



DEPARTMENT OF COMMERCE AND INSURANCE

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

IN RE:

**VICTOR CHARLES
WASHINGTON,**

Applicant.

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Case No. 2307070765C

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

CHLORA LINDLEY-MYERS, Director of the Missouri Department of Commerce and Insurance (“Department”), takes up the above matter for consideration and disposition. After reviewing the Petition, the Investigative Report, the Addendum, and the entirety of the file, the Director issues the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Victor Charles Washington (“Washington”) is a Florida resident, whose residential address is 321 NE 1st Court, Apartment 109, Hallandale Beach, Florida 33009-4354, and whose business and mailing address is 5310 NW 33rd Avenue, Suite 103, Fort Lauderdale, Florida 33309-6300.
2. On February 1, 2023, the Department received Washington’s application for a non-resident insurance producer license (“February 2023 Application”).
3. Background Question Number 1B of the February 2023 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?

4. Washington answered “No” to Background Question Number 1B regarding felonies on his February 2023 Application.

5. Background Question Number 2 of the February 2023 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?

6. Washington answered “No” to Background Question Number 2 regarding administrative proceedings on his February 2023 Application.

7. On December 8, 2023, while Washington’s February 2023 Application was pending with the Department, the Department received another application from Washington for a non-resident insurance producer license (“December 2023 Application”).

8. Background Question Number 1B of the December 2023 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?

9. Washington answered “No” to Background Question Number 1B regarding felonies on his December 2023 Application.

10. Background Question Number 2 of the December 2023 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?

11. Washington answered “No” to Background Question Number 2 regarding administrative proceedings on his December 2023 Application.

12. Washington also applied for and was issued a non-resident insurance producer license on December 1, 2016 (“2016 Application”). Washington answered “No” to Background Questions Number 1B and 2 on his 2016 Application.¹

¹ Washington’s 2016 license expired December 1, 2018, without renewal.

13. Washington submitted another application for a non-resident insurance producer license in 2022 (“2022 Application”). Washington answered “No” to Background Questions Number 1B and 2 on his 2022 Application. Washington withdrew this 2022 Application.
14. During the Department’s investigation, a search of the National Insurance Producer Registry (NIPR)’s Attachment Warehouse regarding Washington revealed the following:
 - a. On June 1, 2020, the Iowa Insurance Division entered an Order revoking Washington’s non-resident insurance producer license, ordering Washington immediately cease and desist from engaging in the business of insurance in the state, and assessing Washington a civil penalty in the amount of \$3000.00, due to his violation of Iowa’s insurance laws. *In the Matter of Victor C. Washington*, Iowa Insurance Commissioner, Division Case No. 105532.

As part of the Findings of Fact in this Order, the Iowa Insurance Division found that while Washington was contracted with American Workers Insurance Services, an Iowa consumer identified that she was “scammed” by an insurance producer who she identified as an individual other than Washington. *Id.* However, upon discussing her health insurance options by telephone, she was transferred to another individual to verify her information and have her sign her application electronically. *Id.* The consumer asked what an unfamiliar product was that accounted for \$170.00 of her monthly premium. *Id.* The individual indicated that it was an accidental death and dismemberment policy. *Id.* The consumer said that she never discussed that type of coverage with the previous agent, and she requested that everything be cancelled immediately. *Id.* The individual transferred the consumer back to the prior producer. *Id.* When the consumer indicated that she did not want the policy, the producer hung up on her without cancelling the policy. *Id.* Washington was identified as the agent of record on the enrolment paperwork submitted to American Workers Insurance Services on behalf of this consumer. *Id.* A withdrawal from the consumer’s bank account was attempted in connection to the sale the following day, and the consumer had to pay a \$30.00 fee to stop payment. *Id.* The Iowa Insurance Division attempted contact with Washington regarding this matter on multiple occasions, but Washington did not respond to these attempts, and did not cooperate with Iowa’s investigation. *Id.*

On May 29, 2020, Washington signed a Consent to Order and Agreement regarding the above facts and terms. *Id.* Both the Order and Consent to Order were submitted to NIPR's Attachment Warehouse by Washington on July 27, 2020, and again on October 25, 2022.

- b. On May 19, 2010, Washington pled no contest to the Third Degree Felony of Driving While License Revoked, in violation of Fla. Stat. § 322.34(5) (2018). *State of Florida vs. Victor Washington*, Broward Cty. Cir. Ct., Case No. 10006359CF10A. The Court withheld adjudication and sentenced Washington to 90 days' confinement in the Broward County Jail, and 90 days' probation. *Id.* Case information regarding this matter was submitted to NIPR's Attachment Warehouse by Washington on October 24, 2022.
- c. On August 5, 2020, the California Department of Insurance sent Washington a letter requesting a signed and dated statement surrounding the circumstances that led to the revocation of Washington's Iowa insurance producer license. This letter was submitted to NIPR's Attachment Warehouse by Washington on October 25, 2022.
- d. On October 26, 2022, Washington signed a Consent Order and Final Agency Decision with the North Carolina Department of Insurance, which assessed Washington a civil penalty in the amount of \$1000.00, due to his violation of North Carolina's insurance laws. *In the Matter of: The Licensure of Victor Charles Washington*, North Carolina Department of Insurance, Docket Number: 2095. This Consent Order and Final Agency Decision was submitted to NIPR's Attachment Warehouse by Washington on October 26, 2022.

