

**SOUTH DAKOTA  
DEPARTMENT OF LABOR AND REGULATION  
DIVISION OF INSURANCE**

<b>IN THE MATTER OF</b>	)	<b>FINAL DECISION</b>
<b>NATALIE SEEMAN</b>	)	<b>INS 15-13</b>
<b>LICENSEE</b>	)	

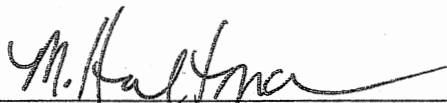
After reviewing the record and the proposed order of the Hearing Examiner in this matter,

IT IS HEREBY ORDERED that pursuant to SDCL 1-26D-4, the Hearing Examiner's Amended Proposed Findings of Fact, Conclusions of Law and Proposed Order, dated September 17, 2015 is adopted in full.

IT IS FURTHER ORDERED that the South Dakota non-resident Insurance Producer License of Natalie Seeman will hereby be revoked.

Parties are hereby advised of the right to further appeal the final decision to Circuit Court within (30) days of receiving such decision, pursuant to the authority of SDCL 1-26.

Dated this 23<sup>rd</sup> day of September, 2015.



\_\_\_\_\_  
Marcia Hultman, Secretary  
South Dakota Department of Labor and Regulation  
700 Governors Drive  
Pierre, SD 57501

**STATE OF SOUTH DAKOTA  
OFFICE OF HEARING EXAMINERS**

**IN THE MATTER OF  
NATALIE SEEMAN**

**AMENDED  
PROPOSED DECISION  
INS 15-13**

**V.**

**DIVISION OF INSURANCE**

An administrative hearing was held in this matter on August 27, 2015. Licensee, Natalie Seeman (Seeman), did not appear or testify at the hearing. The Division of Insurance (Division) was represented by Benjamin Eirikson. The Division had a witness, Amy Ondell. Based on the evidence, the arguments of the parties, and the law, the Hearing Examiner enters the following Findings of Fact, Conclusions of Law, and Proposed Order.

**ISSUES**

Whether Seeman failed to report to the Division an administrative action against her by the State of Wyoming within 30 days?

Whether Seeman failed to respond in a timely manner to an investigation from the Division?

Whether Seeman failed to notify the Division within 30 days of a change of address?

Whether the Division may revoke Seeman's license as an insurance producer?

**FINDINGS OF FACT**

I.

Seeman was licensed by the division as an insurance producer on January 24, 2014. Her license number is 40351982 and was active.

II.

A default judgment was entered against Seeman by the state of Wyoming.

III.

The state of Wyoming revoked Seeman's insurance producer license on October 9, 2014. Seeman had previous administrative actions and had been convicted of a felony.

IV.

The record does not show that Seeman reported the Wyoming administrative action to the Division.

V.

On December 15, 2014, the Division sent a letter to Seeman asking her to explain the Wyoming administrative action.

VI.

The Division sent the letter to Seeman's address of record, 407 9<sup>th</sup> Street Southeast, Altoona Iowa. The letter was sent via certified mail.

VII.

Seeman did not respond to the Division's December 15, 2014 letter.

VIII.

The certified mail records indicate that the letter was forwarded to 6843 Hemingway Street, Johnston Iowa.

IX.

Seeman did not report the new address to the Division.

X.

On January 16, 2015, the Division sent another certified letter to Seeman. Seeman was notified that she failed to respond to the first letter and had not updated her new address.

XI.

The letter was sent to both the old address at Altoona Iowa and the new address at Johnston Iowa.

XII.

United States Postal Service records indicate the Division's letters were delivered and picked up on January 31, 2015 and January 22, 2015.

XIII.

Seeman did not respond to either of the letters.

XIV.

A hearing on the matter was held on August 27, 2015.

XV.

Any additional findings included in the Reasoning section of this decision are incorporated herein by this reference. To the extent any of the foregoing are improperly designated and are instead conclusions of law, they are hereby redesignated and incorporated herein as conclusions of law.

## **REASONING**

Seeman lost her license in Wyoming because of a felony and previous administrative actions. Seeman did not report any of these actions to the South Dakota Division of Insurance. SDCL 58-30-193 provides that an insurance producer shall report to the director any administrative action taken against the insurance producer in another jurisdiction or by another governmental agency in this state within thirty days of the final disposition of the matter. This report shall include a copy of the order, consent order, or other relevant legal documents.

Seeman also declined to inform the Division about the events or a change of address. Seeman violated SDCL 58-33-66(1) when she failed to respond to letters from the Division. Furthermore, SDCL 58-30-157 requires that a licensee shall inform the director in a form or format prescribed by the director of a change of address within thirty days of the change.

The law allows the Division of insurance to revoke Seeman's insurance producer license because of administrative actions and a failure to communicate. The director may suspend for not more than twelve months, or may revoke or refuse to continue, any license issued under this chapter, or any license of a surplus lines broker after a hearing. Notice of such hearing and of the charges against the licensee shall be given to the licensee and to the insurers represented by such licensee or to the appointing agent of a producer at least twenty days before the hearing. The director may suspend, revoke, or refuse to issue or renew an insurance producer's license or may accept a monetary penalty in accordance with § 58-4-28.1 or any combination thereof, for violating any insurance laws or rules, subpoena, or order of the director or of another state's insurance director, commissioner, or superintendent. SDCL 58-30-167(2). I have no authority to make exceptions to the law.

## **CONCLUSIONS OF LAW**

I.

The Division has jurisdiction over Natalie Seeman and the subject matter of this contested case. The Office of Hearing Examiners has authority to conduct the appeal pursuant to the provisions of SDCL 1-26D.

II.

Seeman violated the requirements of SDCL 58-30-193 in failing to advise the Division within thirty days of the State of Wyoming administrative action against her insurance license.

III.

The failure of Seeman to report the state of Wyoming's administrative action against her insurance producer license is grounds for sanction by the Division pursuant to SDCL 58-30-167(2).

IV.

Seeman committed an unfair or deceptive act in the business of insurance by failing to respond to an inquiry from the Division within twenty days as required by SDCL 58-33-66(1).

V.

Seeman violated SDCL 58-30-157 when she failed to inform the Division of Insurance of a change of address.

VI.

These violations of the statutes permit the Director of the Division of Insurance to revoke her insurance producer license and/or impose other sanctions as set forth in SDCL 58-30-167.

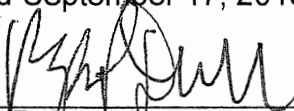
VII.

Any Conclusions of Law in the reasoning section of this decision are incorporated herein by reference. To the extent any of the foregoing are improperly designated and are instead findings of fact, they are hereby redesignated and incorporated herein as findings of fact.

#### **PROPOSED ORDER**

It is the Proposed Order of the Hearing Examiner that the Division of Insurance be affirmed.

Dated September 17, 2015.



---

Ryan P. Darling  
Office of Hearing Examiners  
523 East Capitol  
Pierre SD 57522