



State of Missouri

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

IN RE:

Ryan Dale Trimble,

Applicant.

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Case No. 140115059C

ORDER REFUSING TO ISSUE INSURANCE PRODUCER LICENSE

On April 1, 2014, the Consumer Affairs Division submitted a Petition to the Director alleging cause for refusing to issue Ryan Dale Trimble a non-resident insurance producer license. 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.

FACTUAL BACKGROUND

1. Ryan Dale Trimble ("Trimble") is a Kansas resident with a residential and mailing address of 2675 W. Whitney St., Olathe, KS 66061.
2. Trimble's address of record with the Kansas Insurance Department was changed on January 8, 2014, to 3731 Southwest Trafficway, Apt. 3N, Kansas City, MO 64111-2826.
3. On or about November 18, 2013, the Department of Insurance, Financial Institutions and Professional Registration ("Department") received a non-resident insurance producer license application ("Application") from Trimble.
4. The Department previously issued Trimble a resident insurance producer license through Consent Order on May 1, 2008 (License No. 0416563). After one renewal, Trimble's license expired on May 1, 2012.
5. While Trimble held an insurance producer license in Missouri, § 375.141.7 required Trimble to report to the Director, within 30 days of the initial pretrial hearing date, any criminal prosecution for a felony or a crime involving moral turpitude. Trimble failed to report the following:
 - a. On or about January 27, 2012, the Jackson County Circuit Court held a pretrial conference regarding a criminal prosecution against Trimble for a felony or a crime involving moral turpitude. Trimble failed to report this criminal prosecution to the Director within 30 days of January 27, 2012, or at any time thereafter. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1016-CR05554-01 (Class C Felony of

Possession of a Controlled Substance).

- b. On or about January 27, 2012, the Jackson County Circuit Court held a pretrial conference regarding a criminal prosecution against Trimble for a felony or a crime involving moral turpitude. Trimble failed to report this criminal prosecution to the Director within 30 days of January 27, 2012, or at any time thereafter. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1116-CR01480-01 (Class C Felony of Possession of a Controlled Substance, Class D Felony of DWI – Alcohol – Persistent Offender, and Class A Misdemeanor of Resisting an Arrest).
6. In the section of the Application headed “Background Questions,” Background Question # 1 asks, in relevant part, “Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?”
7. Trimble answered “No” to Background Question # 1.
8. Trimble failed to disclose the following convictions on the Application:
 - a. On or about July 30, 2007, Trimble pleaded guilty to the Class D Felony of DWI – Alcohol – Persistent Offender. The court sentenced Trimble to four years in the custody of the Missouri Department of Corrections, suspended execution of the sentence, and placed Trimble on three years’ probation. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 0616-CR04979-01.
 - b. On or about April 12, 2012, Trimble pleaded guilty to the Class C Felony of Possession of a Controlled Substance. The court sentenced Trimble to six years in the custody of the Missouri Department of Corrections, suspended execution of the sentence, and placed Trimble on four years’ probation. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1016-CR05554-01.
 - c. On or about August 23, 2012, Trimble pleaded guilty to the Class D Felony of DWI – Alcohol – Persistent Offender. The court sentenced Trimble to four years in the custody of the Missouri Department of Corrections, suspended execution of the sentence, and placed Trimble on three years’ probation. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1116-CR01480-01.
 - d. On or about August 23, 2012, Trimble pleaded guilty to the Class D Felony of Driving While License was Revoked. The court sentenced Trimble to four years in the custody of the Missouri Department of Corrections, suspended execution of the sentence, and placed Trimble on three years’ probation. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1116-CR01480-01.
 - e. On or about August 23, 2012, Trimble pleaded guilty to the Class A Misdemeanor of Resisting an Arrest. The court sentenced Trimble to 120 days in the custody of the Missouri Department of Corrections, suspended execution of the sentence, and placed Trimble on two years’ probation. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct.,

9. In the section of the Application headed "Background Questions," Background Question # 2 asks, 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.

10. Trimble answered "No" to Background Question # 2.

11. Trimble failed to disclose his involvement as a party in the following administrative proceeding on the Application:

- a. On April 28, 2008, Trimble was issued a Missouri insurance producer license via Consent Order Granting License under Special Circumstances ("Consent Order"). *In the Matter of: Ryan Dale Trimble*, Missouri Department of Insurance, Financial Institutions and Professional Registration, Case No. 08A000312.

12. In the section of the Application headed "Background Questions," Background Question # 7 asks, in relevant part, "Do you have a child support obligation in arrearage?"

13. Trimble answered "No" to Background Question # 7.

14. Trimble failed to disclose the following child support obligation in arrearage on the Application:

- a. As of November 14, 2013, the date Trimble signed the Application, Trimble owed total arrears of \$2,390.00 on a child support obligation. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., No. 0816MC03162; Missouri Dep't of Soc. Servs., Family Support Division, Case No. 11226432.