15. During its investigation, the Department obtained records of the following administrative actions, not disclosed by Washington:

- a. On January 14, 2021, the California Department of Insurance entered an Order of Summary Revocation against Washington, revoking his non-resident insurance producer license. *In the Matter of the License and Licensing Rights of Victor Charles Washington*, State of California Department of Insurance, File No. OBS 4033-A (AR).

- b. On October 13, 2022, the Illinois Department of Insurance denied Washington's application for a non-resident insurance producer license.
 - c. On October 25, 2022, the Indiana Department of Insurance denied Washington's application for a non-resident insurance producer license. *In the Matter of Victor Washington*, State of Indiana Department of Insurance, Cause No. 21868-AD22-0930-095.
 - d. On February 21, 2023, the Kansas Insurance Department denied Washington's application for a non-resident insurance producer license.
16. On February 23, 2023, Special Investigator Karen Crutchfield ("Crutchfield") with the Division sent an inquiry letter by first-class mail to Washington at his address of record. The inquiry letter asked that Washington provide (1) a copy of the administrative orders from the states of Illinois, Indiana, and California, (2) an explanation of the circumstances that created these actions, (3) an explanation of why these actions were not reported on his Missouri Application, (4) a copy of the charging documents and resolution documents and an explanation for what caused the charge for possession of cannabis, and (5) an explanation for the driving without a license felony attached in the NIPR Attachment Warehouse. The inquiry letter further cited 20 CSR 100-4.100, and notified Washington that his response was required within twenty days.
17. The United States Postal Service did not return the Division's February 23, 2023 inquiry letter as undeliverable.
18. Washington did not respond to the Division's February 23, 2023 inquiry letter within twenty days, nor did he demonstrate a reasonable justification for the delay.
19. On March 21, 2023, Crutchfield sent a second inquiry letter by first-class mail to Washington at his address of record. The inquiry letter asked that Washington provide (1) a copy of the administrative orders from the states of Illinois, Indiana, and California, (2) an explanation of the circumstances that created these actions, (3) an explanation of why these actions were not reported on his Missouri Application, (4) a copy of the charging documents and resolution documents and an explanation for what caused the charge for possession of cannabis, and (5) an explanation for the driving without a license felony attached in the NIPR Attachment Warehouse. The inquiry letter further cited 20 CSR 100-4.100, and notified Washington that his response was required within twenty days.

20. On March 21, 2023, Washington called Crutchfield and indicated that he had received the first letter on that date. Washington explained that he did not get Orders from the states of Illinois and Indiana, and that he did not know about those actions. He advised that he tried contacting California, but they are difficult to reach. Washington further stated that he had uploaded documents concerning a misdemeanor possession of cannabis charge a couple of weeks prior, but Crutchfield checked the NIPR Attachment Warehouse while on the phone with Washington, and denied the presence of any additional documentation. Crutchfield reiterated her telephone number and gave Washington her email address for him to provide the requested documentation. Washington did not provide any further documentation and did not further follow up with Crutchfield.
21. The United States Postal Service did not return the Division's March 21, 2023 inquiry letter as undeliverable.
22. Washington did not provide the documentation requested by the Division's March 21, 2023 inquiry letter within twenty days, nor did he demonstrate a reasonable justification for the delay.
23. On April 17, 2023, Crutchfield contacted Washington by telephone to follow up regarding the requested documentation. Washington did not provide any documentation after that call, and did not further contact Crutchfield or ask for an extension to provide the requested documentation.

JURISDICTION AND STATUTORY GROUNDS FOR REFUSAL

24. Section 375.141.1, RSMo (2016)² states, 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:

- (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;

² All civil statutory references are to the Revised Statutes of Missouri (2016) unless otherwise indicated.

(3) Obtaining or attempting to obtain a license through material misrepresentation or fraud;

* * *

(8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere; [or]

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

25. Title 20 CSR 100-4.100(2)(A), Required Response to Inquiries by the Consumer Affairs Division, is a regulation of the Director and 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 shall determine the date of mailing. When the requested response is not produced by the person within twenty (20) days, this nonproduction shall be deemed a violation of this rule, unless the person can demonstrate that there is reasonable justification for that delay.

