



**DEPARTMENT OF COMMERCE AND INSURANCE**

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

**IN RE:**

**ANDREW EDWARD BAKER,**

**Applicant.**

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**Case No. 1904050610C**

**ORDER REFUSING TO ISSUE INSURANCE PRODUCER LICENSE**

On September 4, 2019, the Consumer Affairs Division (“Division”) submitted a Petition to the Director alleging cause to refuse to issue the insurance producer license of Andrew Edward Baker. After reviewing the Petition and the Investigative Report, the Director issues the following findings of fact, conclusions of law, and order:

**FINDINGS OF FACT**

1. Andrew Edward Baker (“Baker”) is a Missouri resident with a business, residential, and mailing address of 7601 E College Ave., Kansas City, MO 64132.
2. On February 27, 2019, the Department of Commerce and Insurance (“Department”) received Baker’s electronic resident insurance producer license application (“Application”).
3. Background Question No. 7 of the Application asked:

Do you have a child support obligation in arrearage?

If you answer yes,

a) by how many months are you in arrearage?

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<sup>1</sup> The Department of Commerce and Insurance, prior to August 28, 2019, was formerly known as the Department of Insurance, Financial Institutions and Professional Registration.

b) are you currently subject to and in compliance with any repayment agreement?

c) are you currently the subject of a child support related subpoena/warrant? (If you answered yes, provide documentation showing proof of current payment or approved repayment plan from the appropriate state child support agency.)

4. In response to Background Question No. 7 of the application Baker stated that he did have a child support obligation in arrearage and that he was 24 months in arrearage. Baker also stated that he was in compliance with a repayment agreement.

5. As a condition of submission, Baker accepted the Applicant's Certification and Attestation section of his Application which stated, in relevant part:

I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties.

\* \* \*

I further certify that, under penalty of perjury, a) I have no child-support obligation, b) I have a child-support obligation and I am currently in compliance with that obligation, or c) I have identified my child support obligation arrearage on this application.

6. Based on the information provided by Baker and an investigation the Department found the following child support obligations in arrearage by Baker.

a. Baker was ordered to pay \$595.00 per month beginning December 15, 2011 for the support of his minor child(ren). *State of Missouri v. Andrew Edward Baker*, Jackson Co. Cir. Ct., Case No. 1116-MC21043. Baker currently owes \$34,472.33, or over 57 months, in arrearage in this case. *Id.* Baker has not made any payments on this case since May 4, 2018. *Id.*

b. Baker was ordered to pay child support for the support of his minor child. *State of Missouri v. Andrew E. Baker*, Jackson Co. Cir. Ct., Case No. 1716-FC03323. Baker currently owes \$1,148.99 in arrearage in this case. *Id.* Baker has not made any payments in this case for at least 13 months. *Id.*

7. It is inferable, and hereby found as fact, that Baker failed to disclose the extent of his child support arrearage and his failure to make payments of child support on his Application in order to misrepresent to the Director that he was making payments on his child support arrearage and increase the chance that the Director would exercise her discretion to issue him a resident insurance producer license.

**CONCLUSIONS OF LAW**

8. Section 375.141.1, RSMo<sup>2</sup> 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;

\* \* \*

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

\* \* \*

(13) Failing to comply with an administrative or court order imposing a child support obligation[.]

9. The Director may refuse to issue Baker a resident insurance producer license pursuant to § 375.141.1(1) because he intentionally provided materially incorrect and untrue information by failing to disclose the extent of his child support arrearage as required by the Application, and by erroneously stating he was making payments in accordance to a payment plan.

10. The Director may refuse to issue Baker a resident insurance producer license pursuant to § 375.141.1(3) because he attempted to obtain a license through material misrepresentation or fraud by concealing the extent of his child support arrearage and his continuous failure to make payments. *See State of Missouri v. Andrew Edward Baker*, Jackson Co. Cir. Ct., Case No. 1116-MC21043 and *State of Missouri v. Andrew E. Baker*, Jackson Co. Cir. Ct., Case No. 1716-FC03323.

11. The Director may refuse to issue Baker a resident insurance producer license pursuant to § 375.141.1(13) because he failed to comply with an administrative or court order imposing a child support obligation. Baker's failure to comply with the order is evidenced by his substantial arrearage, as well as his failure to make payments on either obligation for over a year.

12. The Director has considered Baker's history and all of the circumstances surrounding Baker's Application. Accordingly, the Director exercises her discretion and refuses to issue Baker a resident insurance producer license.

13. This Order is in the public interest.

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<sup>2</sup> All civil statutory references are to the 2016 Missouri Revised Statutes.

**ORDER**

**IT IS THEREFORE ORDERED** that **ANDREW EDWARD BAKER's** insurance producer license application is hereby **REFUSED**.

**SO ORDERED.**

WITNESS MY HAND THIS 19<sup>th</sup> DAY OF November, 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.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of November, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required, to the following address:

Andrew Edward Baker  
7601 E College Ave.  
Kansas City, MO 64132

Tracking No. 1Z0R15W84299538196



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