



State of Missouri

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

IN RE:

ELIZABETH JANE REID,

Applicant.

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Case No. 180829839C

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

On September 21, 2018, the Consumer Affairs Division (“Division”) submitted a Petition to the Director alleging cause for refusing to issue a motor vehicle extended service contract producer license to Elizabeth Jane Reid. After reviewing the Petition, the Investigative Report, and the entirety of the file, the Director issues the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. On February 25, 2016, the Department received Elizabeth Jane Reid (“Reid”)’s Application for Motor Vehicle Extended Service Contract Producer License (“Application”).
2. Reid is a Missouri resident who, on her Application, listed her residential address as 416 Kent Drive, Wentzville, Missouri 63385. The Division’s investigation has determined Reid’s last known residential address to be 16 La Rochelle Court, Lake Saint Louis, Missouri 63367.
3. Background Information Question Number 1 of the Application 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. Reid answered “Yes” to Background Information Question Number 1 on her Application. Reid provided court documentation regarding two criminal cases, as well as an additional written statement, regarding the following convictions:
 - a. On August 21, 2012, Reid pled guilty to the Class D Felony of Unlawful Use of Drug Paraphernalia–Amphetamine/Methamphetamine, in violation of § 195.233.¹ *State v. Elizabeth Jane Reid*, Lincoln County Cir. Ct., Case No. 11L6-CR00013-01. The court sentenced Reid to four years’ incarceration in the Missouri Department of Corrections, suspended execution of sentence, and placed Reid on supervised probation for five years with the condition that Reid continue with recommended treatment. *Id.*
 - b. On April 5, 2012, Reid pled guilty in Count I to the Class D Felony of Possession of Any Methamphetamine Precursor Drug w/ Intent to Manufacture Amphetamine, Methamphetamine or Any of Their Analogs, in violation of § 195.246, and in Count II to the Class C Felony of Possession of a Controlled Substance Except 35 Grams or Less of Marijuana, in violation of § 195.202. *State v. Elizabeth J. Reid*, Warren County Cir. Ct., Case No. 11BB-CR00030-01. The court sentenced Reid to four years’ incarceration in the Missouri Department of Corrections for Count I and seven years’ incarceration in the Missouri Department of Corrections for Count II, suspended execution of sentence, and placed Reid on supervised probation for five years with 120 days’ shock incarceration and institutional treatment. *Id.* On April 9, 2015, the court found that Reid had violated the terms of her probation, but did not revoke her probation at that time. *Id.*
5. The Division’s initial investigation revealed that Reid had multiple other misdemeanor and felony convictions that Reid did not disclose in response to Background Information Question Number 1 on her Application:
 - a. On March 27, 2012, Reid pled guilty to the Class A Misdemeanor of Possession of a Controlled Substance up to 35 Grams Marijuana, in violation of § 195.202, and the Class A Misdemeanor of Unlawful Use of Drug Paraphernalia, in violation of § 195.233. *State v. Elizabeth J. Reid*, St. Charles County Cir. Ct., Case No. 1111-CR02109. Reid was sentenced to four days’ incarceration at the St. Charles County Detention Center, with credit for time served awaiting trial. *Id.*

¹ This and all criminal statutory citations are to that version of RSMo in effect at the time of the crime.

- b. On February 1, 2013, Reid pled guilty to the Class C Felony of Possession of a Controlled Substance Except 35 Grams or Less of Marijuana, in violation of § 195.202. *State v. Elizabeth J. Reid*, St. Louis County Cir. Ct., Case No. 12SL-CR06931-01. The court sentenced Reid to seven years' incarceration in the Missouri Department of Corrections, suspended execution of sentence, and placed Reid on supervised probation for five years. *Id.*
 - c. On November 30, 2015, Reid pled guilty to the Class D Felony of Driving While Revoked/Suspended, in violation of § 302.321. *State v. Elizabeth J. Reid*, St. Charles County Cir. Ct., Case No. 1411-CR05573-01. The court sentenced Reid to four years' incarceration in the Missouri Department of Corrections, suspended execution of sentence, and placed Reid on supervised probation for five years. *Id.*
6. It is inferable, and hereby found as fact, that Reid failed to disclose her St. Charles County and St. Louis County felony and misdemeanor convictions on her Application in the hopes that the Director would look more favorably upon her Application and issue a license to her.
7. Further Division investigation revealed that, after Reid submitted her Application, Reid pled guilty to an additional felony charge, as follows:

