



## State of Missouri

### DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

IN RE: )  
 )  
 AMANDA NICOLE ANDREW, ) Case No. 170619308C  
 )  
 Applicant. )

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

On September 6, 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 Amanda Nicole Andrew. 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. Amanda Nicole Andrew (“Andrew”) is a Missouri resident with a residential address of 5459 Old Gutermuth Road, St. Charles, Missouri 63304.
2. On May 10, 2017, the Department of Insurance, Financial Institutions and Professional Registration (“Department”) received Andrew’s Application for Motor Vehicle Extended Service Contract Producer License (“Application”) along with attachments.
3. Andrew answered “Yes” to Background Information Question Number 1 of the Application asked 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. As further instructed by the Application, Andrew included court documents that disclosed the following convictions:

On June 3, 2014, Andrew pled guilty to and was convicted of two (2)

counts of DWI – Alcohol – Persistent Offender, both Class D Felonies, in violation of § 577.010 RSMo.<sup>1</sup> *State v. Amanda Nicole Andrew*, St. Charles Co. Cir. Ct., Case No. 1411-CR01455-01 and *State v. Amanda Nicole Andrew*, St. Charles Co. Cir. Ct., Case No. 1411-CR01744-01. The court suspended execution of two, consecutive, three (3) year terms of incarceration, placed Andrew on five (5) years’ supervised probation and ordered Andrew to pay restitution in the amount of \$6,131.94. *Id.*

### CONCLUSIONS OF LAW

5. 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[.]

6. The Director may refuse to issue a motor vehicle extended service contract producer license to Andrew under § 385.209.1(5) because Andrew has been convicted of two felonies: DWI – Alcohol – Persistent Offender, both Class D Felonies, in violation of § 577.010 RSMo. *State v. Amanda Nicole Andrew*, St. Charles Co. Cir. Ct., Case No. 1411-CR01455-01 and *State v. Amanda Nicole Andrew*, St. Charles Co. Cir. Ct., Case No. 1411-CR01744-01.
7. Each felony conviction constitutes a separate and sufficient ground for the Director to refuse to issue Andrew a motor vehicle extended service contract producer license under § 385.209.1(5).
8. The above-described instances are grounds upon which the Director may refuse to issue Andrew a motor vehicle extended service contract producer license.
9. The Director has considered Andrew’s history and all of the circumstances surrounding Andrew’s Application. Issuing a motor vehicle extended service

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<sup>1</sup> 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.

contract producer license to Andrew would not be in the interest of the public. Accordingly, the Director exercises her discretion to refuse to issue Andrew a motor vehicle extended service contract producer license.

10. This Order is in the public interest.

**ORDER**

**IT IS THEREFORE ORDERED** that the motor vehicle extended service contract producer license Application of **AMANDA NICOLE ANDREW** is hereby **REFUSED**.

**SO ORDERED.**

WITNESS MY HAND THIS 12<sup>th</sup> DAY OF AUGUST, 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.

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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:

Amanda Nicole Andrew  
5459 Old Gutermuth Road  
St. Charles, Missouri 63304

Tracking No. 1Z0R15W84295674788



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