

DEPARTMENT OF COMMERCE AND INSURANCE

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

IN RE:

TRAVIS L. MOORE,

Applicant.

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Case No. 1909190960C

**ORDER REFUSING TO ISSUE
AN INSURANCE PRODUCER LICENSE**

On December 11, 2019, the Consumer Affairs Division (“Division”) of the Department of Commerce and Insurance (“Department”), submitted a Petition to the Director alleging cause for refusing to issue an insurance producer license to Travis L. Moore. After reviewing the Petition and the Investigative Report, the Director issues the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Travis L. Moore (“Moore”) is a Missouri resident with a residential and mailing address of record of 309 S. Spruce Street, Bonne Terre, Missouri 63628, and a business address of record of 29 E. School Street, Bonne Terre, Missouri 63628.
2. On April 17, 2019, the Department of Insurance, Financial Institutions and Professional Registration¹ received Moore’s electronic application for a resident insurance producer license (“Application”).
3. The Attestation section of the Application provides, in relevant part, as follows:

I hereby certify that, under penalty of perjury, all of the information

¹ The Department of Insurance, Financial Institutions and Professional Registration is the predecessor agency to the Department of Commerce and Insurance. See Executive Order 19-02.

submitted in this application 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.

* * *

I further certify that, under penalty of perjury, a) I have no child-support obligation, b) I have a child-support obligation and I am currently in compliance with that obligation, or c) I have identified my child support obligation arrearage on this application.

4. Moore accepted the Attestation section of the Application by answering “Yes.”

5. Background Question No. 1B of 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? You may exclude juvenile adjudications (offenses where you were adjudicated delinquent in a juvenile court)[.]

6. Moore answered “Yes” to Background Question No. 1B.

7. Moore attached documentation to his Application that showed the following felony conviction: On December 10, 2008, the Crawford County Prosecuting Attorney charged Moore by information with three counts of the Class C Felony of Sale of a Controlled Substance, in violation of § 195.211.² *State v. Travis L. Moore*, Crawford Co. Cir. Ct., Case No. 08A9-CR00109-01. On February 17, 2009, Moore pled guilty to two counts of Sale of a Controlled Substance, and the prosecutor dismissed the third count. *Id.* On May 18, 2009, the court sentenced Moore to seven years in the Missouri Department of Corrections, to be served concurrently, with shock incarceration and institutional treatment under § 559.115. *Id.*

8. Background Question No. 7 of the Application asks, “Do you have a child support obligation in arrearage?”

9. Moore answered “No” to Background Question No. 7.

² This and all further criminal statutory references are to that version of RSMo in effect at the time of the commission of the crime.

10. The Division's investigation revealed that, in fact, Moore has a child support obligation and arrearages, as follows: On February 25, 2011, Moore was ordered to pay \$400.00 per month in child support for two children, beginning on February 1, 2011. *Amber Michelle Moore v. Travis Lynn Moore*, Greene Co. Cir. Ct., Case No. 31103DR0503-01. As of October 25, 2019, Moore owes \$52,382.78 in arrearages in this case. Additionally, and also as of October 25, 2019, Moore owes \$6,281.27 in arrearages in *Jamie L. Brush v. Travis L. Moore*, Maries Co. Cir. Ct., Case No. 02MS-MC00005.
11. It is inferable, and hereby found as fact, that Moore failed to disclose his child support obligation and arrearages in response to Background Question No. 7 in order to improve the chances that the Director would issue a license to him.
12. On April 24, 2019, Division Special Investigator Karen Crutchfield ("Crutchfield") sent an inquiry letter to Moore at his residential and mailing address of record, 309 S. Spruce Street, Bonne Terre, Missouri 63628. Crutchfield asked Moore to provide explanations about his criminal history and certified court documents. Crutchfield also asked Moore to provide information about his child support obligation and arrearages that the Division had discovered. Crutchfield indicated that Moore's response was due in twenty (20) days and that "failure to respond by the due date could be a violation of the law and a ground for discipline."
13. Crutchfield's April 24, 2019 inquiry letter was not returned to the Department as undeliverable and, therefore, it is presumed to have been received by Moore.
14. Moore did not respond to Crutchfield's April 24, 2019 inquiry letter nor did Moore demonstrate reasonable justification for delay.
15. On May 20, 2019, Crutchfield sent another inquiry letter to Moore at both his residential and mailing address of record, 309 S. Spruce Street, Bonne Terre, Missouri 63628, and at his business address of record, 29 E. School Street, Bonne Terre, Missouri 63628. Like Crutchfield's April 24, 2019 inquiry letter, this May 20, 2019 inquiry letter asked Moore to provide explanations about his criminal history and certified court documents and information about his child support obligation and arrearages. Crutchfield indicated in both letters that Moore's response was due in twenty (20) days and that "failure to respond by the due date could be a violation of the law and a ground for discipline."
16. Crutchfield's May 20, 2019 inquiry letter addressed to Moore's residential and mailing address of record was returned to the Department marked "unable to forward." Crutchfield's May 20, 2019 inquiry letter addressed to Moore's business address of record was not returned to the Department as undeliverable and, therefore, it is presumed to have been received by Moore.

