



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

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

In the Matter of:)
) **Case No. 180621763C**
JONATHAN P. ROBERTSON,)
)
Applicant.)

CONSENT ORDER

Chlora Lindley-Myers, Director of the Department of Insurance, Financial Institutions and Professional Registration, takes up the above matter for consideration and disposition. The Consumer Affairs Division, through legal counsel Mark Rachel, and Applicant Jonathan P. Robertson have reached a settlement in this matter and have consented to the issuance of this Consent Order.

1. Chlora Lindley-Myers is the duly appointed Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (the "Director"

of the “Department”) whose duties, pursuant to Chapters 374 and 375, RSMo,¹ include the supervision, regulation, and discipline of insurance producers.

2. The Consumer Affairs Division (“Division”) has the duty of conducting investigations into the acts of insurance producers under Chapters 374 and 375 and is authorized by the Director to investigate and to recommend enforcement action, including insurance producer license application refusal.

3. Jonathan P. Robertson (“Robertson”) is a Missouri resident with a residential address of 5101 NE Choteau Trafficway, Apartment 714, Kansas City, Missouri 64118 and a business and mailing address of 120 W. 12th Street, Suite 1700, Kansas City, Missouri 64108.

4. On April 4, 2018, Robertson submitted an electronic application for a resident insurance producer license (“Application”) to the Department, along with attachments.

5. Background Information Question Number 1B on the 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?”

6. Robertson answered “Yes” to Background Information Question Number 1B. He provided a letter of explanation regarding his criminal past and court documents showing that he was previously convicted of a felony, as follows: On April 15, 2014, the Platte County Prosecutor charged Robertson with one count of the Class C Felony of Driving While Intoxicated, in violation of § 577.010. *State v. Jonathon P. Robertson*, Platte Co. Cir. Ct., Case No. 14AE-CR00959-01. On or about July 18, 2014, the prosecutor filed an Information,

¹ All civil statutory references are to RSMo Supp. 2016 unless otherwise noted.

charging Robertson with one count of the Class C Felony of Driving While Intoxicated, in violation of § 577.010. *Id.* On September 4, 2014, Robertson pled guilty to the charge. *Id.* Also on September 4, 2014, the court sentenced Robertson to five years in the Missouri Department of Corrections, with execution of that sentence suspended, sixty days shock time with credit for time served, completion of SATOP and the Platte County Court program, payment of \$589.80 court costs and five years of supervised probation. Robertson completed his supervised probation early on May 1, 2017. *Id.*

7. Robertson acknowledges and understands that under § 375.141.1(6), the Director may refuse to issue an insurance producer license to Robertson because Robertson has been convicted of a felony.

8. Robertson acknowledges and understands that he has the right to consult counsel at his own expense.

9. Robertson stipulates and agrees to waive any waivable rights that he 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 Consent Order and forever releases and holds harmless the Department, the Director and her agents, and the Consumer Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

10. Robertson acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Robertson further acknowledges and understands that this administrative action should be disclosed on future applications and renewal applications and that it is his responsibility to comply with the

reporting requirements of each state in which he may be licensed.

11. Each signatory to this Consent Order certifies by signing that she or he is fully authorized, in his or her own capacity, or by the named party she or he 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

12. 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[.]

13. The facts admitted herein by Robertson provide cause for the Director to refuse to issue a resident insurance producer license to Robertson pursuant to § 375.141.1(6).

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

15. 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.

Order

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

1. Robertson shall respond to all inquiries and consumer complaints forwarded or otherwise communicated to him by the Department or a consumer within five (5) business days of receipt.

2. Robertson shall report in writing all consumer complaints, both written and oral, to the Division within five (5) business days of receipt. If a complaint was not communicated

to Robertson by the Department, Robertson shall send a copy of the complaint and Robertson's response to the consumer to the Department within five (5) business days of receipt.

3. Robertson 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 of such violation or failure to comply.

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

5. Robertson shall report to the Department any arrest, court hearing, court appearance, arraignment hearing, guilty plea, nolo contendere plea, Alford plea, finding of guilt or conviction concerning a felony or crimes involving moral turpitude within five (5) business days of such occurrence.

6. The special conditions listed in the preceding five (5) paragraphs will expire upon the expiration, lapse, termination, revocation, or renewal of Robertson'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, Robertson will voluntarily surrender his license to the Department within thirty (30) days of Robertson's entry of a guilty plea, nolo contendere plea, Alford 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 Robertson maintains his insurance producer license and complies with the terms of this Consent Order, Robertson may apply to renew his

license and the Director shall consider any renewal application in accordance with Chapters 374 and 375, but without regard to Robertson's prior felony conviction in *State v. Jonathon P. Robertson*, Platte Co. Cir. Ct., Case No.14AE-CR00959-01.

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 27th DAY OF September, 2018.



Chlora Lindley Myers

CHLORA LINDLEY-MYERS
Director
Missouri Department of Insurance,
Financial Institutions and Professional
Registration

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Jonathan P. Robertson may have the right to a hearing, but that Jonathan P. Robertson has waived the hearing and consented to the issuance of this Consent Order.

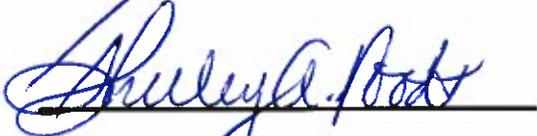


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08-27-2018
Date

Counsel for Applicant
Name: _____
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Date



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August 31, 2018
Date