



**State of Missouri**

**DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND  
PROFESSIONAL REGISTRATION**

**IN RE:**

**WADE EDWARDS, Jr.,**  
**Applicant.**

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**Case No. 170131145C**

**ORDER REFUSING TO ISSUE A NONRESIDENT  
INSURANCE PRODUCER LICENSE**

On March 14, 2017, the Consumer Affairs Division ("Division") submitted a Petition to the Director alleging cause for refusing to issue a nonresident insurance producer license to Wade Edwards, Jr. After reviewing the Petition, the Investigative Report, and relevant documents, the Director issues the following findings of fact, conclusions of law, and order:

**FINDINGS OF FACT**

1. Wade Edwards, Jr., ("Edwards") is a Texas resident with a residential and mailing address of 2527 Glenholly Park Dr., Sugar Land, Texas 77498, and a business address of 8303 SW Freeway, Suite 125P, Houston, Texas 77074.
2. On October 26, 2016, the Department of Insurance, Financial Institutions and Professional Registration ("Department") received Edwards's electronic application for a nonresident insurance producer license ("Application").
3. Edwards, through an authorized submitter, Tom Andersen, accepted the Attestation section on the Application that states, in relevant part:
  1. I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments 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.
4. The authorized submitter Tom Andersen, by submitting the Application, acknowledged: "As the authorized submitter, I declare that the applicant provided all the information submitted on this application."

5. Background Question No. 1 of the Application asks, in relevant part:

1A. 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. You may also exclude juvenile adjudications (offenses where you were adjudicated delinquent in a juvenile court)[.]

1B. 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. Edwards answered “No” in response to Background Questions No. 1A and 1B.

7. Contrary to Edwards’s response to Background Question 1A on his Application, Edwards pled guilty to the Class B Misdemeanor of Possession of Marijuana 0-2 Oz. *State of Texas v. Wade Edwards, Jr.*, Criminal Court at Law No. 15, Harris County, Texas, Case No. 186554501010. On February 24, 2014, the court entered a judgment of conviction, sentenced him to ten (10) days’ incarceration in the county jail and ordered court costs of \$312.00. *Id.*

8. Contrary to Edwards’s response to Background Question 1B on his Application, Edwards pled guilty to the Third Degree Felony of Evading Arrest or Detention in a Vehicle, in violation of TEX. PENAL CODE § 38.04(b)(2)(A). *State of Texas v. Wade Edwards, Jr.*, Dist. Ct., Fort Bend County, Texas, 434<sup>th</sup> Judicial District, Case No. 13DCR64118. On February 5, 2016, the court entered its judgment, based upon Edwards’s guilty plea, and placed Edwards on three (3) years’ probation with conditions. *Id.*

9. Background Question No. 2 of the Application 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[ ] also means having a license, or registration application denied or the act of withdrawing an application to avoid a denial. . . .

10. Edwards answered “No” in response to Background Question No. 2.

11. Contrary to Edwards’s response to Background Question No. 2, on March 20, 2016, the Office of the Commissioner of Insurance, State of Wisconsin, denied Edwards’s February 15, 2016 application for a permanent individual intermediary agent’s insurance license. Office of the Commissioner of Insurance, State of Wisconsin, Legal File Number 16-C41191 (“March 20, 2016 Wisconsin Denial”).

12. The March 20, 2016 Wisconsin Denial states, in relevant part:

The determination to deny your license application was based on the competence and trustworthiness factors as described in s. 628.04 (1), Wis. Stat., and outlined in s. Ins 6.59 (5), Wis. Adm. Code, including the following:

You answered "Yes" to the question on the application regarding felony convictions. You have been recently convicted of a felony (2013) which appears to be substantially related to the activities and character required of agents. You also have not yet successfully completed the terms of your probation which continues on for three years until 2019, in the case where you entered into a plea agreement for felony evading arrest with a vehicle. Section 6.59 (5) (a), Wis. Adm. Code, provides that applications can be denied if conviction of crime is substantially related to insurance marketing type activities.

