



DEPARTMENT OF COMMERCE AND INSURANCE

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

In the Matter of:

CARLA LEE HALL,

Applicant.

)
)
)
)
)

Case No. 2302100230C

CONSENT ORDER

Chlora Lindley-Myers, Director of the Missouri Department of Commerce and Insurance, takes up the above matter for consideration and disposition. The Consumer Affairs Division, through counsel Rachel Jones, Senior Counsel, and Carla Lee Hall have reached a settlement in this matter and have consented to the issuance of this Consent Order.

1. Chlora Lindley-Myers is the duly appointed Director of the Missouri Department of Commerce and Insurance (“Director” of the “Department”) whose duties, pursuant to Chapters 374, 375, and 381, RSMo,¹ include the supervision, regulation, and discipline of insurance producers.

2. The Consumer Affairs Division has the duty of conducting investigations into the acts of insurance producers under Chapters 374, 375, and 381, and is authorized by the

¹ All civil statutory references are to the Revised Statutes of Missouri (2016) unless otherwise noted.

Director to investigate and to recommend enforcement action including insurance producer license application refusal.

3. Carla Lee Hall (“Hall”) is a Missouri resident with a residential and mailing address of 12521 FR 2205 Circle, Cassville, Missouri 65625, and a business address of Barry County Abstract and Title Company, 114 West 7th Street, PO Box 427, Cassville, Missouri 65625.

4. On or about June 21, 2022, the Department received Hall’s completed resident application for an insurance producer license (“Application”).

5. Background Question Number 1A on the Application asks, in relevant part:

Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?

6. Hall answered “No” to Background Question Number 1A regarding misdemeanors on her Application.

7. Background Question Number 1B on the Application asks, 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?”

8. Hall answered “Yes” to Background Question Number 1B regarding felonies on her Application.

9. Through a records search, the Department discovered that, on or about August 22, 2017, Hall was convicted upon a plea of guilty of the Class A Misdemeanor of Unlawful

Use of Drug Paraphernalia in the Circuit Court of Barry County, Missouri, in violation of § 195.233, RSMo. *State v. Carla Lee Gautney*², Barry Cty. Cir. Ct., Case No. 16BR-CR01637.³

10. In a letter dated July 13, 2022, the Department requested that Hall provide additional documentation to supplement her Application, including more information regarding each of her misdemeanor and felony convictions, and an explanation for why she did not disclose her misdemeanor conviction.

11. In response to the Department's inquiry letter, Hall provided additional documentation, including a letter of explanation, an application to engage in the business of insurance under 18 U.S.C. § 1033 and 1034, and court documents related to her felony and misdemeanor convictions, as follows:

- a. On August 22, 2017, Hall was convicted upon a plea of guilty of the Class C Felony of Forgery, in violation of § 570.090.1(1), RSMo. *State v. Carla Lee Gautney*, Barry Cty. Cir. Ct., Case No. 16BR-CR01128-01. The Court sentenced Hall to seven years of incarceration in the Missouri Department of Corrections, with a suspended execution of sentence and thirty days of shock incarceration with credit for time served, and placed Hall on supervised probation for a period of five years. *Id.* The Court ordered Hall to pay restitution, as well as court costs and fees. *Id.* The Court further ordered Hall to attend a substance abuse/self-help support group, and to submit to alcohol and drug testing. *Id.*
- b. On August 22, 2017, Hall was convicted upon a plea of guilty of the Class C Felony of Forgery in violation of § 570.090.1(1), RSMo, in the Barry County Circuit Court. *State v. Carla Lee Gautney*, Barry Cty. Cir. Ct., Case No. 16BR-CR01802-01. The Court sentenced Hall to seven years of incarceration in the Missouri Department of Corrections, with a suspended execution of sentence and thirty days of shock incarceration with credit for time served, and placed Hall on supervised probation for a period of five years. *Id.* The Court ordered Hall to pay restitution, as well as court costs and fees. *Id.* The Court further ordered Hall to attend a substance abuse/self-help support group, and to submit to alcohol and drug testing. *Id.*

² Carla Lee Hall's legal name was Carla Lee Gautney at the time of all criminal convictions listed within this Consent Order.

