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

IN THE MATTER OF EZRA MENDIOLA	)	CONSENT ORDER	
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In resolution of the above titled matter and in lieu of administrative action concerning EZRA MENDIOLA's non-resident insurance producer application, the undersigned parties do hereby agree to the following:

EZRA MENDIOLA, whose address of record is 225 Broadway, Suite 1510, San Diego, CA 92101-5045 is a non-resident insurance producer applicant in the State of South Dakota;

EZRA MENDIOLA is aware that the South Dakota Division of Insurance has conducted an investigation;

The Division alleges the following with regard to EZRA MENDIOLA:

- EZRA MENDIOLA submitted a non-resident insurance producer application on November 8, 2017;
- 2) In the application, EZRA MENDIOLA answered "yes" to the question concerning whether or not he had ever been convicted of a misdemeanor; and "yes" to the question of whether or not he had ever been named in an administrative action; however, he failed to provide the required documentation from a 2004 conviction in Arizona, and the documentation form a 2017 administrative action from the state of California;
- EZRA MENDIOLA additionally failed to respond to Division inquires dated November 15, 2017 and January 25, 2018;
- 4) By failing to include the required documentation, EZRA MENDIOLA provided the Division with incorrect, misleading, incomplete, and materially untrue information, on her application;
- Pursuant to SDCL § 58-30-167(1),(2),(3) and (9) the Director of the South Dakota Division of Insurance may deny EZRA MENDIOLA 's non-resident insurance producer application for the above-cited reasons.

EZRA MENDIOLA is aware of and understands the nature of the allegations and has been informed that he has the right to a Notice of Hearing, counsel and appeal and that by agreeing to sign this Consent Order, waives these rights;

In return for EZRA MENDIOLA agreeing to and complying with the provisions of this Consent Order, the Division agrees not to deny EZRA MENDIOLA's non-resident producer application and agrees

1

that this Consent Order will constitute an informal disposition of this licensing matter pursuant to SDCL § 1-26-20;

By the execution of this Consent Order and the payment of a penalty pursuant to this Consent Order, EZRA MENDIOLA waives his right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

EZRA MENDIOLA agrees to pay \$500 pursuant to SDCL §§ 58-30-167 and 58-4-28.1, in lieu of a Final Order and further agrees to conduct himself in accordance with the insurance laws and regulations of the State of South Dakota;

EZRA MENDIOLA 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 EZRA MENDIOLA pay a monetary penalty in the amount of \$500 payable to "South Dakota Division of Insurance" to be submitted with this completed Consent Order for deposit in the general fund of the State of South Dakota; and it is further

ORDERED that EZRA MENDIOLA abide by the agreements made by her in this Consent Order; and it is further

ORDERED that the non-resident insurance producer application of EZRA MENDIOLA is hereby approved for licensure on the effective date of this Consent Order; and it is further

ORDERED that the use of this Consent Order for competitive purposes by an insurance agent or thirdparty 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.

(Signatures are contained on the following page)

Dated at Pierre, South Dakota this 14 day of May , 2018. Larry Dieter, 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 day of May , 2018.

Signature EZCO iola

ra Name (typed or printed)