



STATE OF MISSOURI
DEPARTMENT OF INSURANCE

IN THE MATTER OF:)
)
Mary H. Seiler) Case No. 05A000269
)
Applicant.)
)
Serve at:)
)
1756 Cecilia Street)
Cape Girardeau Missouri 63701)
)

REFUSAL TO ISSUE A TITLE INSURANCE AGENT LICENSE

On January 19, 2006, Kathryn Turner, as senior counsel for the Investigations Section of the Division of Consumer Affairs, submitted a petition to the Director alleging cause for refusing to issue the title insurance agent license of Mary H. Seiler ("Applicant"). After reviewing the petition, and the investigative report, the Director issues the following findings of fact, conclusions of law and summary order:

FINDINGS OF FACT

1. Applicant, Mary H. Seiler, is a Missouri resident with an address of 1756 Cecilia Street, Cape Girardeau, Missouri 63701.
2. On June 28, 2005, the Missouri Department of Insurance received the Uniform Application for Individual Producer License from Applicant seeking licensure as a title insurance agent.
3. On the Application, under Question 37 Employment History, Applicant stated that she had been doing searches at two title insurance agencies and as an owner of a business engaged in doing searches since August 2001 up to the date of the filing of the Application.
4. Applicant held a title insurance agent license from February 11, 2002, until February 11, 2004, when the license expired for nonrenewal.
5. This order is in the public interest.

CONCLUSIONS OF LAW

6. Section 375.141.1 RSMo Cum Supp 2004 provides:

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:

(2) Violating any insurance laws...

(12) Knowingly acting as an insurance producer when not licensed...

7. Section 375.014.1 RSMo Cum Supp 2004, provides, in part:

1. No person shall sell, solicit or negotiate insurance in the state for any class or classes of insurance unless he or she is licensed for that line of authority as provided in this chapter.

8. Section 381.031(17) RSMo 1994 provides, in part:

(17) "Title agent" or "title insurance agent", any authorized agent of a title insurer or representative of the title agent or agency, who acts as a title agent in the solicitation of, negotiation for, or procurement or making of any title insurance contract.

9. Applicant by performing title searches acted as a title agent in the procurement or making of a title insurance contract without being licensed as a title insurance agent, in violation of Section 381.031(17) RSMo 1994 and Section 375.014 RSMo Cum Supp 2004, a ground for refusal to issue a license under Section 375.141.1(12) RSMo Cum Supp 2004.

10. This order is in the public interest.

ORDER

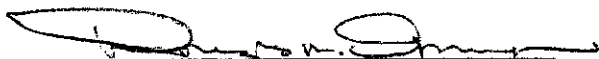
IT IS THEREFORE ORDERED that the issuance of the title insurance agent license of Applicant Mary H. Seiler is hereby summarily REFUSED.

SO ORDERED.

WITNESS MY HAND THIS 24th DAY OF January, 2006.



W. DALE FINKE
DIRECTOR



DOUGLAS M. OMMEN
DEPUTY DIRECTOR
GENERAL COUNSEL

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 thirty (30) days after the mailing of this notice pursuant to Section 621.120 RSMo.

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of January, 2006, a copy of the foregoing notice, order and petition was served upon the Applicant in this matter by certified mail.

Karen Crutchfield
Karen Crutchfield
Senior Office Support Staff

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City, State, ZIP+4	Cape Girardeau MO 63701

PS Form 3800, June 2002 See Reverse for Instructions