On February 5, 2018, Reid pled guilty to the Class E Felony of Driving While Revoked/Suspended, in violation of § 302.321, and two counts of the Class D Felony of Possession of a Controlled Substance Except 35 Grams or Less of Marijuana/Synthetic Cannabinoid, in violation of § 579.015. *State v. Elizabeth Reid*, City of St. Louis Cir. Ct., Case No. 1722-CR00065-01. Sentencing in this case was scheduled for March 23, 2018, but Reid failed to appear. As of the date of this Petition, sentencing in this matter is set for October 11, 2018. *Id.*

CONCLUSIONS OF LAW

8. Section 385.209.1 provides, in relevant part:

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:

(3) Obtained or attempted to obtain a license through material misrepresentation or fraud; [or]

* * *

(5) Been convicted of any felony[.]

9. The Director may refuse to issue a motor vehicle extended service contract producer license to Reid under § 385.209.1(3) because Reid attempted to obtain a license through material misrepresentation or fraud because while she disclosed on her Application one felony conviction from Lincoln County in 2012, *State v. Elizabeth Jane Reid*, Lincoln County Cir. Ct., Case No. 11L6-CR00013-01, and two felony convictions from Warren County in 2012, *State v. Elizabeth J. Reid*, Warren County Cir. Ct., Case No. 11BB-CR00030-01, she failed to disclose four other felony and misdemeanor convictions spanning from 2012 through 2015. *State v. Elizabeth J. Reid*, St. Charles County Cir. Ct., Case No. 1111-CR02109; *State v. Elizabeth J. Reid*, St. Louis County Cir. Ct., Case No. 12SL-CR06931-01; *State v. Elizabeth J. Reid*, St. Charles County Cir. Ct., Case No. 1411-CR05573-01.
10. The Director may refuse to issue a motor vehicle extended service contract producer license to Reid under § 385.209.1(5) because Reid has been convicted of a felony. More particularly, Reid has been convicted of five felonies, including convictions for the Class D Felony of Unlawful Use of Drug Paraphernalia–Amphetamine/Methamphetamine; the Class D Felony of Possession of Any Methamphetamine Precursor Drug w/ Intent to Manufacture Amphetamine, Methamphetamine or Any of Their Analogs; the Class C Felony of Possession of a Controlled Substance Except 35 Grams or Less of Marijuana; and the Class E Felony of Driving While Revoked/Suspended. *State v. Elizabeth Jane Reid*, Lincoln County Cir. Ct., Case No. 11L6-CR00013-01. *State v. Elizabeth J. Reid*, Warren County Cir. Ct., Case No. 11BB-CR00030-01; *State v. Elizabeth J. Reid*, St. Louis County Cir. Ct., Case No. 12SL-CR06931-01; *State v. Elizabeth J. Reid*, St. Charles County Cir. Ct., Case No. 1411-CR05573-01.
11. Each felony conviction constitutes a separate and sufficient ground for the Director to refuse to issue Reid a motor vehicle extended service contract producer license under § 385.209.1(5).
12. The above-described instances are grounds upon which the Director may refuse to issue Reid a motor vehicle extended service contract producer license. Reid has five felony convictions and Reid failed to disclose multiple felony and misdemeanor convictions in response to Background Information Question Number 1 on the Application.

13. The Director has considered Reid's history and all of the circumstances surrounding Reid's Application. Issuing a motor vehicle extended service contract producer license to Reid would not be in the interest of the public. Accordingly, the Director exercises her discretion to refuse to issue Reid a motor vehicle extended service contract producer license.
14. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the motor vehicle extended service contract producer license Application of **Elizabeth Jane Reid** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 12th DAY OF AUGUST, 2019.



Chlora Lindley-Myers
CHLORA LINDLEY-MYERS
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. 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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CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of August, 2019, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by United Parcel Service, with signature required, at the following address:

Elizabeth Jane Reid
416 Kent Drive
Wentzville, Missouri 63385

No.1Z0R15W84295716956

Elizabeth Jane Reid
16 La Rochelle Court
Lake Saint Louis, Missouri 63367

No. 1Z0R15W84299932563



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