



DEPARTMENT OF COMMERCE AND INSURANCE

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

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| IN RE: |) | |
| |) | |
| COURTNEY ANN TIFFE, F/K/A, |) | Case No. 2308030790C |
| COURTNEY ANN OLENDER AND |) | |
| COURTNEY ANN DESPAIN, |) | |
| |) | |
| Applicant. |) | |

CONSENT ORDER

CHLORA LINDLEY-MYERS, Director of the Missouri Department of Commerce and Insurance, takes up the above matter for consideration and disposition. The Consumer Affairs Division of the Department’s Insurance Divisions, through counsel, and Courtney Ann Tiffe, f/k/a, Courtney Ann Olender and Courtney Ann Despain, have reached a settlement in this matter and have agreed to the issuance of this Consent Order.

FINDINGS OF FACT

1. Chlora Lindley-Myers is the duly appointed Director of the Missouri Department of Commerce and Insurance (“Director” of the “Department”) whose duties, pursuant to, among others, Chapters 374 and 375, RSMo (2016),¹ include the supervision, regulation, and discipline

¹ All civil statutory references are to the 2016 Revised Statutes of Missouri unless otherwise noted.

of insurance producers.

2. The Consumer Affairs Division (“Division”) of the Department has the duty of conducting investigations into the conduct of insurance producers pursuant to the laws of Missouri and has been authorized by the Director to investigate and initiate actions to enforce the insurance laws of Missouri, including insurance producer license refusal.

3. Courtney Ann Tiffe, formerly known as Courtney Ann Olender and Courtney Ann Despain (“Tiffe”), is a resident of the state of Missouri with a reported residential, mailing, and business address of 2623 S. 28th Street, Saint Joseph, Missouri 64503. Her reported individual and business email address is Ctiffe13@icloud.com.

4. On or about March 29, 2023, the Department received Tiffe’s electronic application for a resident insurance producer license (“Application”).

5. Background Question No. 1A on her Application states, in pertinent part:

Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?

6. Background Question No. 1B on her 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)[.]

7. Tiffe answered “Yes” to Background Question Nos. 1A and 1B on her Application and provided certain documents to the Department for review.

8. Jonathan Clements (“Clements”), Special Investigator with the Division, was assigned to investigate Tiffe’s Application.

9. On March 30, 2023, Clements sent Tiffe correspondence asking, among other things, for additional documentation regarding her criminal history.

10. The documents Tiffe provided in response to Clements' March 30, 2023, correspondence showed that on March 5, 2004, Tiffe was charged with leaving the scene of a motor vehicle accident, a Class D Felony, in violation of § 577.060², as the result of an accident that occurred February 27, 2004. On December 8, 2004, pursuant to a guilty plea, the court found Tiffe guilty, and then suspended imposition of sentence, placing Tiffe on probation for a period of five years. On June 8, 2007, the court entered its judgment revoking Tiffe's probation, revoking the suspended imposition of sentence, and imposing a sentence of four years in the Missouri Department of Corrections. The court then suspended execution of the sentence, ordered Tiffe to serve 120 days shock time pursuant to § 559.115 and recommended institutional treatment. On August 4, 2010, the court again ordered Tiffe's probation revoked, sentenced her to four years in the Missouri Department of Corrections and ordered her sentence executed. *State of Missouri v. Courtney A Olender*, Clinton Cty. Cir. Ct., Case No. CR1004-647.

11. In 2007, Tiffe was charged with possession of a controlled substance (methamphetamine), a class C felony, in violation of § 195.202 (Count I); possession of up to 35 grams Marijuana, a Class A misdemeanor, in violation of § 195.202 (Count II); and unlawful use of drug paraphernalia, a class A misdemeanor, in violation of § 195.233 (Count III). On July 3, 2007, pursuant to a guilty plea, the court sentenced Tiffe to four years' incarceration with the Missouri Department of Corrections on Count I, suspended the execution of the sentence and placed Tiffe on probation for a period of five years under certain terms and conditions. The court also sentenced her to up to ten days in the Carroll County jail on Counts II and III, with credit for time served. Then on September 7, 2010, the court held a Probation Violation Hearing. On that

² All citations to the criminal statutes of Missouri are to the statutes in effect at the time of the offense.

same date, the court entered its judgment finding that Tiffe had committed certain violations of her probation, ordered the sentence previously imposed executed and directed that Tiffe be delivered to the Missouri Department of Corrections. *State of Missouri v. Courtney Ann Olender*, Carroll Cty. Cir. Ct., Case No. 07J1-CR00122-01.

12. In April, 2019, the Jackson County Prosecuting Attorney filed a Complaint charging Tiffe with unlawful possession of a firearm, a class D Felony, in violation of § 571.070, as the result of an incident that occurred on or about August 21, 2018. On August 15, 2019, pursuant to a guilty plea, the court found Tiffe guilty of the offense, sentenced her to a term of incarceration for three years, suspended execution of the sentence and placed her on probation for a period of three years pursuant to certain terms and conditions. *State of Missouri v. Courtney A. Despain*, Jackson Cty. Cir. Ct., Case No. 1816-CR05279-01.