\* \* \*

If you wish to contest this denial, OCI [Office of the Commissioner of Insurance] must receive a written petition for a hearing within 30 days of the date of this letter . . . .

\* \* \*

This license denial constitutes a permanent administrative action taken by the state of Wisconsin. If you are licensed in other states, you will need to report this administrative action as required. You must disclose this administrative action on all future licensing applications.

*Id.*

13. Edwards did not contest the March 20, 2016 Wisconsin Denial.

14. On November 3, 2016, Special Investigator Kelley Dawley, with the Consumer Affairs Division of the Department, mailed by U.S. mail, postage prepaid, an inquiry letter to Edwards at his residential and mailing address of record. The inquiry letter noted Edwards's "No" answer to Background Question No. 2 and requested a detailed explanation regarding the March 20, 2016 Wisconsin Denial. The inquiry letter also noted Edwards's "No" answer to Background Question No. 1B and that, based on the Wisconsin regulatory action, Edwards is on probation for a felony conviction. The inquiry letter then requested an explanation of the charges and a copy of the relevant documents.

15. On November 16, 2016, Tom Anderson, the authorized submitter for Edwards's Application, responded by email, which stated, in relevant part:

I believe the attached documents are everything that you have requested. The employer that was licensing Mr[.] Edwards back in March had decided against pursuing his WI license and therefore they did not respond to your request for a resolution to the issue. Mr. Edwards has completed all but one of his requirements handed down by the court for these infractions. The one outstanding requirement that he is still working on is the 500 hours of community service of which he only has 50 of those hours left to complete.

I was not aware of this action WI had taken back in March and that is why I had answered no to the question when applying. I also do not believe Mr[.] Edwards was made aware of the ramifications to his licensing because of the decision by his other employer to just forego pursuit of his WI license. The reason I had marked the answer "no" for Mr[.] Edwards was because I believed this infraction fell under a traffic citation and therefore was not required to do so. My apologies as I now know differently.

16. Anderson attached to his November 16, 2016 email copies of the following:

- a. A letter dated June 22, 2015 from Edwards to the Texas Department of Insurance regarding his "Pending Life and Health Insurance License Application" that discussed the then-pending charge of Evading Arrest in a Motor Vehicle;
- b. A February 12, 2016 email that appears to be from Edwards's yahoo.com email account to his gmail.com account regarding the charge of possession of marijuana (0-2 oz.);
- c. The March 20, 2016 Wisconsin Denial; and
- d. Court records from *State of Texas v. Wade Edwards, Jr.*, Criminal Court at Law No. 15, Harris County, Texas, Case No. 186554501010 and *State of Texas v. Wade Edwards, Jr.*, Dist. Ct., Fort Bend County, Texas, 434<sup>th</sup> Judicial District, Case No. 13DCR64118.

17. On November 18, 2016, the Office of the Commissioner of Insurance, State of Wisconsin, denied Edwards's October 26, 2016 application for a permanent individual intermediary agent's insurance license. Office of the Commissioner of Insurance, State of Wisconsin, Legal File Number 16-C41553 ("November 18, 2016 Wisconsin Denial").

18. The November 18, 2016 Wisconsin Denial states, in relevant part:

The determination to deny your license application was based on the competence and trustworthiness factors as described in s. 628.04 (1), Wis. Stat., and outlined in s Ins 6.59 (5), Wis. Adm. Code, including the following:

You answered "No" to the question on the application regarding felony or misdemeanor convictions. Our investigation disclosed a misdemeanor or felony conviction undisclosed on your application. . . .

You answered "No" to the question on the application regarding administrative actions taken in any state. Our investigation disclosed a previous administrative action taken by the state of Wisconsin undisclosed on your application. . . .

You have been convicted of a felony which appears to be substantially related to the activities and character required of agents. You also have not yet successfully completed the terms of your probation which continues on for three years until 2019. . . .

\* \* \*

If you wish to contest this denial, OCI [Office of the Commissioner of Insurance] must receive a written petition for a hearing within 30 days of the date of this letter . . . .

