

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

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

IN RE:

COLETTE PATRICIA ANDREE,
Applicant.

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Case No. 180530728C

CONSENT ORDER

CHLORA LINDLEY-MYERS, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, takes up the above matter for consideration and disposition. The Consumer Affairs Division, through counsel Mark J. Rachel, and Colette Patricia Andree have reached a settlement in this matter and have agreed to the issuance of this Consent Order.

FINDINGS OF FACT

1. Chlora Lindley-Myers is the duly appointed Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (“Director” of the “Department”) whose duties, pursuant to Chapters 374 and 375, RSMo¹ include the licensure, supervision, and discipline of insurance producers.

2. The Consumer Affairs Division of the Department (the “Division”) has the duty of conducting investigations into the qualifications of insurance producer license applicants and

¹ All civil statutory references are to the 2016 Missouri Revised Statutes.

has been authorized by the Director to initiate actions before the Director to enforce the insurance laws of Missouri, including insurance producer license application refusal.

3. On February 7, 2001, Colette Patricia Andree (“Andree”) was convicted for possession of cocaine, a felony in the third degree in violation of FLA. STAT. §§ 893.03(2)(a)4 & 893.13(6)(a).² *Florida v. Suzanne Hayslet*, Broward Co. Cir. Ct., Case No. 99-10410CF10A.³

4. Also on February 7, 2001, but in a different case, Andree was convicted for possession of cocaine, a felony in the third degree in violation of FLA. STAT. §§ 893.03(2)(a)4 & 893.13(6)(a), possession of drug paraphernalia, a misdemeanor in violation of FLA. STAT. § 893.147(1), and possession of cannabis, a misdemeanor in violation of FLA. STAT. §§ 893.03(1)(c) & 893.13(6)(b). *Florida v. Michelle Russo*, Broward Co. Cir. Ct., Case No. 01-167CF10A.

5. On December 10, 2007, Andree was convicted for possession of cocaine, a felony in the third degree in violation of FLA. STAT. §§ 893.03(2)(a)4 & 893.13(6)(a). *Florida v. Colette Patricia Andree*, Broward Co. Cir. Ct., Case No. 07-6994CF10A.

6. Also on December 10, 2007, but in a different case, Andree was convicted for possession of cocaine, a felony in the third degree in violation of FLA. STAT. §§ 893.03(2)(a)4 & 893.13(6)(a). *Florida v. Colette Andree*, Broward Co. Cir. Ct., Case No. 07-13936CF10C.

7. Also on December 10, 2007, but in a different case, Andree was convicted for possession of cocaine, a felony in the third degree in violation of FLA. STAT. §§ 893.03(2)(a)4 & 893.13(6)(a). *Florida v. Colette Andree*, Broward Co. Cir. Ct., Case No. 07-18728CF10B.

8. Andree completed substance abuse treatment and all sentences in the above

² All criminal statutory references are to those contained in the version of the Florida Statutes pursuant to which each judgment was rendered.

³ In addition to Suzanne Hayslet, Andree has previously been known by the names Suzanne Hayslett, Michelle Russo, and Anneliese Katherine Andree Gelber.

prosecutions. She has been released from probation, and the Florida Office of Executive Clemency restored her civil rights on July 22, 2016, except for firearm possession.

9. On April 12, 2018, the Department received Andree's Uniform Application for Individual Producer License/Registration ("Application").

10. Andree answered "No" to Background Information Question 2 of the Application which asked, in relevant part:

Have you ever been named or involved as a party in an administrative proceeding, including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration? "Involved" means having a license censured, suspended, revoked, canceled, terminated; or, being assessed a fine, a cease and desist order, a prohibition order, a compliance order, placed on probation, sanctioned or surrendering a license to resolve an administrative action. "Involved" also means being named as a party to an administrative or arbitration proceeding, which is related to a professional or occupational license, or registration.

11. As a condition of submission, Andree accepted the "Applicant's Certification and Attestation" section of the Application, which provided 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.

12. In order to receive insurance licenses in other jurisdictions, Andree was a party to the following administrative actions: *In re Colette Patricia Andree*, Fla. Dep't of Fin. Servs., Case No. 188400-16-AG; *In re Colette Patricia Andree*, Ga. Office of Comm'r of Ins., Case No. 11018266; *In re Colette Patricia Andree*, Cal. Dep't of Ins., Case No. PLBS 10595-A.

13. Prior to being issued a license by the Florida Department of Financial Services, on February 26, 2016 its Bureau of Licensing had denied her insurance agent license application.

14. Prior to being issued a license by the California Department of Insurance, on

September 9, 2016 it had summarily denied her insurance agent license application.

15. Andree understands and agrees that pursuant to § 375.141.1(1) the Director may refuse to issue Andree a nonresident insurance producer license because she provided materially incorrect or misleading information in her Application by answering “No” to Background Information Question 2.

16. Andree understands and agrees that pursuant to § 375.141.1(6) the Director may refuse to issue Andree a nonresident insurance producer license because she has been convicted of felonies and crimes involving moral turpitude.

