

STATE OF MISSOURI



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DEPT OF INSURANCE,
FINANCIAL INSTITUTIONS &
PROFESSIONAL REGISTRATION

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

Our File Number 09A000773
Tracking # 92450(e)

IN RE: Timothy E Presko
Tim Presko Insurance Agency
7001 N Locust Ste 123
Gladstone MO 64118

VOLUNTARY FORFEITURE

It is hereby agreed by TIMOTHY E PRESKO, TIM PRESKO INSURANCE AGENCY 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) whose duties, pursuant to Chapters 374 and 375, RSMo, include the supervision and regulation of the business of insurance;

WHEREAS, the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration is charged with investigating producers and companies engaged in the business of insurance pursuant to Section 374.085, RSMo 2000 and is authorized by the Director to recommend enforcement action under the laws relating to insurance.

WHEREAS, TIMOTHY E PRESKO AND TIM PRESKO INSURANCE AGENCY are licensed by the Department of Insurance, Financial Institutions and

Professional Registration, pursuant to Chapter 375, RSMo;

WHEREAS, the investigation by the Consumer Affairs Division revealed
TIMOTHY E PRESKO AND TIM PRESKO INSURANCE AGENCY violated our
insurance laws and is subject to enforcement action by the Director for the following:

1. Violation of Section 375.022.2 RSMo (Cum. Supp. 2009), An insurance producer shall not act on behalf of an insurer unless the insurance producer is listed on the company register of appointed insurance producers authorized to sell, solicit or negotiate contracts of insurance on behalf of the insurer, which is grounds for discipline under Section 375.141.1(2) RSMo and 375.145.1 RSMo (Cum. Supp. 2009), and
2. Violation of 20 CSR 700-1.140 (1) (A), Every insurance producer shall handle every application or new coverage under a personal insurance policy and every request for amendments to an existing policy in a manner which will secure the new or amended coverage as soon as is reasonably possible, unless a longer time is permitted under a written agreement between the licensee and the insured or prospective insured. If within thirty (30) days of the original application for insurance the licensee has not yet secured an insurer willing to provide coverage, the licensee immediately shall inform the prospective insured of this fact in writing, which is grounds for discipline under Section 375.141.1(2) RSMo (Cum. Supp. 2009).


WHEREAS, TIMOTHY E PRESKO AND TIM PRESKO INSURANCE
AGENCY has been informed of the nature of their violations, of their right to counsel
and of their right to contest any attempt by the Department of Insurance, Financial
Institutions and Professional Registration, to discipline their insurance licenses, or to
recover whatever penalties or other monetary relief as may be provided for by statute,
and states that they understand their rights to contest any such actions;

NOW, THEREFORE, in lieu of the institution by the Department of Insurance,
Financial Institutions and Professional Registration seeking any action against
TIMOTHY E PRESKO AND TIM PRESKO INSURANCE AGENCY or to impose any

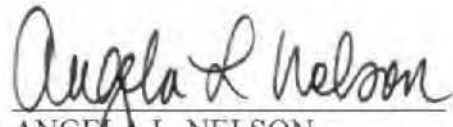
other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal counsel, TIMOTHY E PRESKO AND TIM PRESKO INSURANCE AGENCY, does hereby voluntarily and knowingly surrender and forfeit the sum of \$1,000.00, such sum to be paid into the Missouri State School Fund pursuant to Sections 374.046 and 374.280, RSMo.

TIMOTHY E PRESKO AND TIM PRESKO INSURANCE AGENCY shall submit this sum to the Department of Insurance, Financial Institutions and Professional Registration, by cashier's check or money order made payable to the Missouri State School Fund no later than March 1, 2010.

DATED: 2/11/10


TIMOTHY E PRESKO
TIM PRESKO INSURANCE AGENCY
Owner/Producer

DATED: 2/24/2010


ANGELA L. NELSON
Director, Division of Consumer Affairs

DATED: 2-25-10


JOHN M. HUFF
Director
Missouri Department of Insurance,
Financial Institutions &
Professional Registration

Return to:
Department of Insurance, Financial Institutions & Professional Registration
Attn: Dennis Fitzpatrick
P. O. Box 4001
Jefferson City, MO 65102