



April 18, 2019

**SENT VIA CERTIFIED MAIL AND FIRST-CLASS MAIL**

Brian Yervant Akian  
503 Springbook North  
Irvine, CA 92614

7013 0600 0001 9742 3849

RE: Application for Insurance Producer License/Denial

Dear Mr. Akian,

This letter is to notify you that your application for licensure reinstatement as a nonresident insurance producer in South Dakota has been denied. The reason for the denial is as follows:

You applied for an individual nonresident insurance producer license to the South Dakota Division of Insurance ("Division") on December 5, 2018. On your application, you answered "YES" to having been named in an administrative action, and "YES" to having been convicted of a misdemeanor. While investigating your application it was discovered that you provided a redacted version of your 2008 California administrative action and that you did not provide the legal documentation for your misdemeanor conviction.

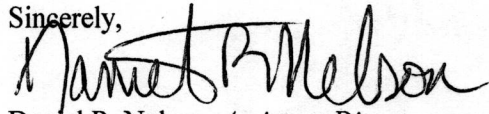
Thus, on December 10, 2018 the Division wrote to you via email and regular mail, asking you to provide a written explanation and documentation for your misdemeanor conviction, and asking you to provide a full copy of your 2008 administrative order from California and a written explanation for why the full order was not included with your application. You responded on December 17, 2018 stating that your misdemeanor has been expunged and that you cannot obtain any records. In your December 17, 2018 response you did not address the 2008 California administrative action. So, the Division wrote to you again on December 18, 2018 asking for the complete action and wrote to you again on January 3, 2019 advising you on how to obtain the complete administrative action. Having failed to receive a response, on January 29, 2019 the Division sent you a Cite Letter via certified mail and email, informing you again that we needed a complete copy of the 2008 administrative action, and advising you that all producers must respond to the Division's inquiries within 20 days. You responded on January 29, 2019 stating that you could not retrieve the information from the California DOI. Therefore, on February 4, 2019 the Division again wrote to you via email, provided you with an active internet link to where you could find your complete 2008 administrative action, and asked you to provide a complete copy of the action, along with an explanation as to why you did not upload a complete copy of the action and an explanation for the circumstances leading to the administrative action. You were informed that the information would need to be received before February 19, 2019 or that your application would be denied. To date, there has been no explanation for the irregularities in the 2008 administrative order you uploaded with your application and no explanation for your lack in communication with the Division.

Based on the above information, your application is denied based upon SDCL §§ 58-30-167(1),(2),(3),&(8) for providing incorrect, misleading, incomplete, or materially untrue information in your license application; for violating any insurance laws or rules, of this or of another state attempting to obtain a license through misrepresentation or fraud; and for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.

Please note that this denial is considered an administrative action which will be reported to the database maintained by the National Association of Insurance Commissioners. If an administrative action occurs, an insurance producer may be required to report the action to all states in which an insurance license is held and in accordance with the timeframes and requirements of each state.

Pursuant to SDCL § 58-30-168, you may make a written request to the Division of Insurance within thirty (30) days of the date of this denial for a hearing to determine the reasonableness of this decision to deny your application for licensure.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel R. Nelson". The signature is written in a cursive style with a large, prominent initial "D".

Daniel R. Nelson, *Assistant Director*  
*South Dakota Division of Insurance*  
*Department of Labor and Regulation*