



State of Missouri

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND
PROFESSIONAL REGISTRATION

IN RE:)
)
 LAUREN A. TAUBER,) Case No. 1907300932C
)
 Applicant.)

ORDER REFUSING TO ISSUE
A RESIDENT INSURANCE
PRODUCER LICENSE

On August 2, 2019, the Consumer Affairs Division (“Division”) submitted a Petition to the Director alleging cause for refusing to issue a resident insurance producer license to Lauren A. Tauber. 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. Lauren A. Tauber (“Tauber”), is a Missouri resident with a reported residential address of 3101 Mexico Gravel Road, Columbia, Missouri 65202. Tauber reported her business address as 1123 Wilkes Blvd., Columbia, Missouri 65201.
2. On May 30, 2019, the Department of Insurance, Financial Institutions and Professional Registration (“Department”) received Tauber’s electronic Application for insurance producer license (“2019 Application”).
3. At the Department’s request, Tauber submitted additional information, and on June 11, 2019, the Department deemed her 2019 Application complete.
4. Previously, on June 2, 2016, Tauber submitted an electronic Application for a resident insurance producer license (“2016 Application”).
5. Background Question No. 1.A. on the 2019 Application states in relevant part:

Have you ever been convicted of a misdemeanor, had a judgment withheld or

deferred, or are you currently charged with committing a misdemeanor? You may exclude the following misdemeanor convictions or pending misdemeanor charges: traffic citations, driving under the influence (DUI), driving while intoxicated (DWI), driving without a license, reckless driving or driving with a suspended or revoked license.

6. Tauber answered “No” to Background Question No. 1.A. on her 2019 Application.

7. Background Question No. 1.B. on her 2019 Application states:

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.)

8. Tauber answered “Yes” to Background Question No. 1.B. on the 2019 Application.

9. Tauber submitted a document offering her explanation regarding certain criminal charges and convictions and copies of documents for *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 05BA-CR3572-01; *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 09BA-CR03277; *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 07BA-CR05695; *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 09BA-CR06272-01; *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 13BA-CR02699; *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 15BA-CR04105; and *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 17BA-CR02300.

10. None of the documents provided by Tauber were certified copies.

11. On June 13, 2019, Jodi Lehman, Special Investigator with the Division (“Lehman”) sent Tauber a letter requesting, among other things, certified copies of the “Information, Plea Agreement, Judgment and Sentence in regards to your Felony conviction.”

12. On June 20, 2019, Tauber hand-delivered certified copies of court documents regarding certain criminal charges and convictions.

13. The documents initially provided by Tauber revealed that:

a. On or about July 29, 2005, the Boone County Prosecuting Attorney

- charged Tauber with Receiving Stolen Property—Less Than \$500, a Class A Misdemeanor. On February 15, 2006, the Boone County Circuit Court entered judgment for the State and sentenced Tauber to pay the State for the services of appointed counsel in the amount of \$100. The Prosecuting Attorney's Office then filed a nolle pros of the charges filed. *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 05BA-CR3572-01;
- b. On or about June 20, 2009, the Boone County Prosecuting Attorney's Office charged Tauber with two counts of Peace Disturbance, First Offense, a Class B Misdemeanor. On October 28, 2009, Tauber entered a guilty plea to the charges, and the Boone County Circuit Court accepted the plea, suspended imposition of sentence and ordered Tauber to serve two years of unsupervised probation with certain conditions. Then on June 8, 2010, while Tauber was still on probation, the Boone County Circuit Court revoked her probation finding a violation of that probation, sentenced Tauber to serve six months incarceration, suspended execution of the sentence and further placed Tauber on two years of unsupervised probation with certain conditions. *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 09BA-CR03277;
- c. On October 22, 2007, the Boone County Prosecutor's Office charged Tauber with Operated Motor Vehicle On Highway While Driver's License/Privilege Revoked, a Class A Misdemeanor, and Operated Vehicle on Highway Without Valid License, 1st or 2nd Offense, a Class B Misdemeanor. Pursuant to a guilty plea to both charges, on June 27, 2008, the Boone County Circuit Court sentenced Tauber to pay a fine. *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 07BA-CR05695;
- d. On December 22, 2009, the Boone County Prosecutor's Office charged Tauber with Discharge/Shoot Firearm At or From Motor Vehicle/Shoot at Person, Motor Vehicle or Building/Habitable Structure, First Offense, a Class B Felony. The Boone County Prosecutor's Office later amended the charge to Unlawful Use of a Weapon, a Class D Felony. On April 26, 2010, Tauber pled guilty to the Unlawful Use of a Weapon, a Class D Felony, and was sentenced to four years incarceration. The Boone County Circuit Court then suspended execution of the sentence and placed Tauber on five years supervised probation with conditions, which probation was completed on June 6, 2015. *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 09BA-CR06272-01;
- e. On July 6, 2013, the Boone County Prosecutor's Office charged Tauber with DWI-Alcohol, a Class B Misdemeanor. On April 11, 2014, Tauber

