



State of Missouri

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

IN RE:

MAEGHAN B. THOMPSON,

Applicant.

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Case No. 161024464C

**ORDER REFUSING TO ISSUE A MOTOR VEHICLE EXTENDED
SERVICE CONTRACT PRODUCER LICENSE**

On November 17, 2016, the Consumer Affairs Division ("Division") submitted a Petition to the Director alleging cause for refusing to issue a motor vehicle extended service contract producer license to Maeghan B. Thompson. After reviewing the Petition, the Investigative Report, and the entirety of the file, the Director issues the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Maeghan B. Thompson ("Thompson") is a Missouri resident with a residential and mailing address of 9615 Breckenridge Road, Breckenridge Hills, Missouri 63114.
2. On June 16, 2016, the Department of Insurance, Financial Institutions and Professional Registration ("Department") received Thompson's "Application for Motor Vehicle Extended Service Contract Producer License" ("Application").
3. The "Applicant's Certification and Attestation" section of the Application reads, in relevant part:

I hereby certify, under penalty of perjury, that 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.

4. Thompson signed the Application under oath and before a notary.

5. Background Information Question Number 1 of the Application asks, in relevant part:

Have you ever been convicted of a crime, had a judgment withheld or deferred, received a suspended imposition of sentence ("SIS") or suspended execution of sentence ("SES"), or are you currently charged with committing a crime?

"Crime" includes a misdemeanor, felony, or military offense. You may exclude any of the following if they are/were misdemeanor traffic citations or misdemeanors: driving under the influence (DUI), driving while intoxicated (DWI), driving without a license, reckless driving, or driving with a suspended or revoked license. You may also exclude misdemeanor juvenile convictions.

"Convicted" includes, but is not limited to, having been found guilty by verdict of a judge or jury, having entered a plea of guilty or nolo contendere, having entered an Alford Plea, or having been given probation, a suspended sentence, or a fine.

"Had a judgment withheld or deferred" includes circumstances in which a guilty plea was entered and/or a finding of guilt was made, but imposition or execution of the sentence was suspended (for instance, the defendant was given a suspended imposition of sentence or suspended execution of sentence – sometimes called an "SIS" or "SES").

6. Thompson answered "No" to Background Information Question Number 1.
7. The Division's investigation, however, revealed that Thompson pled guilty to ten counts of misdemeanor passing bad checks and one count of assault in the third degree, as follows:

a. On July 8, 2015, Thompson pled guilty to three counts of Passing Bad Check – Less Than \$500.00, a Class A Misdemeanor, pursuant to § 570.120.¹ *State v. Maeghan Be Etta Thompson*, Warren Co. Cir. Ct., Case No. 15BB-CR00066. The court sentenced Thompson to a six-month suspended execution of sentence and two years of court probation on each count. *Id.*

b. Also on July 8, 2015, Thompson pled guilty to two counts of Passing Bad Check – Less Than \$500.00, a Class A Misdemeanor, pursuant to § 570.120. *State v. Maeghan B. Thompson*, Warren Co. Cir. Ct., Case No. 14BB-CR00689. The court sentenced Thompson to a six-month suspended

¹ All criminal statutory references are to that version of RSMo in effect at the time of the commission of the crime.

execution of sentence and two years of court probation on each count. *Id.*

c. On April 7, 2014, Thompson pled guilty to one count of Assault in the Third Degree, a Class C Misdemeanor, pursuant to § 565.070(5). *State v. Maeghan B. Thompson*, Warren Co. Cir. Ct., Case No. 13BB-CR00882. The court sentenced Thompson to a \$200.00 fine. *Id.*

d. On January 21, 2014, Thompson pled guilty to one count of Passing Bad Check – Less Than \$500.00, a Class A Misdemeanor, pursuant to § 570.120. *State v. Maeghan B. Thompson*, Warren Co. Cir. Ct., Case No. 13BB-CR00618. The court sentenced Thompson to a \$25.50 fine. *Id.*

e. Also on January 21, 2014, Thompson pled guilty to four counts of Passing Bad Check – Less Than \$500.00, a Class A Misdemeanor, pursuant to § 570.120. *State v. Maeghan B. Thompson*, Warren Co. Cir. Ct., Case No. 13BB-CR00018. The court sentenced Thompson to a fine of \$25.50 on each count. *Id.*

