



2. The Department's Division of Consumer Affairs ("Division") has the duty, as charged by the laws of this state, to conduct investigations into the unfair or unlawful acts of MVESC business entity producers and is authorized by the Director to investigate and initiate actions to enforce the laws of this state, including refusal of MVESC business entity producer license applications.

3. Andrew Hillin ("Hillin") is the founder, chief executive officer, and owner of True Auto, LLC dba True Auto or True Auto Protection ("True Auto").

4. The Department issued True Auto a MVESC business entity producer license (License No. 8095844) on January 31, 2012. Said license expired January 30, 2014.

5. On May 11, 2015, the Department received a completed Application for Motor Vehicle Extended Service Contract Business Entity Producer License ("Application") for True Auto from Hillin.

6. As part of his investigation, Special Investigator Engler, with the Division, contacted Hillin regarding the expiration of True Auto's MVESC business entity producer license and whether or not True Auto had continued to sell motor vehicle extended service contracts to Missouri consumers during their lapse in licensure.

7. In response, Hillin cut off all sales to Missouri consumers as of July 31, 2015. Hillin also provided a spreadsheet to Special Investigator Engler that revealed that True Auto sold two hundred forty-three (243) motor vehicle extended service contracts to Missouri consumers between January 31, 2014 and July 31, 2015.

8. True Auto was not licensed to sell, offer, negotiate, or solicit motor vehicle extended service contracts to Missouri consumers at any time between January 31, 2014 and July 31, 2015.

9. On August 9, 2016, Hillin appeared before the Division for a Subpoena Conference pursuant to a Subpoena and Subpoena Duces Tecum. Hillin testified under oath in part, that:

a. Hillin was not aware, until January 2015, that True Auto's MVESC business entity producer license had expired in January 2014.

b. True Auto sold motor vehicle extended service contracts to Missouri consumers between January 31, 2014 and July 31, 2015.

10. In light of these facts, True Auto acknowledges and understands that the Director may refuse to issue a MVESC business entity producer license to True Auto pursuant to:

a. Section 385.209.1(2) because True Auto violated a provision of §§ 385.200 to 385.220, namely § 385.206.1(6), when True Auto unlawfully sold, offered, negotiated, or solicited motor vehicle extended service contracts with Missouri consumers while not licensed by this Department as a MVESC business entity producer from January 31, 2014 to July 31, 2015.

b. Section 385.209.1(11) because True Auto unlawfully acted as a MVESC business entity producer without a license when True Auto sold two hundred forty-three (243) motor vehicle extended service contracts to Missouri consumers between January 31, 2014 and July 31, 2015.

11. True Auto acknowledges and understands that pursuant to § 385.209.1(2) and (11), the Director may refuse to issue a MVESC business entity producer license to True Auto.

12. True Auto and the Division desire to settle the allegations raised by the Division.

13. True Auto acknowledges and understands that they have the right to consult counsel at their own expense.

14. True Auto stipulates and agrees to waive any waivable rights that they 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 Order, and forever releases and holds harmless the Department, the Director and his agents, and the Division from all liability and claims arising out of, pertaining to, or relating to this matter.

15. True Auto acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. True Auto further acknowledges and understands that this administrative action should be disclosed on future applications and renewal applications and that it is True Auto's responsibility to comply with the reporting requirements of each state in which True Auto may be licensed.

16. 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**

17. Section 385.206 states, in relevant part:

1. It is unlawful for any person in or from this state to sell, offer, negotiate, or solicit a motor vehicle extended service contract with a consumer, other than the following:

\* \* \*

(6) A business entity producer or individual producer licensed under section 385.207[.]

18. Section 385.207.1 states:

A business entity, prior to selling, offering, negotiating, or soliciting a motor vehicle extended service contract with a consumer under subdivision (6) or (7) of subsection 1 of section 385.206, shall apply for and obtain licensure with the director as a business entity producer in accordance with this section.

19. Section 385.209 states, in relevant 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:

\* \* \*

(2) Violated any provision in sections 385.200 to 385.220, or violated any rule, subpoena, or order of the director; [or]

\* \* \*

(11) Unlawfully acted as a producer without a license[.]

