



State of Missouri

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

IN RE:)
)
TERRANCE D. ROGERS,) Case No. 180815819C
)
Applicant.)

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

On August 29, 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 Terrance D. Rogers. After reviewing the Petition and the Investigative Report and other relevant documents, the Director issues the following findings of fact, conclusions of law and order:

FINDINGS OF FACT

1. Terrance D. Rogers (“Rogers”) is a Missouri resident with a residential address of 2022 Switzer, St. Louis, Missouri 63136.
2. On April 26, 2018, the Department of Insurance, Financial Institutions and Professional Registration (“Department”) received Rogers’s Application for Motor Vehicle Extended Service Contract Producer License (“Application”) along with attachments.
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. Rogers answered “Yes” to Background Information Question Number 1 on his

Application. Rogers provided a letter of explanation regarding his criminal past and court documents showing that he was convicted of two felonies.

5. As to his first felony conviction, on October 10, 2014, the St. Louis County Prosecutor charged Rogers with Stealing over \$500, a Class C Felony, in violation of § 570.030¹. *State v. Terrance Rogers*, St. Louis Co. Cir. Ct., Case No. 14SL-CR06799-01. On November 14, 2014, Rogers pled guilty to the charge. *Id.* Also on November 14, 2014, the court ordered a suspended imposition of sentence with five years' supervised probation, 80 hours ACS, no contact with victim or co-defendant, and to find full time employment or attend school. *Id.* On April 28, 2016 the court revoked the 5 years SIS Probation in *State v. Terrance Rogers*, St. Louis. Co. Cir. Ct., Case number 14SL-CR06799-01 and ordered five years in the Department of Corrections, suspended execution of sentence, and five years' supervised probation.

6. As to his second felony conviction, on September 3, 2015, the St. Louis County Prosecutor charged Rogers by Complaint with Stealing a Motor Vehicle, a Class C Felony, in violation of § 570.030. *State v. Terrance Rogers*, St. Louis Co. Cir. Ct., Case No. 15SL-CR05994-01. On February 25, 2016, Rogers pled guilty to the charge. *Id.* On March 18, 2016 the court sentenced Rogers to 7 years suspended execution of sentence, 60 days shock in jail. The court also ordered \$5000 restitution to be paid and Rogers to find full time employment or enter school full time. *Id.*

CONCLUSIONS OF LAW

7. Section 385.209.1, RSMo 2016, 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:

* * *

- (5) Been convicted of any felony[.]

¹ This and all criminal statutory citations are to that version of the Revised Statutes of Missouri in effect at the time of the commission of the crime.

8. The Director may refuse to issue a motor vehicle extended service contract producer license to Rogers under § 385.209.1(5) because Rogers has been convicted of two felonies: Stealing (Value of Property or Services is \$500 or more but less than \$25,000), a Class C Felony, in violation of § 570.030, *State v. Terrance Rogers*, St. Louis Co. Cir. Ct., Case No. 14SL-CR06799-01, and Stealing a Motor Vehicle, a Class C Felony, in violation of § 570.030, *State v. Terrance Rogers*, St. Louis Co. Cir. Ct., Case No. 15SL-CR05994-01.
9. Each felony conviction constitutes a separate and sufficient ground for the Director to refuse to issue Rogers a motor vehicle extended service contract producer license under § 385.209.1(5).
10. The above-described instances are grounds upon which the Director may refuse to issue Rogers a motor vehicle extended service contract producer license.
11. The Director has considered Rogers's history and all of the circumstances surrounding Rogers's Application. Issuing a motor vehicle extended service contract producer license to Rogers would not be in the interest of the public. Accordingly, the Director exercises her discretion to refuse to issue Rogers a motor vehicle extended service contract producer license.
12. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the motor vehicle extended service contract producer license Application of **TERRANCE D. ROGERS** is hereby **REFUSED**.

SO ORDERED.

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




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.

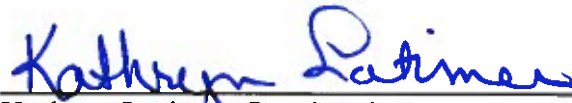
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CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of August, 2019, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, with signature required, at the following address:

Terrance Rogers
2022 Switzer
St. Louis, MO 63136

Tracking No. 1Z0R15W84298126374



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