13. The Missouri Department of Corrections, Board of Probation and Parole discharged Tiffe from supervision in *State of Missouri v. Courtney A Olender*, Clinton Cty. Cir. Ct., Case No. CR1004-647 on April 1, 2013; in *State of Missouri v. Courtney Ann Olender*, Carroll Cty. Cir. Ct., Case No. 07J1-CR00122-01 on July 24, 2013; and in *State of Missouri v. Courtney A. Despain*, Jackson Cty. Cir. Ct., Case No. 1816-CR05279-01 on August 14, 2021.

14. Tiffe understands and agrees that pursuant to § 375.141.1(6), the Director may refuse to issue Tiffe a resident insurance producer license because she has been convicted of three felonies. Each of the three felonies represents separate grounds for refusing Tiffe a resident insurance producer license.

15. Tiffe understands and agrees that pursuant to § 375.141.1(6), the Director may refuse to issue Tiffe a resident insurance producer license because she has been convicted of a

crime involving moral turpitude. *State of Missouri v. Courtney Ann Olender*, Carroll Cty. Cir. Ct., Case No. 07J1-CR00122-01.

16. Tiffe and the Department desire to settle the allegations raised by the Division.

17. Tiffe acknowledges and understands that she has the right to consult an attorney regarding these matters.

18. Tiffe stipulates and agrees to waive any rights that she may have to a hearing before the Missouri Administrative Hearing Commission or the Director and any rights to seek judicial review or to otherwise challenge or contest the terms and conditions of this Consent Order and forever releases and holds harmless the Department, the Director, her agents, and the Division from all liability and claims arising out of, pertaining to, or relating to this matter.

19. Tiffe acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other jurisdictions. Tiffe further acknowledges and understands that this administrative action should be disclosed on future license applications and any renewal applications she submits in this state and in other jurisdictions, and that it is her responsibility to comply with the reporting requirements of each jurisdiction in which she may be licensed.

20. All signatories to this Consent Order certify by signing that they are fully authorized, in their own capacities, or by the named parties they represent, to accept the terms and provisions of this Consent Order in their entirety, and agree, in their personal or representative capacities, to be bound by the terms of this Consent Order.

CONCLUSIONS OF LAW

21. Section 375.141.1 provides, in relevant part:

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:

(6) Having been convicted of a felony or crime involving moral turpitude[.]

22. The facts in the Findings of Fact set out above constitute cause to refuse to issue a resident insurance producer license pursuant to § 375.141.1(6).

23. The Director is authorized to settle this matter and issue this Consent Order in the public interest pursuant to §§ 374.046, 536.060, and 621.045.

24. The terms set forth in this Consent Order are an appropriate disposition of this matter, and issuance of this Consent Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the Department will issue a resident individual insurance producer license to Tiffe, subject to the conditions set forth herein:

25. Tiffe shall respond to all written inquiries and consumer complaints forwarded or otherwise communicated to her by the Department within five (5) business days of Tiffe's receipt.

26. If Tiffe receives a written complaint that is not communicated to her by the Department, Tiffe shall send a copy of the written complaint and Tiffe's response to said complaint to the Department within five (5) business days of Tiffe's receipt.

27. Tiffe shall report to the Department any violation of or failure to comply with the laws set forth in Chapters 374 or 375 within five (5) business days that Tiffe knows of such violation or failure to comply.

28. Tiffe shall report to the Department any administrative action taken against Tiffe in another jurisdiction or by another governmental agency in this state within five (5) business days after she receives notification of the initiation of such administrative action.

29. Tiffe shall report to the Department any probation violation, probation revocation, arrest, citation, guilty plea, *nolo contendere* plea, finding of guilt or conviction concerning a felony

or misdemeanor within five (5) business days of such occurrence.

30. The special conditions listed in paragraphs 25 through 29 will expire upon the expiration, lapse, termination, revocation, or renewal of Tiffe's insurance producer license, whichever comes first.

IT IS FURTHER ORDERED that for two (2) years subsequent to the date of this executed Consent Order, Tiffe will voluntarily surrender her license to the Department within thirty (30) days of Tiffe's entry of a guilty plea, *nolo contendere* plea, or finding of guilty or conviction for a felony, regardless of whether sentence is imposed, suspended, or executed.

IT IS FURTHER ORDERED that if Tiffe maintains her resident insurance producer license beyond the term of this Consent Order and complies with the terms of this Consent Order, Tiffe may apply to renew her license, and the Director shall consider the renewal application in accordance with the provisions of Chapters 374 and 375 and without regard to her criminal history as set out above in paragraphs 4 through 13.

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

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 03rd DAY OF

November, 2023.



Chlora Lindley-Myers
CHLORA LINDLEY-MYERS, Director
Missouri Department of Commerce and
Insurance

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Courtney Ann Tiffe may have the right to a hearing, but that Courtney Ann Tiffe has waived the hearing and agreed to the issuance of this Consent Order.

Courtney A Tiffe
Courtney Ann Tiffe
2623 S. 28th Street
Saint Joseph, Missouri 64503

October 28, 2023
Date

~~Counsel for Courtney Ann Tiffe
Bar No.
[Address]
[Telephone and facsimile numbers]
[Email address]~~ ~~Date~~

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October 31, 2023
Date