pled guilty to the charge, and the Boone County Circuit Court sentenced her to 32 days in the Boone County jail and to pay a fine. The court further directed that Tauber serve 2 days in the Boone County jail and then serve the remainder of the 32 days on home detention. *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 13BA-CR02699;

- f. On October 29, 2015, the Boone County Prosecutor's Office charged Tauber with Driving While Revoked/Suspended—First Offense, an Unclassified Misdemeanor, and Owner Operating a Motor Vehicle Without Financial Responsibility or Operator Who Authorized to Operate a Motor Vehicle Without Financial Responsibility, an Unclassified Misdemeanor. The Prosecutor's Office later amended the first charge to Operate Vehicle On Highway Without A Valid License-1st Offense, an Unclassified Misdemeanor and dismissed the second count by nolle-pros. On January 8, 2016, Tauber pled guilty to Operating a Motor Vehicle On Highway Without a Valid License-1st Offense, an Unclassified Misdemeanor. On that same date, the Boone County Circuit Court suspended imposition of sentence and placed Tauber on 2 years unsupervised probation with certain conditions. *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 15BA-CR04105; and
- g. On June 9, 2017, the Boone County Prosecutor's Office charged Tauber with Driving While Revoked/Suspended, 1st Offense, a Class D Misdemeanor. The Boone County Prosecutor's Office later amended the charge to Operate a Vehicle On Highway Without A Valid License-1st Offense, a Class D Misdemeanor. On September 22, 2017, Tauber pled guilty to the charge. On that same date, the Boone County Circuit Court suspended imposition of sentence and placed Tauber on two years unsupervised probation with certain conditions. Tauber's probation is scheduled to end September 22, 2019.

14. Further, Background Question No. 2 on Tauber's 2019 Application states:

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. ?Involved? also means having a license or registration application

denied or the act of withdrawing an application to avoid a denial. ... If you answer yes, you must attach to this application: a) a written statement identifying the type of license and explaining the circumstances of each incident, b) a copy of the Notice of Hearing or other document that states the charges and allegations, and c) a copy of the official document, which demonstrates the resolution of the charges or any final judgment.

