



SOUTH DAKOTA  
DEPT. OF LABOR  
& REGULATION

DIVISION OF INSURANCE

Tel: 605.773.3563 | Fax: 605.773.5369

[dlr.sd.gov/insurance](http://dlr.sd.gov/insurance)

November 30, 2020

Philip Dwyer  
333 Lancaster Ave., Apt 712  
Frazer, PA 19355-1828

CERTIFIED MAIL & FIRST-CLASS MAIL

RE: Application for Insurance Producer License

7015 1520 0003 3179 8420

Dear Mr. Dwyer,

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

You were a licensed nonresident insurance producer in South Dakota on October 25, 2016, which expired on September 30, 2017. On your October 25, 2016 application, you answered "No" to all the questions, including the question regarding administrative actions. You submitted an application for an individual nonresident insurance producer license to the South Dakota Division of Insurance ("Division") on May 29, 2020. On your answers to the application questions, you answered "No" to all the questions, including the question regarding administrative actions. While investigating your application, it was discovered that you were the subject of administrative actions in the State of Pennsylvania. The State of Pennsylvania suspended your insurance license on April 12, 2012 and reinstated your license on April 27, 2012. The State of Pennsylvania suspended your insurance license on August 15, 2017 and reinstated your license on September 9, 2017 while you were licensed in South Dakota. While you were licensed, you failed to report the 2017 Pennsylvania administrative action to the Division within 30 days.

Due to the above, the Division wrote to you on June 1, 2020 via regular mail and email to request written explanation why you provided incorrect, misleading, or incomplete information or your current application and 2016 application, a written statement explaining the facts and circumstances of each administrative action, a copy of each administrative action, and a written statement explaining why you failed to report the 2017 administrative action. You responded on June 19, 2020 with documentation and statements regarding 2017 administrative action. However, you failed to provide a written statement of the 2012 administrative action and a copy of the 2012 administrative action. Therefore, the Division wrote to you on July 6, 2020 via email to request the written statement regarding the 2012 administrative action and a copy of the 2012 administrative action. Having failed to receive a response from you, the Division wrote to you on July 27, 2020 via certified mail, regular mail, and email requesting a response. To date, the Division has not received a complete response from you.

Based on the above information, your application is denied based upon SDCL §§ 58-30-167(1), (2), (8), & (9), and 58-30-193 for providing incorrect, misleading, incomplete, or materially untrue information in a license application; violating the insurance laws or rules of the State of South Dakota and another state; using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere; having an insurance producer license, or its equivalent, denied, suspended, or revoked in another state; and failing to report an administrative action

taken against the insurance producer in another jurisdiction within 30 days of the final disposition of the matter.

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 any and 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,

*Maggie Dell*

Maggie Dell, Assistant Director  
South Dakota Division of Insurance  
South Dakota Department of Labor and Regulation

Cc: [dwytrades@gmail.com](mailto:dwytrades@gmail.com)

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