CONCLUSIONS OF LAW

15. Section 375.141, RSMo (Supp. 2013),¹ provides, in 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:

(1) Intentionally providing materially incorrect, misleading, incomplete or untrue

¹ All statutory references are to the Revised Statutes of Missouri (Supp. 2013) unless otherwise noted.

information in the license application;

(2) Violating any insurance laws, or violating any regulation, subpoena or order of the director or of another insurance commissioner in any other state;

(3) Obtaining or attempting to obtain a license through material misrepresentation or fraud;

* * *

(6) Having been convicted of a felony or crime involving moral turpitude;

* * *

(13) Failing to comply with an administrative or court order imposing a child support obligation[.]

* * *

7. Within thirty days of the initial pretrial hearing date, a producer shall report to the director any criminal prosecution for a felony or a crime involving moral turpitude of the producer taken in any jurisdiction. The report shall include a copy of the indictment or information filed, the order resulting from the hearing and any other relevant legal documents.

16. The principal purpose of § 375.141 is not to punish licensees or applicants, but to protect the public. *Ballew v. Ainsworth*, 670 S.W.2d 94, 100 (Mo. App. E.D. 1984).

17. Trimble may be refused a non-resident insurance producer license pursuant to § 375.141.1(1) because he intentionally provided materially incorrect, misleading, incomplete or untrue information in the license application by failing to disclose on the Application at least five convictions, his involvement as a party in an administrative proceeding, and a child support obligation in arrearage. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 0616-CR04979-01; *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1016-CR05554-01; *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1116-CR01480-01; *In the Matter of: Ryan Dale Trimble*, Missouri Department of Insurance, Financial Institutions and Professional Registration, Case No. 08A000312; *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., No. 0816MC03162; Missouri Dep't of Soc. Servs., Family Support Division, Case No. 11226432.

18. Trimble's failure to disclose each criminal conviction, the administrative action, and the child support arrearage on the Application is a separate and sufficient cause to refuse Trimble an insurance producer license pursuant to § 375.141.1(1).

19. Trimble may refused a non-resident insurance producer license pursuant to § 375.141.1(2) because, while previously licensed, he violated an insurance law of Missouri, § 375.141.7, by failing to report to the Director two separate criminal prosecutions for felonies within 30 days

of the initial pretrial hearing dates, or at any time thereafter. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1016-CR05554-01; *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1116-CR01480-01.

20. Trimble's failure to report each criminal prosecution is a separate and sufficient cause to refuse Trimble an insurance producer license pursuant to § 375.141.1(2).
21. Trimble may be refused a non-resident insurance producer license pursuant to § 375.141.1(3) because he attempted to obtain a license through material misrepresentation or fraud by failing to disclose on the Application at least five convictions, his involvement as a party in an administrative proceeding, and a child support obligation in arrearage. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 0616-CR04979-01; *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1016-CR05554-01; *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1116-CR01480-01; *In the Matter of: Ryan Dale Trimble*, Missouri Department of Insurance, Financial Institutions and Professional Registration, Case No. 08A000312; *State v. Ryan Dale Trimble*, Jackson County, Court Order No. 0816MC03162.
22. Trimble's failure to disclose each criminal conviction, the administrative action, and the child support arrearage on the Application is a separate and sufficient cause to refuse Trimble an insurance producer license pursuant to § 375.141.1(3).
23. Trimble may be refused a non-resident insurance producer license pursuant to § 375.141.1(6) because he has been convicted of at least three felonies. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1016-CR05554-01; *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1116-CR01480-01.
24. Each felony conviction is a separate and sufficient cause to refuse Trimble an insurance producer license pursuant to § 375.141.1(6).
25. Trimble may be refused a non-resident insurance producer license pursuant to § 375.141.1(6) because he has been convicted of at least three crimes involving moral turpitude. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1016-CR05554-01; *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1116-CR01480-01.
26. Each conviction of a crime involving moral turpitude is a separate and sufficient cause to refuse Trimble an insurance producer license pursuant to § 375.141.1(6).

Trimble may be refused a non-resident insurance producer license pursuant to § 375.141.1(13) because he has failed to comply with an administrative or court order imposing a child support obligation. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., No. 0816MC03162; Missouri Dep't of Soc. Servs., Family Support Division, Case No. 11226432.

27. The Director has considered Trimble's history and all of the facts and circumstances surrounding the Application, and for the reasons stated in this Order refuses to issue Trimble a non-resident insurance producer license.

28. Issuing Trimble a non-resident insurance producer license would not be in the public interest.


29. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the non-resident insurance producer license of Ryan Dale Trimble is hereby REFUSED.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 2nd DAY OF APRIL, 2014.




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, P.O. Box 1557, Jefferson City, Missouri within 30 days after the mailing of this notice pursuant to § 621.120 RSMo. Under 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.

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of April, 2014, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS with signature required at the following addresses:

Ryan Dale Trimble
2675 W. Whitney St.
Olathe, KS 66061

Tracking No: 1Z0R15W84299939913

Ryan Dale Trimble
3731 Southwest Trafficway
Apt. 3N
Kansas City, MO 64111-2826

Tracking No: 1Z0R15W84299401921


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