³ All criminal statutory references are to those in effect at the time Hall committed the offense.

- c. On August 22, 2017, Hall was convicted upon a plea of guilty in the Barry County Circuit Court of the Class D Felony of Fraudulently Attempting to Obtain Oxycodone, A Controlled Substance, in violation of § 195.204, RSMo, and the Class C Felony of Forgery in violation of § 570.090.1(1), RSMo. *State v. Carla Lee Gautney*, Barry Cty. Cir. Ct., Case No. 16BR-CR01699-01. The Court sentenced Hall to incarceration of four years on Count I and seven years on Count II in the Missouri Department of Corrections, with a suspended execution of sentence and thirty days of shock incarceration with credit for time served, and placed her on supervised probation for a period of five years. The Court ordered Hall to pay restitution, as well as court costs and fees. *Id.* The Court further ordered Hall to attend a substance abuse/self-help support group, and to submit to alcohol and drug testing. *Id.*
- d. On August 22, 2017, Hall was convicted in the Barry County Circuit Court upon a plea of guilty to the Class C Felony of Possession of a Controlled Substance, in violation of § 195.202, RSMo, and the Class C Felony of Forgery in violation of § 570.090.1(1), RSMo. *State v. Carla Lee Gautney*, Barry Cty. Cir. Ct., Case No. 16BR-CR01625-01. *Id.* The Court sentenced Hall to seven years in the Missouri Department of Corrections, with a suspended execution of sentence and thirty days shock incarceration with credit for time served, and placed her on supervised probation for a period of five years. The Court ordered Hall to pay restitution, as well as court costs and fees. *Id.* The Court further ordered Hall to attend a substance abuse/self-help support group, and to submit to alcohol and drug testing. *Id.*
- e. On August 22, 2017, Hall was convicted upon a plea of guilty of the Class A misdemeanor of possession of drug paraphernalia with intent to use, in violation of § 195.233, RSMo. *State v. Carla Lee Gautney*, Barry Cty. Cir. Ct., Case No. 16BR-CR01637. Hall was sentenced to thirty days of shock incarceration with credit for time served. *Id.*

12. Between 2018 and 2019, Hall violated the conditions of her probation in various respects, including using and possessing controlled substances, failing to report to her probation officer, failing to pay a monthly intervention fee to the Missouri Department of Corrections, failing to pay restitution, and failing to notify her Probation and Parole officer of a change in residency. *State v. Carla Lee Gautney*, Barry Cty. Cir. Ct., Case No. 16BR-CR01128-01, *State v. Carla Lee Gautney*, Barry Cty. Cir. Ct., Case No. 16BR-CR01802-01,

State v. Carla Lee Gautney, Barry Cty. Cir. Ct., Case No. 16BR-CR01699-01, and *State v. Carla Lee Gautney*, Barry Cty. Cir. Ct., Case No. 16BR-CR01625-01.

13. As a result of these violations, additional stipulations were added to Hall's probation; however, the Court did not revoke Hall's probation. *Id.*

14. In 2019, as part of her probation, Hall entered the Freedom Dream Center for purposes of rehabilitation.

15. Hall successfully completed the rehabilitation program at Freedom Dream Center on January 27, 2020.

16. Hall successfully completed her parole supervision by the Missouri Board of Probation and Parole on November 23, 2021.

17. Hall has successfully maintained employment at Barry County Abstract and Title Company.

18. Hall acknowledges and understands that the Director may refuse to issue her a resident insurance producer license pursuant to § 375.141.1(6), RSMo, because Hall has been convicted of a felony.