8. It is inferable, and hereby found as fact, that Thompson failed to disclose her misdemeanor criminal history in order to improve the chances that the Director would issue a license to her.
9. On June 21, 2016, Andrew Engler (“Engler”), a Special Investigator with the Division, sent an inquiry letter to Thompson via first class mail, postage prepaid, at Thompson’s residential and mailing address, 9615 Breckenridge Road, Breckenridge Hills, Missouri 63114. In it, Engler indicated that the Division’s investigation revealed that Thompson had been convicted of misdemeanor passing bad checks and assault, notwithstanding Thompson’s “no” answer to Background Information Question Number 1 on the Application. Engler asked Thompson to provide a statement explaining the circumstances surrounding her convictions and why she failed to disclose them on her Application. Engler also asked Thompson to provide a copy of the Information in each criminal matter. Engler requested a response within twenty days.
10. On July 6, 2016, Engler received a response from Thompson. Thompson provided copies of court documents for *State v. Maeghan B. Thompson*, Warren Co. Cir. Ct., Case No. 14BB-CR00689 and *State v. Maeghan Be Etta Thompson*, Warren Co. Cir. Ct., Case No. 15BB-CR00066. These cases accounted for five of the passing bad checks counts against Thompson. Thompson did not include case documentation for the other five counts of passing bad checks to which she had pled, nor did she include case documentation for her assault in the third degree case. Further, Thompson did not include a statement explaining the circumstances surrounding these or any of her other convictions.

11. Again on July 12, 2016, Engler sent another inquiry letter to Thompson via first class mail, postage prepaid. In it, Engler reiterated that the Division's investigation revealed that Thompson had numerous misdemeanor convictions, for passing bad checks and for assault, and that Thompson needed to provide case documentation and a written statement explaining the circumstances surrounding the convictions. Engler requested a complete response within an additional twenty days.
12. On July 13, 2016, Thompson called Engler to check on the status of her Application. Engler explained that he needed court documentation on all of her misdemeanor cases. Thompson indicated that she gave those court documents to her company's human resources department to send to Engler.
13. On July 18, 2016, Engler received copies of court documents for *State v. Maeghan Thompson*, Warren Co. Cir. Ct., Case No. 13BB-CR00018, *State v. Maeghan Thompson*, Warren Co. Cir. Ct., Case No. 13BB-CR00618, and *State v. Maeghan Thompson*, Warren Co. Cir. Ct., Case No. 13BB-CR00882. These cases account for Thompson's additional five counts of passing bad checks and her conviction for third degree assault. Thompson did not provide any written explanation of the circumstances surrounding these or any of her other convictions.
14. On her Application, and as part of her employment history, Thompson indicated that she worked at "Mavaro Solutions: 5/2010 – 8/2014." She did not indicate what her position was with Mavaro Solutions.
15. On August 25, 2016, Engler sent another inquiry letter to Thompson via first class mail, postage prepaid. In it, Engler asked Thompson what position she held when she was employed with Mavaro Solutions. Engler requested a response within twenty days.
16. The United States Postal Service did not return Engler's August 25, 2016 inquiry letter to the Division as undeliverable and it is presumed received.
17. Thompson did not respond timely or at all to the Division's August 25, 2016 inquiry letter and she did not demonstrate reasonable justification for any delay.
18. Again on August 26, 2016, Engler sent an inquiry letter to Thompson via first class mail, postage prepaid. In it Engler asked Thompson more specific questions related to her work history, her compensation, and the positions she held at Mavaro Solutions. Engler requested a response within twenty days.
19. The United States Postal Service did not return Engler's August 26, 2016 inquiry letter to the Division as undeliverable and it is presumed received.
20. Thompson did not respond timely or at all to the Division's August 26, 2016 inquiry

letter and she did not demonstrate reasonable justification for any delay.

21. Again on September 19, 2016, Engler sent an inquiry letter to Thompson via first class mail, postage prepaid. In it, Engler again asked Thompson specific questions related to her work history, her compensation, and the positions she held at Movaro Solutions. Engler requested a response within twenty days.
22. The United States Postal Service did not return Engler's September 19, 2016 inquiry letter to the Division as undeliverable and it is presumed received.
23. Thompson did not respond timely or at all to the Division's September 19, 2016 inquiry letter and she did not demonstrate reasonable justification for any delay.
24. The Director is a state regulator of service contracts.

