



DEPARTMENT OF COMMERCE AND INSURANCE

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

In the Matter of:

CYNTHIA JANETH AYALA

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**AHC Case No. 19-0598 DI
DIFP Case No. 190250332C**

ORDER OF REVOCATION PURSUANT TO § 375.141.5, RSMO

CHLORA LINDLEY-MYERS, Director of the Missouri Department of Commerce and Insurance, hereby issues the following Findings of Fact, Conclusions of Law, and Order of Revocation Pursuant to § 375.141.5, RSMo.¹

Findings of Fact

1. Chlora Lindley-Myers is the duly appointed Director of the Missouri Department of Commerce and Insurance (“Director”). The Director has the duty to administer Chapters 374 and 375, RSMo, which includes the supervision, regulation, and discipline of insurance companies,

¹ All references are to the Revised Statutes of Missouri 2016, RSMo 2016, unless otherwise noted.

agencies, and producers licensed to operate and conduct business in the state of Missouri.

2. The Missouri Department of Insurance, Financial Institutions and Professional Registration (now known as the Department of Commerce and Insurance) (“Department”) originally issued an insurance producer license to Cynthia Janeth Ayala (“Respondent”) on September 4, 2018 (License Number 8451486). Her license expires on September 4, 2020.

3. On April 23, 2019, the Director filed a Complaint before the Administrative Hearing Commission (“AHC”), Case No. 19-0598 DI, against Respondent alleging that the Director has cause to discipline Respondent’s insurance producer license pursuant to § 375.141.1(1), (2), (3) and (9) for: providing materially incorrect, misleading, incomplete or untrue information in her applications by using a false Missouri address and by failing to disclose multiple 2017 Kansas denials; violating an insurance law by failing to report two additional Kansas denials; failing to respond to inquiry letters and by listing a false address on her Missouri application for a resident insurance producer license; obtaining an insurance license through material misrepresentation by failing to disclose the 2017 Kansas denials and by listing a false address on her Missouri application for a resident insurance producer license; and having an insurance producer license, or its equivalent, denied or revoked in other states (Kansas and Oklahoma.)

4. The AHC attempted to serve Respondent with the Notice of Complaint/Notice of Hearing via certified mail (Receipt # 9414726699042100676173 and 9414726699042100676180) on April 23, 2019, at Respondent’s home address of record, 2701 South Glenwood Avenue, Independence, Missouri 64052-1338 and at the address Respondent used most often in her attempts to obtain a license in the state of Kansas, 4530 East Norwood Lane, Wichita, Kansas 67220-2303. The United States Postal Service returned the certified mail containing the Notice of Complaint/Notice of Hearing to the AHC on June 4, 2019 (the Missouri address of record), and

May 6, 2019 (the Kansas address), marked “Return to Sender,” “Moved Left No Address” and “Unable to Forward.”

5. On May 31, 2019, 2014, the AHC provided a service packet, which includes the Notice of Complaint/Notice of Hearing, a copy of the complaint, and information regarding proceeding before the AHC, to the Department since the AHC was unable to serve Respondent.

6. On June 3, 2019, the Department sent the above-referenced service packet to Respondent, via UPS mail (Tracking # 170R15W84297726110), restricted delivery, at her address of record, 2701 South Glenwood Avenue, Independence, Missouri 64052-1338 and via UPS mail (Tracking # 170R15W84298796123), restricted delivery, at 4530 East Norwood Lane, Wichita, Kansas 67220-2303. UPS was unable to deliver the parcel to the Missouri address. While UPS delivered the parcel to the Kansas address on June 4, 2019, and while the notice indicates that a signature is required, the delivery notification is not signed by Ayala but is signed by a “Maria Feguerora” (sp), who did not sign as an agent or representative of Ayala.

7. The person who signed the notification later contacted the Department and indicated that she had made a mistake and that Respondent no longer resided at the East Norwood Lane, Wichita, Kansas address.

8. Following consultation of an on-line database, on July 3, 2019, the Department sent the above-referenced service packet to Respondent via UPS mail (Tracking #170R15W84298620160) restricted delivery, at 1131 S. Seneca Street, Wichita, Kansas 67213-4442. UPS was unable to deliver the package to Respondent.

9. The Department has found no other addresses available for Respondent that will likely yield service.

10. Respondent has not notified the Department of any change of address.

11. Section 375.141.5 provides:

Every insurance producer licensed in this state shall notify the director of any change of address, on forms prescribed by the director, within thirty days of the change. If the failure to notify the director of the change of address results in an inability to serve the insurance producer with a complaint as provided by sections 621.045 to 621.198, RSMo, then the director may immediately revoke the license of the insurance producer until such time as service may be obtained.

Conclusions of Law

12. Pursuant to § 375.141, the Director has the discretion to discipline producers' insurance licenses, including ordering revocation of such licenses.

13. Pursuant to § 375.141.5, such revocation may be immediate when an insurance producer's failure to notify the Director of any change of address within thirty (30) days of the change results in an inability to serve the insurance producer with a complaint as provided by §§ 621.045 to 621.198 RSMo. Such revocation may be effective until such time as service may be obtained.

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ORDER

IT IS HEREBY ORDERED that the resident insurance producer license of Cynthia Janeth Ayala (License Number 8451486) is **REVOKED** until such time as service of the Complaint filed with the Administrative Hearing Commission on April 23, 2019, Case No. 19-0598 DI may be obtained or until such time as service of a complaint in a future Administrative Hearing Commission action against Respondent Cynthia Janeth Ayala may be obtained.

**SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 17th DAY OF
OCTOBER, 2019.**



CHLORA LINDLEY-MYERS,
Director
Missouri Department of Commerce
and Insurance