

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:)	
)	
NATASHA PATRICIA BRODT,)	Case No. 170123109C
)	
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 Stephanie L. Pierce, and Natasha Patricia Brodt 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 Insurance, Financial Institutions and Professional Registration ("Director" of the "Department") whose duties, pursuant to Chapters 374, 375, and 385, RSMo, include the licensure, supervision, regulation, and discipline of motor vehicle extended service contract ("MVESC") producers.

¹ All civil statutory references are to the Revised Statutes of Missouri (2000) as updated by the 2013 Supplement, unless otherwise noted.

- 2. The Consumer Affairs Division ("Division") of the Department has the duty of conducting investigations into the qualifications of MVESC producer license applicants under the laws of this state and has been authorized by the Director to investigate and initiate actions before the Director to enforce the laws of this state, including MVESC producer license application refusals.
- 3. On August 14, 2012, Brodt pled guilty to, and was convicted of, Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana, a Class C Felony, in violation of § 195.202, RSMo.² The court sentenced Brodt to five (5) years' incarceration, but suspended the execution of sentence and placed Brodt in a 120 day institutional treatment program and ordered her to complete five (5) years' supervised probation. Brodt has completed her probation early. *State v. Natasha P. Morales*, St. Charles Co. Cir. Ct., Case No. 1211-CR02122-01.³
- 4. On January 10, 2013, Brodt pled guilty to, and was convicted of, Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana, a Class C Felony, in violation of § 195.202, RSMo. The court sentenced Brodt to seven (7) years' incarceration, but suspended the execution of sentence and ordered Brodt to complete three (3) years' supervised probation. Brodt has completed her probation early. *State v. Natasha P. Morales*, St. Louis Co. Cir. Ct., Case No. 1222-CR01395-01.
- 5. On September 21, 2016, the Department received Brodt's application for a MVESC producer license ("Application").

² All criminal statutory references are to those contained in the version of the Revised Statutes of Missouri under which each court rendered judgment.

³ In response to Question No. 34A of the Application which requests applicants to "[l]ist all other assumed, fictitious, alias, maiden or trade names you have used in the past[,]" Brodt responded "Natasha P. Morales."

- Brodt disclosed her prosecutions and convictions on the Application as required.
- 7. Brodt acknowledges and understands that pursuant to § 385.209.1(5), the Director may refuse to issue a MVESC producer license to Brodt because Brodt has been convicted of two (2) felonies.
- Brodt acknowledges and understands that she has the right to consult counsel at her own expense.
- 9. Brodt 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 Director and her agents, and the Division from all liability and claims arising out of, pertaining to, or relating to this matter.
- 10. Brodt acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Brodt further acknowledges and understands that this administrative action should be disclosed on future license applications and renewal applications and that it is her responsibility to comply with the reporting requirements of each state in which she 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 representational capacity, to be bound by the terms of this Consent Order.

CONCLUSIONS OF LAW

- 12. The facts admitted herein by Brodt are grounds to refuse her MVESC producer license application pursuant to § 385.209.1(5).
 - 13. Section 385.209 provides, in part:
 - 1. 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:

* * *

- (5) Been convicted of any felony[.]
- 14. The Director may impose orders in the public interest under § 374.046.
- 15. 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.

<u>ORDER</u>

IT IS ORDERED that the Department will issue a motor vehicle extended service contract producer license to Natasha Patricia Brodt, subject to the conditions set forth herein and the following special conditions:

- 1. Natasha Patricia Brodt 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 385, within five (5) business days of such violation or failure to comply.
- Natasha Patricia Brodt shall respond to all inquiries from the Consumer
 Affairs Division in accordance with 20 CSR 100-4.100(2)(A).

- 3. If a consumer complaint is communicated directly to Natasha Patricia Brodt, Brodt shall send the Department a copy of the complaint and a copy of Brodt's response to the consumer within five (5) business days of receipt of the consumer complaint.
- 4. Natasha Patricia Brodt shall report to the Consumer Affairs Division any and all of the following incidents involving Brodt: guilty plea, *Alford* plea, nolo contendere plea, finding of guilt, or conviction concerning a felony or misdemeanor. Brodt shall report all such incidents to the Consumer Affairs Division within five (5) business days of their occurrence.
- 5. Natasha Patricia Brodt shall report to the Consumer Affairs Division any administrative action undertaken or initiated against Brodt in another jurisdiction or by another state or federal governmental agency in this state within five (5) business days after Brodt receives notification of the initiation of such administrative action.
- 6. The special conditions listed in the immediately preceding paragraphs 1 through 5 will expire upon the earlier of the expiration or renewal of Natasha Patricia Brodt's two (2) year motor vehicle extended service contract producer license, or the refusal, surrender, or revocation of Brodt's motor vehicle extended service contract producer license.

IT IS FURTHER ORDERED that, for two (2) years subsequent to the date of this executed Consent Order, Natasha Patricia Brodt will voluntarily surrender her motor vehicle extended service contract producer license to the Department within five (5) business days of Brodt's entry of a guilty plea, *Alford* plea, nolo contendere plea, being found guilty, or being convicted of a felony, regardless of whether any sentence is suspended or executed.

IT IS FURTHER ORDERED that, if Natasha Patricia Brodt maintains her motor vehicle extended service contract producer license and complies with the terms of this

Consent Order, Brodt may apply to renew her motor vehicle extended service contract producer license and the Director shall consider any renewal application in accordance with Chapters 374, 375, and 385, but without regard to Brodt's prior felonies or the underlying conduct in *State v. Natasha P. Morales*, St. Charles Co. Cir. Ct., Case No. 1211-CR02122-01 or *State v. Natasha P. Morales*, St. Louis Co. Cir. Ct., Case No. 1222-CR01395-01.

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, 375, and 385, including remedies for any violation of, or failure to comply with, the terms of this Consent Order.

so ordered, signed and official seal affixed this 11''' day

OF August

, 2017.

CHLORA LINDLEY MYERS, Director Missouri Department of Insurance, Jupancial

Institutions and Professional Registration

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Natasha Patricia Brodt may have a right to a hearing, but that Natasha Patricia Brodt has waived any hearing and consented to the issuance of this Consent Order.

_ 4 Front	<u> 8/8/17</u>
Natasha Patricia Brodt, Applicant	Date
401 Wright Drive, Apt. I	
St. Charles, Missouri 63301	
Counsel for Applicant	Date
Name:	
Missouri Bar No.	
Address:	
Telephone:	
Facamile:	
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