\* \* \*

This license denial constitutes a permanent administrative action taken by the state of Wisconsin. If you are licensed in other states, you will need to report this administrative action as required. You must disclose this administrative action on all future licensing applications.

*Id.*

19. Edwards did not contest the November 18, 2016 Wisconsin Denial.

20. It is inferable, and hereby found as fact, that Edwards provided materially incorrect, misleading, incomplete or untrue information on his Application for the purpose of inducing the Director to issue him a nonresident insurance producer license based on any or all of the following:

- a. Tom Andersen, the authorized submitter of Edwards's Application, declared "that the applicant provided all the information submitted on this application."

- b. Edwards is the person requesting the license and Edwards provided the information contained in the Application.
- c. Edwards answered "No" to Background Question No. 1A even though he had pled guilty to and was convicted of a misdemeanor, specifically, Class B Misdemeanor of Possession of Marijuana 0-2 Oz. *State of Texas v. Wade Edwards, Jr.*, Criminal Court at Law No. 15, Harris County, Texas, Case No. 186554501010.
- d. Edwards answered "No" to Background Question No. 1B even though he had pled guilty to and was convicted of a felony, specifically, Third Degree Felony of Evading Arrest or Detention in a Vehicle. *State of Texas v. Wade Edwards, Jr.*, Dist. Ct., Fort Bend County, Texas, 434<sup>th</sup> Judicial District, Case No. 13DCR64118.
- e. Edwards answered "No" to Background Question No. 2 even though Wisconsin had denied his first application for licensure as an insurance agent because of his felony conviction. March 20, 2016 Wisconsin Denial.
- f. Edwards failed to disclose on his Application the March 20, 2016 Wisconsin Denial even though the denial specifically stated: "This license denial constitutes a permanent administrative action taken by the state of Wisconsin. If you are licensed in other states, you will need to report this administrative action as required. You must disclose this administrative action on all future licensing applications."
- g. In his first application to Wisconsin, Edwards disclosed his felony conviction, but in his second application to Wisconsin, Edwards marked "No" to the question regarding criminal convictions.
- h. In his explanation in response to the Department's inquiry letter, Edwards, through his agent, mischaracterized and minimized the Third Degree Felony of Evading Arrest or Detention in a Vehicle as an "infraction" and only a traffic offense.
- i. Edwards's explanation that he did not disclose the March 20, 2016 Wisconsin Denial because his previous employer "decided against pursuing his WI license" is not credible in light of the fact that Edwards reapplied for a Wisconsin license on the same day Edwards applied for a Missouri nonresident insurance producer license, and in both applications, Edwards failed to disclose the March 20, 2016 Wisconsin Denial and failed to disclose the felony and misdemeanor convictions.

21. It is inferable, and hereby found as fact, that Edwards attempted to obtain a nonresident insurance producer license through material misrepresentation or fraud based on any or all of the facts set forth in the previous paragraph.

**CONCLUSIONS OF LAW**

22. Section 375.141 RSMo (Supp. 2013)<sup>1</sup> 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 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; [or]

\* \* \*

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

23. The Director may refuse to issue a nonresident insurance producer license to Edwards pursuant to § 375.141.1(1) because Edwards intentionally provided materially incorrect, misleading, incomplete or untrue information on Application when he marked "No" to the Background Question Nos. 1A, 1B, and 2 and failed to disclose the following:

- a. Class B Misdemeanor of Possession of Marijuana 0-2 Oz. *State of Texas v. Wade Edwards, Jr.*, Criminal Court at Law No. 15, Harris County, Texas, Case No. 186554501010;
- b. Third Degree Felony of Evading Arrest or Detention in a Vehicle. *State of Texas v. Wade Edwards, Jr.*, Dist. Ct., Fort Bend County, Texas, 434<sup>th</sup> Judicial District, Case No. 13DCR64118; and
- c. March 20, 2016 Wisconsin Denial. Office of the Commissioner of Insurance, State of Wisconsin, Legal File Number 16-C41191.

