

# STATE OF MISSOURI



## DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

IN RE: JENNIFER A. SMITH  
18500 DEEP WOODS TRAIL  
ROLLA, MO 65401

TRACKING ID 277755

### VOLUNTARY FORFEITURE AGREEMENT

◀ It is hereby agreed by Jennifer A. Smith ("Smith") 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, Smith is licensed as a producer with the Department, pursuant to Chapters 375 and 381, RSMo;

WHEREAS, the Consumer Affairs Division's investigation reveals Smith failed to:

- Obtain confirmation from the seller prior to initiating a stopped payment on an escrow check hand delivered to the seller at closing for the seller's proceeds in violation of Section 381.022.2, RSMo (Supp. 2013);
- To secure the escrow check payable to the seller prior to initiating a wire of the seller's proceeds to an account not associated with the parties to the transaction in violation of Section 381.022.3, RSMo (Supp. 2013) and;
- To timely file the deed and security instrument pursuant to Section 381.026.1, RSMo (Supp. 2013), subjecting Smith to an enforcement action by the Director;

WHEREAS, Smith has been informed of her right to counsel and of her right to contest any attempt by the Department to discipline her insurance producer license, and states that she understands her rights to contest any such actions;

AND WHEREAS, Smith 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 Smith 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 Smith are committed knowingly, intentionally or in conscious disregard of the law, that Smith:

- Initiated a stopped payment on an escrow check disbursed to the seller without authorization in violation of Section 381.022.2, RSMo (Supp. 2013);
- Subsequently, failed to secure the original escrow check payable to the seller prior to initiating a wire of the seller's proceeds to an account not associated with the parties to the transaction in violation of Section 381.022.3, RSMo (Supp. 2013); and
- Failed to timely record the deed and security instrument pursuant to Section 381.026.1, RSMo (Supp. 2013).

NOW, THEREFORE, in lieu of any recommendation or initiation by the Consumer Affairs Division of any action based on the violations cited in this Agreement, and after being afforded the opportunity to consult legal counsel, Smith does hereby voluntarily and knowingly surrender and forfeit the sum of seven hundred fifty dollars (\$750.00), such sum to be paid into the State School Moneys Fund pursuant to Sections 374.046 and 374.280, RSMo (Supp. 2013)

Smith 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 November 11, 2016.

The parties agree that, should the Director or the Division in the future allege an additional violation of the insurance laws or regulations by Smith nothing in this Agreement shall preclude the Director or the Consumer Affairs Division from introducing Smith'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.

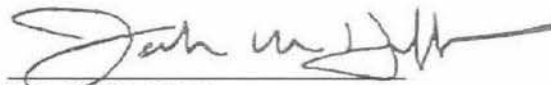
DATED: 11-10-16

  
Jennifer A. Smith  
License No. 0187769

DATED: 11/16/16

  
Carrie Couch, Director  
Consumer Affairs Division

DATED: 11/16/16

  
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