19. Hall acknowledges and understands that she has the right to consult legal counsel at her own expense.

20. Hall stipulates and agrees to waive any waivable rights to a hearing before the Administrative Hearing Commission or the Director, any waivable rights to seek judicial review, and any waivable rights to challenge or contest the terms and conditions of this Consent Order. Hall further stipulates and agrees to forever release and hold harmless the Department, the Director and her agents, and the Consumer Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

21. Hall acknowledges and understands that this Consent Order is an administrative action and that the Department will report it to other states. Hall further acknowledges and understands that this administrative action should be disclosed on her future applications and renewal applications and that she is responsible for complying with the reporting requirements of each state in which she may be licensed.

22. Each signatory to this Consent Order certifies by signing that he or she is fully authorized, in his or her own capacity or by the named party he or she represents, to accept the terms and provisions of this Consent Order in their entirety and agrees, in his or her personal or representational capacity, to be bound by the terms of this Consent Order.

CONCLUSIONS OF LAW

23. The facts admitted by Hall are grounds to refuse her Application for an insurance producer license pursuant to § 375.141.1(6).

24. Section 375.141 provides, in relevant part:

1. 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 any felony or a crime involving moral turpitude[.]

25. The foregoing facts hereby admitted by Hall constitute cause for the Director to refuse Hall's Application pursuant to § 375.141.1(6).

26. 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, RSMo.

27. Nothing contained within this Consent Order prohibits the Director from pursuing other violations of the insurance laws against Hall in a later proceeding.

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

ORDER

IT IS HEREBY ORDERED that the Director will issue a resident insurance producer license to Carla Lee Hall, subject to the terms set forth herein and the following special conditions:

1. Cheryl Williams (“Williams”), National Producer Number 7171243, Owner and Manager of The Barry County Abstract and Title Company, agrees to supervise Carla Lee Hall and ensure her compliance with Missouri’s insurance laws and regulations.
2. Cheryl Williams also agrees to supervise Carla Lee Hall’s compliance with the terms of this Consent Order. In doing so, Williams agrees to report any violations of the terms of this Consent Order to the Consumer Affairs Division within five (5) business days of first becoming aware of such violation and shall maintain a system of procedures reasonably designed to detect any failure of Hall to comply with this Consent Order.
3. If Cheryl Williams is no longer willing or able to supervise Carla Lee Hall, or assure Hall’s compliance with the laws set forth in Chapters 374, 375, and 381, and the terms of this Consent Order, due to a change of employment or for any other reason, Williams and Hall shall notify the Consumer Affairs Division and the parties may seek an amendment to this Consent Order, including, but not limited to, an amendment as to a substitute supervising producer. If Williams fails to maintain a Missouri title insurance producer license in good standing,

Williams is no longer qualified as a supervising producer. Hall is not authorized to engage in the business of insurance in Missouri if she does not have a qualified supervising producer approved by the Director.

4. When engaging in the business of title insurance, Carla Lee Hall shall be limited to performing the following duties: (1) soliciting or negotiating the issuance of a title insurance policy; (2) guaranteeing, warranting, or otherwise insuring the correctness of title searches; (3) execution of title insurance policies, reports, commitments, binders, and endorsements; and (4) abstracting, searching, or examining titles. Hall shall not perform settlement or escrow closings and shall not have receipt of or access to escrow funds for real estate transactions.
5. Carla Lee Hall shall report to the Consumer Affairs Division any violation of or failure to comply with Missouri insurance regulations and Missouri insurance laws, including those set forth in Chapters 374, 375, and 381, within five (5) business days of such violation or failure to comply.
6. Carla Lee Hall shall respond to all inquiries from the Consumer Affairs Division in accordance with 20 CSR 100-4.100.
7. If a consumer complaint is communicated directly to Carla Lee Hall, Hall shall send the Consumer Affairs Division a copy of the complaint and a copy of Hall's response to the consumer within five (5) business days of receipt of the consumer complaint.
8. Carla Lee Hall shall report to the Consumer Affairs Division any and all of the following incidents involving Hall: the first court hearing or appearance in any criminal proceeding, any guilty plea, *Alford* plea, nolo contendere plea, finding

of guilt, or any conviction for a felony or misdemeanor. Hall shall report all such incidents to the Consumer Affairs Division within five (5) business days of their occurrence.