17. Andree stipulates and agrees to waive any waivable rights that she may have to a hearing before the Administrative Hearing Commission or the Director and any rights to seek judicial review or other challenge or contest of the terms and conditions of this Consent Order, and forever releases and holds harmless the Department, the Division, the Director, and her agents from all liability and claims arising out of, pertaining to, or relating to this matter.

18. Andree acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other jurisdictions. Andree further acknowledges and understands that this administrative action should be disclosed on future license applications and renewal applications in this state and elsewhere, and that it is her responsibility to comply with the reporting requirements of each jurisdiction in which she may be licensed.

19. All signatories to this Consent Order certify by signing that they are fully authorized, in their own capacities, or by the named parties they represent, to accept the terms and provisions of this Consent Order in their entirety and agree, in their personal or representative capacities, to be bound by the terms of this Consent Order.

CONCLUSIONS OF LAW

20. Section 375.141.1 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 material incorrect, misleading, incomplete or untrue information in the license application; [or]

* * *

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

21. "Missouri courts have invariably found moral turpitude in the violation of narcotic laws[.]" *Brehe v. Missouri Dep't of Elementary and Secondary Educ.*, 213 S.W.3d 720, 725 (Mo. App. W.D. 2007) (internal citation omitted).

22. The foregoing facts hereby admitted by Andree constitute cause for the Director to refuse her Application pursuant to § 375.141.1(1) & (6).

23. The Director is authorized to settle this matter and issue this Consent Order in the public interest pursuant to §§ 374.046, 536.060, and 621.045.

24. The terms set forth in this Consent Order are an appropriate disposition of this matter and issuance of this Consent Order is in the public interest.

ORDER

IT IS ORDERED that the Department will issue a nonresident insurance producer license to Colette Patricia Andree, subject to the conditions set forth herein and the following special conditions:

1. Colette Patricia Andree shall respond to all inquiries from the Consumer Affairs Division in accordance with 20 CSR 100-4.100.

2. If a consumer complaint is communicated directly to Colette Patricia Andree, she

shall send the Consumer Affairs Division a copy of the complaint and a copy of her response to the consumer within five business days of receipt of the consumer complaint.

3. Colette Patricia Andree shall report to the Consumer Affairs Division any administrative action initiated against her by any other state or federal governmental agency within five business days after Andree receives notification of the initiation of such administrative action.

4. Colette Patricia Andree shall report to the Consumer Affairs Division within five business days any of the following incidents involving her: the first court hearing or appearance in any criminal proceeding, guilty plea, *Alford* plea, nolo contendere plea, finding of guilt, or conviction for a felony or crime involving moral turpitude.

5. Colette Patricia Andree shall voluntarily surrender her nonresident insurance producer license to the Department within five business days of any of the following incidents involving her: guilty plea, *Alford* plea, nolo contendere plea, finding of guilt, or conviction for a felony or crime involving moral turpitude, regardless of whether any associated sentence is suspended or executed.

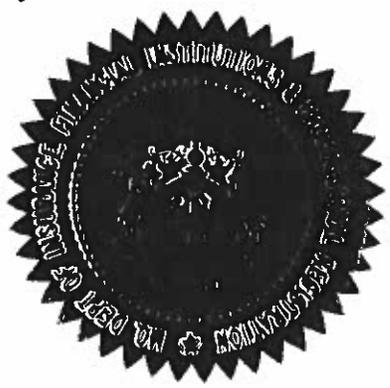
6. The special conditions listed in the immediately preceding five paragraphs shall expire upon the expiration, lapse, termination, revocation, or renewal of Colette Patricia Andree's nonresident insurance producer license, whichever occurs first.

IT IS FURTHER ORDERED that if Colette Patricia Andree fully complies with the terms and conditions of this Consent Order, she may apply to renew her nonresident insurance producer license and the Director shall consider any renewal application in accordance with Chapters 374 and 375, but without regard to the administrative or court proceedings referenced above.

IT IS FINALLY ORDERED that the Director may pursue additional legal remedies as determined appropriate by the Director and without limitation, as authorized by Chapters 374 and 375, including remedies for violating or failing to comply with the terms and conditions of this Consent Order.

SO ORDERED, SIGNED, AND OFFICIAL SEAL AFFIXED THIS 14th DAY OF

August, 2018.



Chlora Lindley Myers
CHLORA LINDLEY-MYERS, Director
Missouri Department of Insurance, Financial
Institutions and Professional Registration

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Colette Patricia Andree has the right to a hearing, but that Colette Patricia Andree has waived the hearing and agreed to the issuance of this Consent Order.



Colette Patricia Andree, Applicant
12442 Northwest 57th Street
Coral Springs, Florida 33076-3484

8/7/18
Date

Counsel for Applicant

Missouri Bar #: _____

Address: _____

Telephone: _____

Facsimile: _____

E-mail: _____

Date



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14 August 2018
Date