



State of Missouri

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

IN RE:

KWAN M. MATTHEWS,

Applicant.

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Case No. 171222662C

ORDER REFUSING TO ISSUE A MOTOR VEHICLE EXTENDED SERVICE CONTRACT PRODUCER LICENSE

On October 9, 2018, the Consumer Affairs Division ("Division") submitted a Petition to the Director alleging cause for refusing to issue a motor vehicle extended service contract producer license to Kwan M. Matthews. After reviewing the Petition and the Investigative Report and other relevant documents, the Director issues the following findings of fact, conclusions of law and order:

FINDINGS OF FACT

1. Kwan M. Matthews ("Matthews") is a Missouri resident with a residential address of 902 Kingston Terrace Ct., St. Charles, Missouri 63301.
2. On August 8, 2017, the Department of Insurance, Financial Institutions and Professional Registration ("Department") received Matthews' Application for Motor Vehicle Extended Service Contract Producer License ("Application") along with attachments.
3. Matthews answered "Yes" to Background Information Question Number 1 of the Application asked in relevant part: "Have you ever been convicted of a crime, had a judgment withheld or deferred, received a suspended imposition of sentence ("SIS") or suspended execution of sentence ("SES"), or are you currently charged with committing a crime?"
4. As further instructed by the Application, Matthews included court documents that disclosed the following convictions:
 - a. Tampering With Service of Utility or Institution-1st Degree- a Class C

Felony, in violation of § 569.080 RSMo.¹ *State v. Kwan Mandrell Matthews*, City of St. Louis Cir. Ct., Case No. 22931-01475-01.

- b. Robbery-1st Degree-a Class A Felony, in violation of § 569.020. *State v. Kwan M. Matthews*, City of St. Louis Cir. Ct., 22001-02203-01.
- c. Armed Criminal Action, a Felony Unclassified, in violation of § 571.015. *State v. Kwan M. Matthews*, City of St. Louis Cir. Ct., 22001-02203-01.
- d. Unlawful Use Of A Weapon, a Class D Felony, in violation of § 571.030. *State v. Kwan M. Matthews*, City of St. Louis Cir. Ct., 22001-02203-01.

CONCLUSIONS OF LAW

5. Section 385.209.1, RSMo 2016, provides, in relevant part:

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:

* * *

- (5) Been convicted of any felony[.]

6. The Director may refuse to issue a motor vehicle extended service contract producer license to Matthews under § 385.209.1(5) because Matthews has been convicted of four felonies:
- a. Tampering With Service of Utility or Institution-1st Degree- a Class C Felony, in violation of § 569.080 RSMo. *State v. Kwan Mandrell Matthews*, City of St. Louis Cir. Ct., Case No. 22931-01475-01.
 - b. Robbery-1st Degree-a Class A Felony, in violation of § 569.020. *State v. Kwan M. Matthews*, City of St. Louis Cir. Ct., 22001-02203-01.

¹ This and all criminal statutory citations are to that version of the Revised Statutes of Missouri in effect at the time of the commission of the crime.

c. Armed Criminal Action, a Felony Unclassified, in violation of § 571.015. *State v. Kwan M. Matthews*, City of St. Louis Cir. Ct., 22001-02203-01.

d. Unlawful Use Of A Weapon, a Class D Felony, in violation of § 571.030. *State v. Kwan M. Matthews*, City of St. Louis Cir. Ct., 22001-02203-01.

7. Each felony conviction constitutes a separate and sufficient ground for the Director to refuse to issue Matthews a motor vehicle extended service contract producer license under § 385.209.1(5).
8. The above-described instances are grounds upon which the Director may refuse to issue Matthews a motor vehicle extended service contract producer license.
9. The Director has considered Matthews' history and all of the circumstances surrounding Matthews' Application. Issuing a motor vehicle extended service contract producer license to Matthews would not be in the interest of the public. Accordingly, the Director exercises her discretion to refuse to issue Matthews a motor vehicle extended service contract producer license.
10. This Order is in the public interest.


ORDER

IT IS THEREFORE ORDERED that the motor vehicle extended service contract producer license Application of **KWAN M. MATTHEWS** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 12th **DAY OF** AUGUST, 2019.




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.

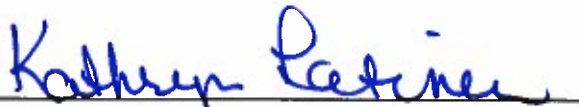
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CERTIFICATE OF SERVICE

I hereby certify that on this 13th 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:

■ Kwan Matthews
902 Kingston Terrace Ct.
St. Charles, Missouri 63301

Tracking No. 1Z0R15W84298662311



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