15. Tauber answered “No” to Background Question No. 2 on her 2019 Application.
16. As noted above in paragraph 4, Tauber submitted an electronic application for a resident insurance producer license to the Department in June 2016. On June 21, 2017, the Director signed an Order refusing to issue a resident insurance producer license to Tauber pursuant to § 375.141.1(2) and (6) because Tauber had failed to provide an adequate response to two (2) inquiry letters from the Division thereby twice violating 20 CSR 100-4.100(2)(A), a rule of the Director, and because Tauber had been convicted of a felony, Unlawful Use Of A Weapon, a Class D Felony, *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 09BA-CR06272-01. Tauber did not appeal the June 21, 2017, Order, and the Order became final on July 24, 2017.
17. When asked why she had not disclosed the June 21, 2017, Order refusing to issue a resident insurance producer license, Tauber told Lehman she did not know her 2016 Application had been refused. But the UPS Proof of Delivery Form shows that “L. Tauber” signed for the delivery of her service copy of the June 21, 2017, Order and that it was delivered to her on June 23, 2017, at 3101 Mexico Gravel Road, Columbia, Missouri 65202, the address she provided as her mailing address.
18. Tauber also answered “No” to Background Question No. 1.A. However, the documents Tauber provided to the Department show that on or about June 20, 2009, the Boone County Prosecuting Attorney’s Office charged Tauber with two counts of Peace Disturbance, First Offense, a Class B Misdemeanor. On October 28, 2009, Tauber entered a guilty plea to the charges, and the Boone County Circuit Court accepted the plea, suspended imposition of sentence and ordered Tauber to serve two years of unsupervised probation with certain conditions. Then on June 8, 2010, while Tauber was still on probation, the Boone County Circuit Court revoked her probation finding a violation of that probation, sentenced Tauber to serve six months incarceration, suspended execution of the sentence and further placed Tauber on two years of unsupervised probation with certain conditions. *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 09BA-CR03277. Thus, Tauber was charged with and convicted of a misdemeanor, which she failed to disclose in response to Background Question No. 1.A.

19. It is reasonable to infer that Tauber did not disclose the misdemeanor conviction and the June 21, 2017, Order refusing to issue her a resident insurance producer license in order to increase the chances that the Department would issue her a license.
20. Finally, Tauber has been convicted of a felony, Unlawful Use Of A Weapon, a Class D Felony, *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 09BA-CR06272-01.
21. The Director is a state regulator of insurance producers.

CONCLUSIONS OF LAW

22. Section 375.141, RSMo 2016,¹ provides, in pertinent 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 information in the license application;

* * *

(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;

* * *

(9) Having an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory[.]

¹ All further civil statutory references are to RSMo 2016 unless otherwise indicated.

23. The Director may refuse to issue a resident insurance producer license to Tauber pursuant to § 375.141.1(1) because Tauber answered “No” to Background Question 1.A. on her 2019 Application despite the fact that Tauber has been charged with and convicted of a Class B Misdemeanor, *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 09BA-CR03277.
24. The Director may refuse to issue a resident insurance producer license to Tauber pursuant to § 375.141.1(3) because Tauber answered “No” to Background Question Nos. 1.A and 2. despite the fact that Tauber has been convicted of a Class B Misdemeanor and had her 2016 Application refused by the Director, the inference being that she failed to disclose the misdemeanor and the refusal in order to obtain a license.
- ~~25. The Director may refuse to issue a resident insurance producer license to Tauber pursuant to § 375.141.1(6) because Tauber has been convicted of a felony. *State v. Lauren Adrienne Tauber*, Boone Co. Cir. Ct., Case No. 09BA-CR06272-01.~~
26. Finally, the Director may refuse to issue a resident insurance producer license to Tauber pursuant to § 375.141.1(9) because Tauber had her 2016 Application refused by the Director.
27. The above-described instances are grounds upon which the Director may refuse to issue Tauber a resident insurance producer license.
28. Accordingly, and for all of the reasons given in this Petition, the Director has considered Tauber’s history and all of the circumstances surrounding Tauber’s Application and is exercising her discretion to refuse to issue Tauber a resident insurance producer license.
29. The requested Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the resident insurance producer license Application of **Lauren A. Tauber** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 14th DAY OF August, 2019.

Chlora Lindley Myers
**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.

[The remainder of this page intentionally left blank.]

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of August, 2019, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, with signature required, at the following address:

Lauren A. Tauber
3101 Mexico Gravel Road
Columbia, Missouri 65201

No. 1Z0R15W84299366612



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