



State of Missouri

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

IN RE:

CLARENCE BOYCE, JR.,

Applicant.

)
)
)
)
)
)

Case No. 1904090619C

ORDER REFUSING TO ISSUE INSURANCE PRODUCER LICENSE

On August 1, 2019, the Consumer Affairs Division (“Division”) submitted a Petition to the Director alleging cause to refuse to issue the insurance producer license of Clarence Boyce, Jr. 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. Clarence Boyce, Jr. (“Boyce”) is a Missouri resident with a business, residential address and mailing address of record of 1239 Odessa Drive, St. Louis, MO 63137.
2. The Department of Insurance, Financial Institutions and Professional Registration (“Department”) granted Boyce an insurance producer license on November 29, 1994 (License No. 0181495).
3. On October 22, 2012, Clarence Boyce, Jr. voluntarily surrendered his license due to child support arrearage and pending criminal charges.¹
4. On or about January 24, 2019, the Department electronically received from Boyce a residence producer license application (“Application”).
5. Boyce answered “Yes” to Background Question 1b of the Application which asked, in relevant part, “Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?”
6. Background Question No. 7 of the Application asked:

Do you have a child support obligation in arrearage?

¹ Boyce surrendered his license after special investigator E.J. Jackson sent Boyce a letter dated October 9, 2012. The letter informed Boyce that the Department had grounds to revoke his license and offered Boyce a chance to voluntarily surrender his license.

If you answer yes,

- a) by how many months are you in arrearage?
- 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.)

- 7. Boyce answered “Yes” in response to Background Question No. 7. Boyce stated that he was sixty months in arrears, and was complying with a repayment agreement.
- 8. After reviewing documents provided by Boyce and conducting an investigation, the Division found the following criminal history:
 - a. On July 7, 2010, Boyce pled guilty to three counts of Nonsupport in Each of Six Individual Months Within Any Twelve-Month Period, Amount Owed Is In Excess of \$5,000, A Class D Felony pursuant to § 568.040, RSMo.² *State of Missouri v. Clarence Boyce, Jr.*, St. Louis County Cir. Ct., Case No. 2104R-04764-01. Boyce received a Suspended Imposition of Sentence with five years of probation. On October 9, 2013, Boyce’s probation was revoked for failure to comply with the conditions of probation. *Id.* Boyce was, at that time sentenced to one year in the department of corrections, however, the court suspended the execution of this sentence and placed Boyce on probation for an additional 5 years. *Id.* On October 11, 2018, Boyce was discharged from supervised probation. *Id.* At the time of his discharge, Clarence Boyce had an overdue balance with the Department of Corrections of \$930.00. *Id.*
- 9. Based on the information provided by Boyce, as well as an investigation, the Division found the following regarding Boyce’s child support obligation:
 - a. On January 3, 1996, Boyce was ordered to pay \$308.00 per month for the support of his minor child. *State of Missouri, Department of Social Services v. Boyce*, St. Louis County Cir. Ct., Case No. 9670098. This order was modified to \$235.00 per month on January 16, 2001. *Id.* As of January 25, 2019, the date Boyce submitted his application for reinstatement of his Missouri insurance producer license, records supplied by the Missouri Department of Social Services show that Boyce owed \$52,407.85 in child support. Boyce has not made any payments of child support since October 10, 2018, the same month Boyce was discharged from supervised probation.

² All criminal statutory references are to the Revised Statutes of Missouri in effect at the time of the offense.

CONCLUSIONS OF LAW

10. Section 375.141.1, RSMo 2016³ 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:

(6) Having been convicted of a felony or crime involving moral turpitude;
[or]

* * *

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

11. The Director may refuse to issue an insurance producer license to Boyce pursuant to § 375.141.1(6) because Boyce has been convicted of a felony. On July 7, 2010, Boyce pled guilty to three counts of Nonsupport in Each of Six Individual Months Within Any Twelve-Month Period, Amount Owed Is In Excess of \$5,000, a Class D Felony pursuant to § 568.040, RSMo. *State of Missouri v. Clarence Boyce, Jr.*, St. Louis County Cir. Ct., Case No. 2104R-04764-01.

12. The Director may refuse to issue an insurance producer license to Boyce pursuant to § 375.141.1(13) because Boyce failed to comply with an administrative or court order imposing child support obligations. Boyce currently owes \$52,407.85 in child support, and has not made a payment on his obligation since October 10, 2018. *State of Missouri, Department of Social Services v. Boyce*, St. Louis County Cir. Ct., Case No. 9670098.

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

14. This Order is in the public interest.

³ All civil statutory references are to the 2016 Missouri Revised Statutes unless otherwise noted.

ORDER

IT IS THEREFORE ORDERED that **CLARENCE BOYCE, JR.**'s insurance producer license application is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 14th 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.

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of August, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required, to the following address:

Clarence Boyce, Jr.
1239 Odessa Drive
St. Louis, MO 63137

Tracking No. 1Z0R15W84297217796



Kathryn Latimer

Paralegal

Missouri Department of Insurance, Financial
Institutions and Professional Registration

301 West High Street, Room 530

Jefferson City, Missouri 65101

Telephone: 573.751.6515

Facsimile: 573.526.5492

Email: kathryn.latimer@insurance.mo.gov