

DEPARTMENT OF COMMERCE AND INSURANCE

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

IN RE:

TODD MEYERS,

Applicant.

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Case No. 181019921C

CONSENT ORDER

CHLORA LINDLEY-MYERS, Director of the Missouri Department of Commerce and Insurance, takes up the above matter for consideration and disposition. The Consumer Affairs Division of the Department's Insurance Division, through counsel John Conrace, and Applicant Todd Meyers 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 Commerce and Insurance ("Director" of the "Department") whose duties, pursuant to Chapters 374, and 375, RSMo (2016)¹ include the supervision, regulation, and discipline of insurance producers.

2. The Consumer Affairs Division ("Division") of the Department has the duty of

¹ All civil statutory references are to the 2016 Missouri Revised Statutes.

conducting investigations into the conduct of insurance producers pursuant to the laws of Missouri and has been authorized by the Director to investigate and initiate actions to enforce the insurance laws of Missouri, including producer license applicant refusal.

3. Todd Meyers (“Meyers”) is a Florida resident with a residential, and mailing address of 880 Mandalay Ave., Apt. S612, Clearwater Beach, Florida, 33767-1247.

4. On April 28, 2018, the Department received Meyers’s electronic application for a non-resident insurance producer license (“Application”), along with attachments.

5. Background Information Question Number 1B on the Application asks, in relevant part, “Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?”

6. Meyers answered “Yes” to Background Information Question Number 1B. He provided a letter of explanation regarding his past criminal offense and court documents showing the following criminal history from Pinellas County, Florida:

a. On October 20, 2016, Meyers pled *nolo contendere* to the 3rd degree Felony of Driving Under the Influence of Alcoholic Beverages or Controlled Substances in violation of Florida Statute § 316.193². *State v. Todd Meyers*, Pinellas Co., Florida Cir. Ct., Case No. 1408278CFANO. The court sentenced Meyers to 30 days’ imprisonment, and 18 months’ probation under the supervision of the Department of Corrections. *Id.* He was granted early termination of probation on April 7, 2017. *Id.*

7. Background Information Question Number 2 on the Application asks, in relevant part, “Have you ever been named or involved as a party in an administrative proceeding, including FINRA sanction or arbitration proceeding regarding any professional or occupational license or

² All citations to the Florida Statutes or North Carolina Statutes are to the version of the statute in effect at the time the Court or Agency rendered its decision.

registration?”

8. Meyers answered “No” to Background Information Question Number 2.

9. Contrary to Meyers’s response to Background Question Number 2, Meyers had been named or involved as a party in the following administrative actions regarding his Insurance Producer License:

a. Meyers had been licensed as an insurance producer in his home state of Florida via Consent Order dated April 19, 2017. *In the Matter of: Todd James Meyers*, Fla. Dep’t of Fin. Serv., Case No. 201403-16-AG. The Consent Order issued Meyers license subject to seven (7) years’ probation and a mandatory penalty of \$1,500. *Id.*

b. Meyers also entered into a Voluntary Settlement Agreement with the State of North Carolina on April 20, 2018. Pursuant to the North Carolina settlement agreement, Meyers agreed to pay a \$250 monetary penalty based on his failure to report the Florida administrative action to the North Carolina Department of Insurance, thereby violating North Carolina Gen. Stat. § 58-33-32(k). *In the Matter of the Licensure of Todd James Meyers*, N.C. Dep’t of Ins., VSA #113334.

10. Meyers disclosed the above administrative actions only after request for disclosure was made by the Division.

11. Meyers understands and agrees that pursuant to § 375.141.1(1), the Director may refuse to issue a non-resident insurance producer license to Meyers because he intentionally provided materially incorrect, misleading, incomplete or untrue information in the license application, in that Meyers answered no to Background Question Number 2 and thereby failed to fully disclose administrative actions from the states of Florida and North Carolina. *In the Matter*

of: *Todd James Meyers*, Fla. Dep't of Fin. Serv., Case No. 201403-16-AG. (April 19, 2017). *In the Matter of the Licensure of Todd James Meyers*, N.C. Dep't of Ins., VSA #113334. (April 20, 2018).

12. Meyers understands and agrees that pursuant to § 375.141.1(2), the Director may refuse to issue a non-resident insurance producer license to Meyers because he violated an insurance law. Meyers violated an insurance law in North Carolina when he failed to report an administrative action to the North Carolina Department of Insurance in violation of N.C. Gen. Stat. § 58-33-32(k). *In the Matter of the Licensure of Todd James Meyers*, N.C. Dep't of Ins., VSA #113334. (April 20, 2018).

13. Meyers understands and agrees that pursuant to § 375.141.1(3), the Director may refuse to issue a non-resident insurance producer license to Meyers because he obtained or attempted to obtain a license through material misrepresentation or fraud. Meyers failed to disclose that he was party to an administrative action in North Carolina on his application, thereby misrepresenting the true extent of his administrative actions. *In the Matter of the Licensure of Todd James Meyers*, N.C. Dep't of Ins., VSA #113334. (April 20, 2018).