20. The Director may impose orders in the public interest under § 374.046.

21. 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.

## SETTLEMENT TERMS AND ORDER

IT IS ORDERED that the Director will issue a MVESC business entity producer license to True Auto subject to the conditions set forth herein and the following special conditions:

1. True Auto shall report to the Division of Consumer Affairs any violation of or failure to comply with the Director's regulations and Missouri laws, including those set forth in Chapters 374, 375, or 385, within five (5) business days of such violation or failure to comply.

2. If a consumer complaint is communicated directly to True Auto, True Auto shall send the Department a copy of the complaint and a copy of True Auto's response to the consumer within five (5) business days of receipt of the consumer complaint.

3. True Auto shall report to the Division of Consumer Affairs any administrative action undertaken or initiated against True Auto in another jurisdiction or by another state or federal governmental agency in this state within five (5) business days after True Auto receives notification of the initiation of such administrative action.

4. The special conditions listed in the preceding three (3) paragraphs will expire upon the expiration, lapse, termination, revocation, or renewal of True Auto's MVESC business entity producer license, whichever occurs first.

IT IS FURTHER ORDERED that True Auto shall respond to all inquiries from the Division of Consumer Affairs in accordance with 20 CSR 100-4.100(2)(A).

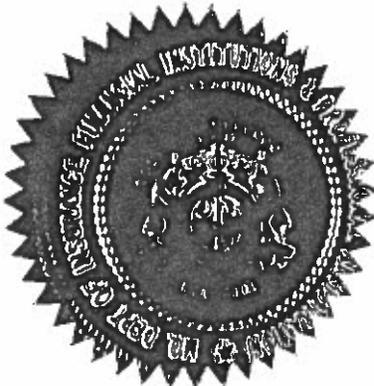
IT IS FURTHER ORDERED that True Auto shall pay the total amount of five thousand dollars (\$5,000.00) as a forfeiture authorized by § 374.046.15, and pursuant to § 374.280, made payable to the State School Moneys Fund for the above-described

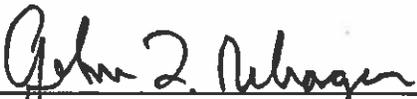
violations. Such payment shall be due immediately and payable by money order or cashier's check to the State School Moneys Fund, and shall be forwarded with this executed Consent Order to the attention of Tammy S. Kearns, Missouri Department of Insurance, Financial Institutions and Professional Registration, P.O. Box 690, Jefferson City, Missouri, 65102. Any correspondence and/or money order or cashier's checks shall reference the case name and number appearing at the top of this Order. The Director shall forward these funds to the state treasury for the benefit of the school fund as provided in §§ 374.049.11 and 374.280.2, and Article IX, Section 7 of the Missouri Constitution.

IT IS FURTHER ORDERED that if True Auto fully complies with the terms and conditions of this Consent Order, True Auto may apply to renew its' MVESC business entity producer license and the Director shall consider any renewal application in accordance with Chapters 374, 375, and 385 RSMo, but without regard for the cause for discipline listed herein.

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

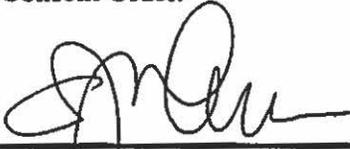
SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 2<sup>nd</sup> DAY OF MARCH 2017.



  
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JOHN F. REHAGEN, Acting Director  
Missouri Department of Insurance, Financial  
Institutions and Professional Registration

**CONSENT AND WAIVER OF HEARING**

The undersigned persons understand and acknowledge that True Auto, LLC dba True Auto or True Auto Protection may have a right to a hearing, but that True Auto, LLC dba True Auto or True Auto Protection have waived the hearing and consented to the issuance of this Consent Order.

  
\_\_\_\_\_  
True Auto, LLC  
dba True Auto or True Auto Protection  
By: Andrew Hillin  
Title: CEO

2/28/17  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Andrew Hillin  
Owner and CEO of True Auto, LLC  
dba True Auto or True Auto Protection  
3100 West 7<sup>th</sup> Street, Suite 210  
Fort Worth, Texas 76107  
Telephone: (817) 751-7273

2/28/17  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
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3/2/17  
\_\_\_\_\_  
Date