

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

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

**IN RE:** )  
 )  
**JAMES E. WASHINGTON, Sr.,** ) **Case No. 1903190537C**  
 )  
**Applicant.** )

**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 legal counsel Meaghan Myers Forck, and James E. Washington, Sr. have reached a settlement in this matter and have agreed to the issuance of this Consent Order.

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, RSMo,<sup>1</sup> include the licensure, supervision, regulation, and discipline of insurance producers in the State of Missouri.

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<sup>1</sup> All civil statutory references are to the 2016 Missouri Revised Statutes, as updated by the 2018 RSMo Supplement, unless otherwise noted.

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

3. On April 17, 2017, Applicant James E. Washington, Sr. (“Washington”) pled guilty to Operating a Vehicle After Being A Habitual Traffic Offender a Felony 6, in violation of § 9-30-10-16(a)(1), Ind. Code. *State of Indiana v. James E. Washington*, Superior Ct. Marion, Case No. 49G09-1612-F6-047064. Washington’s sentence was suspended and he was sentence to 363 days of probation. *Id.* Washington was discharged from probation on April 20, 2018. *Id.*

4. On August 28, 2018, the Department received Washington’s Uniform Application for Individual Producer License/Registration (“Application”).

5. In response to the Department’s request for information regarding Washington’s tax obligations, Washington provided a payment arrangement that reflects Washington owed \$12,458.59 to the IRS as of March 4, 2019, for income tax as well as interest and penalties. Washington has entered into a payment arrangement with the IRS for this debt.

6. Washington acknowledges and understands that pursuant to § 375.141.1(6) the Director may refuse to issue him a non-resident insurance producer license because he has been convicted of a felony.

7. Washington acknowledges and understands that pursuant to § 375.141.1(14) the Director may refuse to issue him a non-resident insurance producer license because he failed to comply with an administrative court order directing payment of state or federal income tax.

8. Washington acknowledges and understands that he has the right to consult an attorney at his own expense.

9. Washington stipulates and agrees to waive any waivable rights that he 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 Director and his agents, and the Consumer Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

10. Washington acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Washington further acknowledges and understands that this administrative action should be disclosed on future license applications and renewal applications in this state and in other jurisdictions, and that it is his responsibility to comply with the reporting requirements of each state in which he may be licensed.

11. 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 representative capacity, to be bound by the terms of this Consent Order.

#### **CONCLUSIONS OF LAW**

12. The foregoing facts hereby admitted by Washington constitute cause for the Director to refuse his Application pursuant to § 375.141.1(6).

13. The foregoing facts hereby admitted by Washington constitute cause for the Director to refuse his Application pursuant to § 375.141.1(14).

14. The Director may issue Orders in the public interest pursuant to § 374.046.

15. 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 non-resident insurance producer license to James E. Washington, Sr., subject to the conditions set forth herein and the following special conditions:

1. James E. Washington, Sr. 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 and 375, within five (5) business days of such violation or failure to comply.

2. James E. Washington, Sr. shall respond to all inquiries from the Consumer Affairs Division in accordance with 20 CSR 100-4.100.

3. If a consumer complaint is communicated directly to James E. Washington, Sr., he shall send the Consumer Affairs Division a copy of the complaint and a copy of his response to the consumer within five (5) business days of receipt of the consumer complaint.

4. James E. Washington, Sr. shall report to the Consumer Affairs Division any and all of the following incidents involving him: guilty plea, Alford plea, nolo contendere plea, finding of guilt, or conviction concerning a felony or misdemeanor. James E. Washington, Sr. shall report all such incidents to the Consumer Affairs Division within five (5) business days of their occurrence.

5. James E. Washington, Sr. shall report to the Consumer Affairs Division any administrative action taken against him by any other state or federal governmental agency in Missouri or any other jurisdiction within five (5) business days of the final disposition of such administrative action. James E. Washington, Sr. shall maintain his resident insurance producer

license and report any change in the status of his resident insurance producer license to the Consumer Affairs Division within five (5) business days of the occurrence.

6. James E. Washington, Sr. shall voluntarily surrender his non-resident insurance producer license to the Department within five (5) business days of any of the following incidents involving him: guilty plea, Alford plea, nolo contendere plea, finding of guilt, or conviction concerning a felony or misdemeanor, regardless of whether any associated sentence is suspended or executed.

7. James E. Washington, Sr. shall continue to pay his income tax obligation to the IRS in the amount of the payment arrangement.

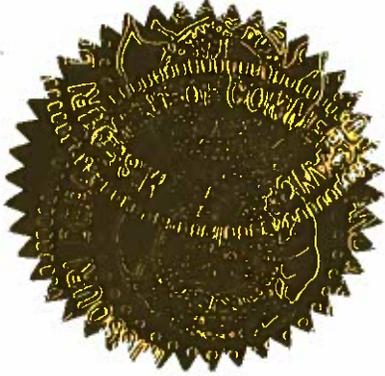
8. The special conditions listed in paragraphs one through six of this order will expire upon the earlier of the expiration or renewal of James E. Washington, Sr.'s two (2) year non-resident insurance producer license, or the refusal to renew or revocation of James E. Washington, Sr.'s non-resident insurance producer license.

IT IS FURTHER ORDERED that if James E. Washington, Sr. maintains his non-resident insurance producer license beyond the initial term and complies with the terms of this Consent Order, he may apply to renew his non-resident insurance producer license and the Director shall consider the renewal application in accordance with Chapters 374 and 375, but without regard to the criminal prosecutions, or the associated conduct, in *State of Indiana v. James E. Washington*, Superior Ct. Marion, Case No. 49G09-1612-F6-047064, and without regard to his IRS income tax obligation.

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 of this Consent Order.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 09 DAY OF

September, 2019.

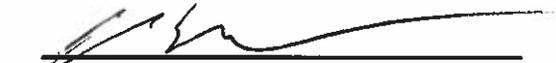


*Chlora Lindley-Myers*

**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 James E. Washington Sr. has the right to a hearing, but that James E. Washington, Sr., has waived the hearing and agreed to the issuance of this Consent Order.

  
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James E. Washington, Sr., Applicant  
101 W. 103<sup>rd</sup> St.  
Indianapolis, IN 46290

05/20/2019  
\_\_\_\_\_  
Date

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Counsel for Applicant  
Name: \_\_\_\_\_  
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Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_  
Facsimile: \_\_\_\_\_  
Email: \_\_\_\_\_

\_\_\_\_\_  
Date

  
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8/30/19  
\_\_\_\_\_  
Date