

BEFORE THE DIVISION OF INSURANCE  
DEPARTMENT OF LABOR AND REGULATION  
STATE OF SOUTH DAKOTA

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IN THE MATTER OF  
ANGELICA TOBIAS ZAVALA

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CONSENT ORDER

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In resolution of the above matter and in lieu of issuance of a Notice of Hearing and a formal hearing, the undersigned parties do hereby agree to the following:

ANGELICA TOBIAS ZAVALA, whose address of record is 606 N. Gaines Street, Ennis, TX 75119-3041, is a nonresident insurance producer in the State of South Dakota;

ANGELICA TOBIAS ZAVALA is aware that the South Dakota Division of Insurance (“Division”) has conducted an investigation of their insurance-related activities in South Dakota;

The Division has alleged the following:

- 1) ANGELICA TOBIAS ZAVALA’s nonresident license was denied in South Dakota on February 25, 2016 for failing to disclose information and having an incomplete application due to a failure to respond;
- 2) In April 2016, ANGELICA TOBIAS ZAVALA successfully applied for a nonresident license in South Dakota;
- 3) ANGELICA TOBIAS ZAVALA was the subject of a June 15, 2016 administrative action taken by the State of New York for failing to report actions taken in other states and for failing to respond to that Department’s inquiries;
- 4) ANGELICA TOBIAS ZAVALA did not timely report the New York action in violation of SDCL § 58-30-193;
- 5) ANGELICA TOBIAS ZAVALA failed to respond to Division inquiries regarding the action dated August 17, 2016 and September 20, 2016 in violation of SDCL §§ 58-33-66 and 58-33-68;
- 6) Any of the above-cited conduct constitutes grounds for the revocation or suspension of ANGELICA TOBIAS ZAVALA’s nonresident license pursuant to SDCL §§ 58-30-167(2) and (8), 58-30-193, 58-33-66, and 58-33-68;

ANGELICA TOBIAS ZAVALA is aware of and understands the nature of the charges and has been informed that she has the right to notice, hearing, and appeal, and that by agreeing to and signing this Consent Order waives these rights;

In return for ANGELICA TOBIAS ZAVALA agreeing to the provisions of this Consent Order, the Division agrees not to proceed to hearing and agrees that this Consent Order will constitute an informal disposition of this licensing matter pursuant to SDCL § 1-26-20;

ANGELICA TOBIAS ZAVALA agrees to a monetary penalty in the amount of \$500 pursuant to SDCL § 58-4-28.1, in lieu of contesting this matter formally;

ANGELICA TOBIAS ZAVALA further agrees to conduct herself in accordance with the insurance laws and regulations of the State of South Dakota;

ANGELICA TOBIAS ZAVALA further agrees that this Consent Order may be considered for the purpose of determining the appropriate sanction in any future actions with the Division for any violations of the laws or regulations of the State of South Dakota or for failing to abide by any order of the Director;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that ANGELICA TOBIAS ZAVALA pay a monetary penalty in the amount of \$500 payable to "South Dakota Division of Insurance" for deposit in the general fund of the State of South Dakota; and it is further

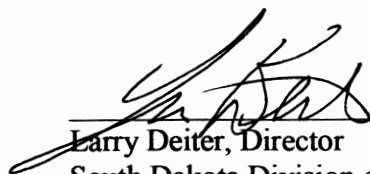
ORDERED that ANGELICA TOBIAS ZAVALA abide by the agreements made by her in this Consent Order; and it is further

ORDERED that should ANGELICA TOBIAS ZAVALA fail to comply with the provisions of this Order, the Division may seek the suspension or revocation of ANGELICA TOBIAS ZAVALA's nonresident producer license at hearing pursuant to SDCL § 58-30-167, or seek other remedies available at law; and it is further

ORDERED that the use of this Consent Order for competitive purposes by an insurance agent or third-party administrator holding a license in the State of South Dakota, or by any company holding a Certificate of Authority, or by anyone on their behalf, may be deemed unfair competition and be grounds for suspension or revocation of said license or authority; and it is further

ORDERED that the provisions of this Consent Order shall be effective from the date the Director signs this Order.

Dated at Pierre, South Dakota this 17<sup>th</sup> day of February, 2017.

  
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Larry Deiter, Director  
South Dakota Division of Insurance

I have read and understand the terms of this Consent Order and the waiver of my due process rights and voluntarily enter into this Consent Order.

Dated this 2<sup>nd</sup> day of February, 2017.

Angelica Tobias Zavala  
Signature

Angelica Tobias Zavala  
Printed Name