14. Meyers understands and agrees that pursuant to § 375.141.1(6), the Director may refuse to issue an insurance producer license to Meyers because he has been convicted of a felony. *Florida v. Todd James Meyers*, Fla. Pinellas Co. Ct., Case No. 1408278CFANO.

15. Meyers acknowledges and understands that he has the right to consult counsel at his own expense.

16. Meyers 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 Director and her agents, and the Consumer Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

17. Meyers acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Meyers further acknowledges and understands that this administrative action should be disclosed on future applications and renewal applications and that it is his responsibility to comply with the reporting requirements of each state in which he is licensed.

18. Each signatory to this Consent Order certifies by signing that he or she is fully authorized, in his or her own capacity, or by the named party he or she represents, to accept the terms and provisions of this Consent Order in their entirety, and agrees, in his or her personal or representational capacity, to be bound by the terms of this Consent Order.

19. Meyers and the Division desire to settle the allegations raised by the Division.

CONCLUSIONS OF LAW

20. 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:

(1) Intentionally providing materially incorrect, misleading, incomplete or untrue information in the license application;

(2) Violating any insurance laws, or violating any regulation, subpoena or order of the director or of another insurance commissioner in any other state;

(3) Obtaining or attempting to obtain a license through material misrepresentation or fraud;[or]

* * *

(6) Having been convicted of a felony or crime involving moral turpitude[.]

21. The facts hereby admitted by Meyers constitute cause for the Director to refuse to issue a non-resident insurance producer license to Meyers pursuant to § 375.141.1(1), (2), (3), and (6).

22. 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.

23. 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 Department will issue a non-resident individual insurance producer license to Meyers, subject to the condition that Meyers complies with all reporting requirements applicable to non-resident insurance producers licensed in Missouri as well as the following;

1. Meyers shall report in writing all consumer complaints, both written and oral, and Meyers's response to the consumer's complaint to the Division to the Division within thirty (30) business days of receipt.

2. Meyers shall report to the Department any violation of or failure to comply with the laws set forth in Chapters 374 or 375 within thirty (30) business days of such violation or failure to comply.

3. Meyers shall report to the Department any administrative action initiated against Meyers in another jurisdiction or by another governmental agency in this state within thirty (30) business days after he receives notification of the initiation of such administrative action.

4. Meyers shall report to the Department any probation violation, probation revocation, arrest, citation, guilty plea, *nolo contendere* plea, finding of guilt or conviction concerning a felony or misdemeanor within thirty (30) business days of such occurrence.

5. The special conditions listed in the preceding four (4) paragraphs will expire upon the expiration, lapse, termination, revocation, or renewal of Meyers's insurance producer license, whichever comes first.

IT IS FURTHER ORDERED that for five (5) years subsequent to the date of this executed Consent Order, Meyers will voluntarily surrender his license to the Department within thirty (30) days of Meyers' entry of a guilty plea, nolo contendere plea, or finding of guilty or conviction for a felony, regardless of whether sentence is imposed, suspended, or executed.

IT IS FURTHER ORDERED that if Meyers maintains his non-resident insurance producer license beyond the term of this Consent Order and complies with the terms of this Consent Order, Meyers may apply to renew his license and the Director shall consider the renewal application in accordance with Chapters 374 and 375, and without regard to the following prior felony conviction: Florida v. Todd James Meyers, Fla. Pinellas Co. Ct., Case No. 1408278CFANO.

IT IS FURTHER ORDERED, that if Meyers maintains his non-resident insurance producer license beyond the initial term and complies with the terms of this Consent Order, Meyers may apply to renew his license and the Director shall consider the renewal application in accordance with Chapters 374 and 375, and without regard to the Florida and North Carolina administrative actions or to Meyers's misrepresentation in his Application regarding the North Carolina Administrative Actions. In the Matter of: Todd James Meyers, Dep't of Fin. Serv., Case No. 201403-16-AG, (April 19, 2017). In the Matter of the Licensure of Todd James Meyers, N. C. Dep't of Ins., VSA #113334, (April 20, 2018).

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 violation of, or failure to comply with, the terms of this Consent Order.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 23rd DAY OF December, 2019.

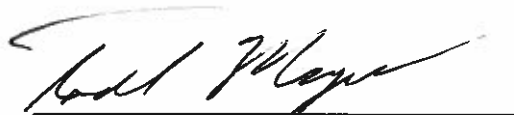


Chlora Lindley-Myers

CHLORA LINDLEY-MYERS, Director
Missouri Department of Commerce and
Insurance

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Todd Meyers may have the right to a hearing, but that Todd Meyers has waived the hearing and consented to the issuance of this Consent Order.



Todd Meyers, Applicant

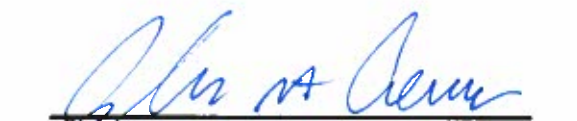
12/14/19

Date

Counsel for Applicant
Missouri Bar #: _____
Address: _____

Telephone: _____
Facsimile: _____
E-mail: _____

Date



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12/23/19

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