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

IN THE MATTER OF APRIL USA)	CONSENT ORDER	

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:

APRIL USA whose address of record is 11900 Biscayne Blvd. Suite 600, Miami, FL 33181 has filed to renew its business entity license in the State of South Dakota;

APRIL USA is aware that the South Dakota Division of Insurance ("Division") has conducted an investigation;

The South Dakota Division of Insurance alleges the following:

- 1) APRIL USA filed a business entity renewal application on October 3, 2018;
- 2) APRIL USA failed to disclose that the State of Virginia had revoked the business' license through an administrative action on May 24, 2018, in violation of SDCL § 58-30-167 (1), (2), (3), & (9);
- 3) APRIL USA failed to timely respond to the Division's requests for an explanation, dated September 17, 2018 and October 25, 2018, in violation SDCL §§ 58-33-66 and 58-33-68;
- 4) APRIL USA has since provided all of the required information to the Division;
- 5) Any of the above-cited conduct may be grounds for the denial of APRIL USA's business entity renewal application pursuant to SDCL §§ 58-30-167(1),(2),(3),&(9), 58-33-66, 58-33-68, and 58-30-193;

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

In return for APRIL USA agreeing to and complying with the provisions of this Consent Order, the Division agrees not to proceed to administrative hearing and agrees 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, APRIL USA waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

APRIL USA further agrees to pay \$500 pursuant to SDCL §§ 58-30-167 and 58-4-28.1, in lieu of an administrative hearing and Final Decision;

APRIL USA further agrees to conduct itself in accordance with the insurance laws and regulations of the State of South Dakota;

APRIL USA 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;

APRIL USA waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that APRIL USA 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 APRIL USA's business entity renewal application is approved as of the effective date of this order; and it is further

ORDERED that APRIL USA abide by the agreements made in this Consent Order; 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 // Hay of February, 2019.

Larry Deiter, Director

South Dakota Division of Insurance

The undersigned, on behalf of APRIL USA, represents it understands the terms of this Consent Order and the waiver of its due process rights and voluntarily enter into this Consent Order.

Dated this 23 day of January, 2019.

Signature of Authorized Representative

Printed Name

Manager '