CONCLUSIONS OF LAW

25. Section 385.209.1, RSMo Supp. 2013,² provides:

The director may suspend, revoke, refuse to issue, or refuse to renew a registration or license under sections 385.200 to 385.220 for any of the following causes, if the applicant or licensee or the applicant's or licensee's subsidiaries or affiliated entities acting on behalf of the applicant or licensee in connection with the applicant's or licensee's motor vehicle extended service contract program has:

* * *

(2) Violated any provision in sections 385.200 to 385.220, or violated any rule, subpoena, or order of the director;

(3) Obtained or attempted to obtain a license through material misrepresentation or fraud; [or]

* * *

(7) Been found in violation of law by a court of competent jurisdiction in an action instituted by any officer of any state or the United States in any matter involving motor vehicle extended service contracts, financial services, investments, credit, insurance, banking, or finance[.]

² All further civil statutory references are to RSMo Supp. 2013 unless otherwise indicated.

26. Title 20 CSR 100-4.100(2)(A), Required Response to Inquiries by the Consumer Affairs Division, provides:

Upon receipt of any inquiry from the division, every person shall mail to the division an adequate response to the inquiry within twenty (20) days from the date the division mails the inquiry. An envelope's postmark shall determine the date of mailing. When the requested response is not produced by the person within twenty (20) days, this nonproduction shall be deemed a violation of this rule, unless the person can demonstrate that there is reasonable justification for that delay.

27. Under Missouri law, when a letter is duly mailed by first class mail, there is a rebuttable presumption that the letter was delivered to the addressee in the due course of the mails. *Hughes v. Estes*, 793 S.W.2d 206, 209 (Mo. App. S.D. 1990).
28. The Director may refuse to issue an MVEESC producer license to Thompson under § 385.209.1(2) because Thompson violated a rule of the Director, specifically 20 CSR 100-4.100(2)(A). Thompson failed to respond completely to the Division inquiry letters from June 21, 2016 and July 12, 2016 wherein Engler requested court documentation and a written explanation regarding Thompson's crimes. Thompson provided court documentation, but she never provided the written explanations regarding the circumstances surrounding her crimes that Engler had requested. Thompson failed to demonstrate reasonable justification for any delay.
29. The Director may refuse to issue an MVEESC producer license to Thompson under § 385.209.1(2) because Thompson violated a rule of the Director, specifically 20 CSR 100-4.100(2)(A). Thompson failed to respond to the Division's August 25, 2016, August 26, 2016, and September 19, 2016 inquiry letters regarding her employment history, compensation, and the positions she held at Mavaro Solutions. Thompson failed to demonstrate reasonable justification for any delay.
30. Each violation of 20 CSR 100-4.100(2)(A) constitutes a separate and sufficient ground for the Director to refuse to issue Thompson an MVEESC producer license under § 385.209.1(2).
31. The Director may refuse to issue an MVEESC producer license to Thompson under § 385.209.1(3) because Thompson attempted to obtain a license through material misrepresentation or fraud. In her Application, Thompson answered "No" in response to Background Information Question Number 1 regarding prior criminal actions. But the Division's investigation revealed that Thompson had pled guilty to ten counts of misdemeanor passing bad checks, *State v. Maeghan Be Etta Thompson*, Warren Co. Cir. Ct., Case No. 15BB-CR00066, *State v. Maeghan B. Thompson*, Warren Co. Cir. Ct., Case No. 14BB-CR00689, *State v. Maeghan B. Thompson*,

Warren Co. Cir. Ct., Case No. 13BB-CR00618, and *State v. Maeghan B. Thompson*, Warren Co. Cir. Ct., Case No. 13BB-CR00018, and one count of assault in the third degree, *State v. Maeghan B. Thompson*, Warren Co. Cir. Ct., Case No. 13BB-CR00882.

