. Charles Co. Cir. Ct., Case

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<sup>1</sup> All criminal statutory references are to those contained in the version of the Revised Statutes of Missouri under which the court rendered judgment.

<sup>2</sup> All civil statutory references are to the Revised Statutes of Missouri (2000) as updated by the 2013 Supplement.

No. 0811-CR05886-01.<sup>3</sup>

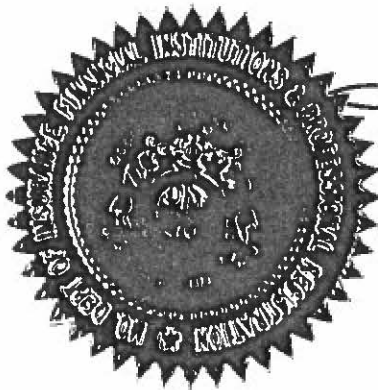
- b. Burglary – 2<sup>nd</sup> Degree, a Class C Felony. *State v. Jason David Albaladejo*, St. Charles Co. Cir. Ct., Case No. 0911-CR04428-01.
  - c. Theft/Stealing (Value of Property or Services is \$500 or More But Less Than \$25,000), a Class C Felony. *Id.*
9. Each felony conviction is a separate and sufficient ground for refusal pursuant to § 385.209.1(5).
  10. For the reasons given in this Petition, the Director should consider Albaladejo's history and exercise his discretion to refuse to issue a MVESC producer license to Albaladejo.
  11. An order refusing to issue a MVESC producer license to Albaladejo would be in the public interest.
  12. The Director has considered Albaladejo's history and all of the circumstances surrounding Albaladejo's Application. Issuing Albaladejo a MVESC producer license would not be in the interest of the public. Accordingly, the Director exercises his discretion and refuses to issue Albaladejo a MVESC producer license.
  13. This Order is in the public interest.


**ORDER**

**IT IS THEREFORE ORDERED** that the motor vehicle extended service contract producer license application of **Jason David Albaladejo** is hereby **REFUSED**.

**SO ORDERED.**

WITNESS MY HAND THIS 1<sup>ST</sup> DAY OF DECEMBER, 2016.



  
**JOHN M. HUFF, DIRECTOR**  
Missouri Department of Insurance, Financial  
Institutions and Professional Registration

<sup>3</sup> Although case number 0811-CR05886-01 and 0911-CR04428-01 list two (2) different last names for Albaladejo, the defendant's birthdate and social security numbers in both cases match each other. Albaladejo provided the court records for both cases with his Application.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 6<sup>th</sup> day of December , 2016, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required service, at the following address:

Jason David Albaladejo  
1 Masters Ct.  
St. Peters, Missouri 63376

No. 1Z0R15W84293712418



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## **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. Pursuant to 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.

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