17. Moore did not respond to Crutchfield's May 20, 2019 inquiry letter sent to Moore's business address of record nor did Moore demonstrate reasonable justification for delay.

CONCLUSIONS OF LAW

18. Section 375.141.1, RSMo 2016,³ provides:

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 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; [or]

* * *

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

19. 20 CSR 100-4.100(2)(A) 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 determines the date of mailing. When the requested response is not produced by the person within twenty (20) days, this

³ This and all further civil statutory references are to RSMo 2016 unless otherwise indicated.

nonproduction is deemed a violation of this rule, unless the person can demonstrate that there is reasonable justification for that delay[.]

20. The Director may refuse to issue an insurance producer license to Moore under § 375.141.1(1) because Moore intentionally provided materially incorrect, misleading, incomplete or untrue information in the license application in that Moore answered “No” to Background Question No. 7 and falsely denied that he had a child support obligation and arrearages.
21. The Director may refuse to issue an insurance producer license to Moore under § 375.141.1(2) because Moore violated a regulation of the director, 20 CSR 100-4.100(2)(A), in that Moore failed to respond to two inquiry letters from the Division dated April 24, 2019 and May 20, 2019 and failed to demonstrate reasonable justification for delay.
22. The Director may refuse to issue an insurance producer license to Moore under § 375.141.1(3) because Moore attempted to obtain a license through material misrepresentation or fraud in that Moore said, in response to Background Question No. 7, that he did not have a child support obligation and arrearages when, in fact, he did.
23. The Director may refuse to issue an insurance producer license to Moore under § 375.141.1(6) because Moore has been convicted of a felony. Indeed, Moore has been convicted of two felonies. In 2009, Moore pled guilty to two counts of Sale of a Controlled Substance, a Class C Felony, and was sentenced to seven (7) years in the Missouri Department of Corrections on each count, with shock incarceration and institutional treatment under § 559.115. *State v. Travis L. Moore*, Crawford Co. Cir. Ct., Case No. 08A9-CR00109-01.
24. The Director may refuse to issue an insurance producer license to Moore under § 375.141.1(6) because Moore has been convicted of a crime involving moral turpitude. In fact, Moore has been convicted of two crimes involving moral turpitude – two counts of Sale of a Controlled Substance. *State v. Travis L. Moore*, Crawford Co. Cir. Ct., Case No. 08A9-CR0109-01.
25. Each conviction of a felony or crime involving moral turpitude constitutes a separate and sufficient ground for the Director to refuse to issue an insurance producer license to Moore under § 375.141.1(6).
26. The Director may refuse to issue an insurance producer license to Moore under § 375.141.1(13) because Moore has failed to comply with an administrative or court order imposing a child support obligation. As of October 25, 2019, Moore owes \$52,382.78 in arrearages in *Amber Michelle Moore v. Travis Lynn Moore*, Greene

Co. Cir. Ct., Case No. 31103DR0503-01 and \$6,281.27 in arrearages in *Jamie L. Brush v. Travis L. Moore*, Maries Co. Cir. Ct., Case No. 02MS-MC00005, for a total of \$58,664.05 in arrearages.

27. The above-described instances are grounds upon which the Director may refuse to issue Moore an insurance producer license. Moore has a felony conviction, has failed to respond to two inquiry letters, falsely indicated on his Application that he did not have any child support obligation and arrearages and thereby attempted to obtain a license through material misrepresentation or fraud, and he has failed to comply with an administrative or court order imposing a child support obligation.
28. The Director has considered Moore's history and all of the circumstances surrounding Moore's Application. Issuing an insurance producer license to Moore would not be in the interest of the public. Accordingly, the Director exercises her discretion to refuse to issue Moore an insurance producer license.
29. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the insurance producer license Application of **Travis L. Moore** is hereby **REFUSED**.

SO ORDERED. WITNESS MY HAND THIS 18th DAY OF February, 2020.


CHLORA LINDLEY-MYERS
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.

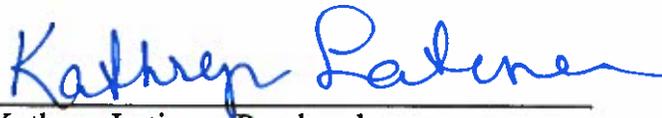
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CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of February, 2020, 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:

Travis L. Moore
S. Spruce Street
Bonne Terre, MO 63628

Tracking No. 1Z0R15W84290618900309



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