32. Each misrepresentation under § 385.209.1(3) constitutes a separate and sufficient ground for the Director to refuse to issue Thompson an MVEEC producer license.
33. The Director may refuse to issue an MVEEC producer license to Thompson under § 385.209.1(7) because Thompson has been found in violation of the law by a court of competent jurisdiction in an action instituted by any officer of any state or the United States in any matter involving motor vehicle extended service contracts, financial services, investments, credit, insurance, banking, or finance. Thompson has pled guilty to ten counts of misdemeanor passing bad checks. Each of Thompson's cases that included one or more counts of passing bad checks, *State v. Maeghan Be Etta Thompson*, Warren Co. Cir. Ct., Case No. 15BB-CR00066, *State v. Maeghan B. Thompson*, Warren Co. Cir. Ct., Case No. 14BB-CR00689, *State v. Maeghan B. Thompson*, Warren Co. Cir. Ct., Case No. 13BB-CR00618, and *State v. Maeghan B. Thompson*, Warren Co. Cir. Ct., Case No. 13BB-CR00018, was initiated by an Assistant Prosecuting Attorney for Warren County on behalf of the state, and Warren County was a court of competent jurisdiction. Thompson's convictions for passing bad checks involve banking or finance.
34. Each time Thompson was found in violation of the law by a court of competent jurisdiction in an action instituted by any officer of the state or the United States in any matter involving banking or finance constitutes a separate and sufficient ground for the Director to refuse to issue Thompson an MVEEC producer license under § 385.209.1(7).
35. The above-described instances are grounds upon which the Director may refuse to issue Thompson an MVEEC producer license. Thompson has numerous misdemeanor convictions – one for third degree assault and ten for misdemeanor passing bad checks – that she failed to disclose on her Application. The convictions for passing bad checks were instituted in a court of competent jurisdiction by officers of the state in matters involving banking or finance. When the Division sent inquiry letters to Thompson to find out more information about these numerous and relevant convictions, Thompson failed to adequately respond. Moreover, Thompson indicated in her Application that she worked for Mavaro Solutions, but she completely failed to respond to three Division inquiry letters regarding her positions at Mavaro and her employment history and compensation, generally. Accordingly, and for all of the reasons given in this Petition, the Director should consider Thompson's history and all of the circumstances surrounding Thompson's Application and exercise his discretion to refuse to issue Thompson an MVEEC producer license.

36. The requested Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the motor vehicle extended service contract producer license Application of **Maeghan B. Thompson** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 23RD DAY OF NOVEMBER, 2016.




JOHN M. HUFF
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.


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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of November, 2016, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by United Parcel Service, with signature required, at the following address:

Maeghan B. Thompson
9615 Breckenridge Road
Breckenridge Hills, MO 63114

Tracking No.

A handwritten signature in black ink, appearing to read "Kim Landers", is written over a horizontal line.

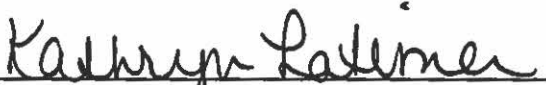
Kim Landers, Paralegal
Missouri Department of Insurance, Financial
Institutions and Professional Registration
301 West High Street, Room 530
Jefferson City, Missouri 65101
Telephone: 573.751.2619
Facsimile: 573.526.5492
Email: kathryn.latimer@insurance.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of December, 2016, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by USPS, with certified mail, at the following address:

Maeghan B. Thompson
9615 Breckenridge Road
Breckenridge Hills, MO 63114

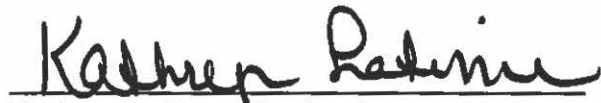
Certified No. 7013 2250 0000 4609 6593


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

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of February, 2017, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by USPS, first class mail, at the following address:

Maeghan B. Thompson
9615 Breckenridge Road
Breckenridge Hills, MO 63114

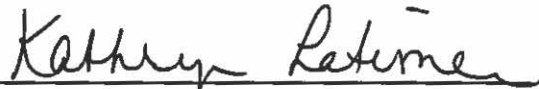
A handwritten signature in black ink, appearing to read 'Kathryn Latimer', written over a horizontal line.

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

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of February, 2017, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by USPS, first class mail, at the following address:

Maeghan B. Thompson
47 Viola Drive
Wright City, MO 63390-3331


A handwritten signature in black ink that reads "Kathryn Latimer". The signature is written in a cursive style with a horizontal line underneath it.

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

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of March, 2017, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by USPS, first class mail, at the following address:

Maeghan B. Thompson
P.O. Box 233
Centralia, MO 65240-0233


Kathryn Latimer, Paralegal
Missouri Department of Insurance, Financial
Institutions and Professional Registration
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