

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

KRISTEN RECSNIK., Respondent,)	
)	No. ED91696
vs.)	
)	Appeal from the Circuit Court of
RETIREMENT TIME INSURANCE, LLC,)	St. Charles County
Appellant.)	
)	Filed: April 28, 2009

Retirement Time Insurance, LLC (RTI) appeals from the trial court’s judgment in favor of Kristen Recsnik (Recsnik) and against RTI in the amount of \$2,875.00 for unpaid commissions.

RTI argues the trial court erred in entering judgment in favor of Recsnik by failing to enforce the parties’ agency agreement, in that the court awarded Recsnik commissions on renewals collected by RTI after Recsnik’s resignation despite the agreement’s provision stating an agent employed less than 24 months is not entitled to commissions on renewals after termination of her employment.

AFFIRMED AS MODIFIED.

Division Three Holds: The trial court’s judgment awarding Recsnik her initial commissions is supported by substantial evidence, however, the court erred in awarding Recsnik unpaid renewal commissions. We affirm, as modified, the trial court’s decision.

Opinion by: Sherri B. Sullivan, J.

Robert G. Dowd, Jr., P.J., and Clifford H. Ahrens, J. concur.

Attorney for Appellant: Brian C. Hey

Attorney for Respondent: Pro Se

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.