26. "There is a presumption that a letter duly mailed has been received by the addressee." *Clear v. Missouri Coordinating Bd. for Higher Educ.*, 23 S.W.3d 896, 900 (Mo. App. 2000) (internal citations omitted).
27. The Director may refuse to issue a non-resident producer license to Washington pursuant to § 375.141.1(1) because Washington filed an application for an insurance producer license on December 1, 2016, which was incomplete and/or contained incorrect, misleading, or untrue information regarding the full extent of his criminal history.
28. The Director may refuse to issue a non-resident producer license to Washington pursuant to § 375.141.1(1) because Washington filed an application for an insurance producer license on August 24, 2022, which was incomplete and/or contained incorrect, misleading, or untrue information regarding the full extent of his criminal history and history of administrative actions against him.

29. The Director may refuse to issue a non-resident producer license to Washington pursuant to § 375.141.1(1) because Washington filed an application for an insurance producer license on February 1, 2023, which was incomplete and/or contained incorrect, misleading, or untrue information regarding the full extent of his criminal history and history of administrative actions against him.
30. The Director may refuse to issue a non-resident producer license to Washington pursuant to § 375.141.1(1) because Washington filed an application for an insurance producer license on December 8, 2023, which was incomplete and/or contained incorrect, misleading, or untrue information regarding the full extent of his criminal history and history of administrative actions against him.
31. Each instance in which Washington filed an application for an insurance producer license which was incomplete and/or contained incorrect, misleading, or untrue information constitutes a separate and sufficient cause for refusal pursuant to § 375.141.1(1).
32. The Director may refuse to issue Washington a non-resident insurance producer license pursuant to § 375.141.1(2) because Washington violated 20 CSR 100-4.100(2)(A), a regulation of the Director, when he failed to respond completely to each of two (2) inquiry letters from the Division within twenty (20) days and failed to demonstrate a reasonable justification for the delay.
33. Each instance in which Washington violated an insurance law or a regulation of the Director constitutes a separate and sufficient cause for refusal pursuant to § 375.141.1(2).
34. The Director may refuse to issue a non-resident insurance producer license to Washington pursuant to § 375.141.1(3) because Washington obtained a license through material misrepresentation or fraud, in that he failed to disclose the full extent of his criminal history at the time of his 2016 Application, and the Department issued to Washington a non-resident producer license based upon this misrepresentation or fraud.
35. The Director may refuse to issue a non-resident insurance producer license to Washington pursuant to § 375.141.1(3) because Washington attempted to obtain a license through material misrepresentation or fraud, in that he failed to disclose the full extent of his criminal history and history of administrative actions against him at the time of his February 2023 Application.
36. The Director may refuse to issue a non-resident insurance producer license to Washington pursuant to § 375.141.1(3) because Washington attempted to obtain a license through material misrepresentation or fraud, in that he failed to disclose the

full extent of his criminal history and history of administrative actions against him at the time of his December 2023 Application.

37. Each instance in which Washington attempted to obtain or did obtain a license through material misrepresentation or fraud constitutes a separate and sufficient cause for refusal pursuant to § 375.141.1(3).
38. The Director may refuse to issue a non-resident insurance producer license to Washington under § 375.141.1(8) because Washington has used fraudulent, coercive, or dishonest practices, or has demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in the state of Iowa. *In the Matter of Victor C. Washington*, Iowa Insurance Commissioner, Division Case No. 105532.
39. The Director may refuse to issue a non-resident insurance producer license to Washington under § 375.141.1(9) because Washington has had an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory, in that:
 - a. On June 1, 2020, the Iowa Insurance Division entered an Order revoking Washington's non-resident insurance producer license, ordering Washington immediately cease and desist from engaging in the business of insurance in the state, and assessing Washington a civil penalty in the amount of \$3000.00, due to his violation of Iowa's insurance laws. *In the Matter of Victor C. Washington*, Iowa Insurance Commissioner, Division Case No. 105532.
 - b. On January 14, 2021, the California Department of Insurance entered an Order of Summary Revocation against Washington, revoking his non-resident insurance producer license. *In the Matter of the License and Licensing Rights of Victor Charles Washington*, State of California Department of Insurance, File No. OBS 4033-A (AR).
 - c. On October 13, 2022, the Illinois Department of Insurance denied Washington's application for a non-resident insurance producer license.
 - d. On October 25, 2022, the Indiana Department of Insurance denied Washington's application for a non-resident insurance producer license. *In the Matter of Victor Washington*, State of Indiana Department of Insurance, Cause No. 21868-AD22-0930-095.

e. On February 21, 2023, the Kansas Insurance Department denied Washington's application for a non-resident insurance producer license.

40. The Director has considered Washington's history and all of the circumstances surrounding Washington's February 2023 Application and December 2023 Application, and exercises her discretion to refuse to issue Washington a non-resident insurance producer license.

41. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the February 2023 Application and December 2023 Application of **VICTOR CHARLES WASHINGTON** are hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 11th DAY OF April, 2024.



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 12th day of April 2024, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required, at the following address:

Victor Washington
5310 NW 33rd Avenue, Suite 103
Fort Lauderdale, Florida 33309-6300

Tracking No. 1Z0R15W84294085774



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