9. Carla Lee Hall shall report to the Consumer Affairs Division any administrative action undertaken or initiated against Hall in another jurisdiction or by another governmental agency in this state within the five (5) business days after Hall receives notification of the initiation of such administrative action.
10. Carla Lee Hall shall report to the Consumer Affairs Division any change of employer within five (5) business days after Hall receives notification of the change of employer.
11. The special conditions listed in Paragraphs 1 through 10 will expire upon the earlier of the expiration, lapse, termination, revocation, or renewal of Carla Lee Hall's resident insurance producer license, whichever occurs first.

IT IS FURTHER ORDERED that, for five (5) years subsequent to the date of this executed Consent Order, Carla Lee Hall will voluntarily surrender her license to the Department within five (5) business days of Hall entering a guilty plea, entering a nolo contendere plea or *Alford* plea, being found guilty, or being convicted for a felony, regardless of whether the sentence is imposed, suspended, or executed.

IT IS FURTHER ORDERED that if Carla Lee Hall fully complies with the terms of this Consent Order and no cause for the Director to discipline Hall's resident insurance producer license can be found, then Hall may apply to renew her resident insurance producer license, and the Director shall consider her application in accordance with Chapters 374, 375, and 381 without regard to Hall's prior misdemeanor and felony convictions in *State v. Carla*

Lee Gautney, Barry Cty. Cir. Ct., Case No. 16BR-CR01128-01, *State v. Carla Lee Gautney*, Barry Cty. Cir. Ct., Case No. 16BR-CR01802-01, *State v. Carla Lee Gautney*, Barry Cty. Cir. Ct., Case No. 16BR-CR01699-01, *State v. Carla Lee Gautney*, Barry Cty. Cir. Ct., Case No. 16BR-CR01625-01, and *State v. Carla Lee Gautney*, Barry Cty. Cir. Ct., Case No. 16BR-CR01637.

IT IS FINALLY ORDERED that the Director may pursue additional legal remedies, as determined appropriate by the Director, without limitation as authorized by Chapters 374, 375, and 381, including remedies for violation of or failure to comply with the terms of this Consent Order.

SO ORDERED, SIGNED, AND OFFICIAL SEAL AFFIXED THIS 14th DAY OF June, 2023.



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

CONSENT AND WAIVER OF HEARING- PAGE 1 OF 2

The undersigned persons understand and acknowledge that Carla Lee Hall may have a right to a hearing but that Carla Lee Hall waives the hearing and consents to the issuance of this Consent Order.

Carla Lee Hall

Carla Lee Hall
12521 FR 2205 Circle
Cassville, Missouri 65625
Applicant

4-17-2023

Date

N/A

Counsel for Applicant

Name: _____

Missouri Bar No.: _____

Address: _____

Telephone: _____

Facsimile: _____

Email: _____

Date

Cheryl Williams

Cheryl Williams
Barry County Abstract and Title Company
114 West 7th Street
PO Box 427
Cassville, Missouri 65625

4-17-2023

Date

CONSENT AND WAIVER OF HEARING- PAGE 2 OF 2

N/A
Counsel for Cheryl Williams ✓
Name: _____
Missouri Bar No.: _____
Address: _____

Telephone: _____
Facsimile: _____
Email: _____

Date

Rachel M. Jones
Rachel M. Jones, Missouri Bar No. 63920
Counsel for Consumer Affairs Division
Department of Commerce and Insurance
301 West High Street, Room 530
Jefferson City, Missouri 65102
Telephone: (573) 751-2619
Facsimile: (573) 526-5492
Rachel.M.Jones@insurance.mo.gov

06-02-2023
Date