24. Each instance of Edwards intentionally providing materially incorrect, misleading, incomplete or untrue information is a separate and sufficient cause for refusal pursuant to § 375.141.1(1).

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<sup>1</sup> All civil statutory references are to RSMo (2000) as updated by RSMo (Supp. 2013) unless otherwise noted.

25. The Director may refuse to issue a nonresident insurance producer license to Edwards pursuant to § 375.141.1(3) because Edwards attempted to obtain a license through material misrepresentation or fraud when he marked “No” to the Background Question Nos. 1A, 1B, and 2 and failed to disclose the following:

- a. Class B Misdemeanor of Possession of Marijuana 0-2 Oz. *State of Texas v. Wade Edwards, Jr.*, Criminal Court at Law No. 15, Harris County, Texas, Case No. 186554501010;
- b. Third Degree Felony of Evading Arrest or Detention in a Vehicle. *State of Texas v. Wade Edwards, Jr.*, Dist. Ct., Fort Bend County, Texas, 434<sup>th</sup> Judicial District, Case No. 13DCR64118; and
- c. The March 20, 2016 Wisconsin Denial. Office of the Commissioner of Insurance, State of Wisconsin, Legal File Number 16-C41191.

26. The Director may refuse to issue a nonresident insurance producer license to Edwards pursuant to § 374.141.1(6) because Edwards has been convicted of a felony; namely, Third Degree Felony of Evading Arrest or Detention in a Vehicle. *State of Texas v. Wade Edwards, Jr.*, Dist. Ct., Fort Bend County, Texas, 434<sup>th</sup> Judicial District, Case No. 13DCR64118.

27. The Director may refuse to issue a nonresident insurance producer license to Edwards pursuant to § 374.141.1(9) for having an insurance producer license, or its equivalent, twice denied in another state, specifically:

- a. March 20, 2016 Wisconsin Denial. Office of the Commissioner of Insurance, State of Wisconsin, Legal File Number 16-C41191; and
- b. November 18, 2016 Wisconsin Denial. Office of the Commissioner of Insurance, State of Wisconsin, Legal File Number 16-C41553.

28. Each attempt to obtain a license (Edwards’s October 2016 Wisconsin application and his Missouri Application) through material misrepresentation or fraud is a separate and sufficient cause for refusal pursuant to § 375.141.1(3).

29. Issuing a nonresident insurance producer license would not be in the public interest. Edwards repeatedly lied on his applications to the insurance regulators in Missouri and Wisconsin. Edwards’ explanation for such dissembling is not credible. Edwards was specifically warned by Wisconsin to disclose the March 20, 2016 Wisconsin Denial on future applications, but he failed to do so not only on his second Wisconsin application but also on his Missouri Application.

30. The Director has considered Edwards’s history and all of the circumstances surrounding his Application. Issuing a nonresident insurance producer license to Edwards would not be in the interest of the public. Accordingly, the Director exercises her discretion to refuse to issue Edwards a nonresident insurance producer license.

31. This Order is in the public interest.

**ORDER**

**IT IS THEREFORE ORDERED** that the nonresident insurance producer license Application of Wade Edwards, Jr., is hereby **REFUSED**.

**SO ORDERED.**

WITNESS MY HAND THIS 21<sup>st</sup> DAY OF June, 2017.



*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.

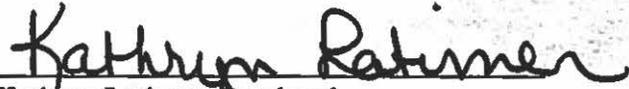
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 21st day of June, 2017, 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:

Wade Edwards, Jr.  
2527 Glenholly Park Dr.  
Sugar Land, TX 77498

Tracking No. 1Z0R15W84291313666



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](mailto:kathryn.latimer@insurance.mo.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that on this 7<sup>th</sup> day of July, 2017, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by USPS, certified mail, at the following address:

Wade Edwards, Jr.  
2527 Glenholly Park Dr.  
Sugar Land, TX 77498

Certified No. 7016 1370 0001 2035 9012



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](mailto:kathryn.latimer@insurance.mo.gov)