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

		_	
IN THE MATTER OF)	CONSENT ORDER	
EQUIS FINANCIAL, LLC)		

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:

EQUIS FINANCIAL, LLC whose address of record is 83 South Tunnel Rd., SUITE A-9, Asheville, NC 28805 holds a non-resident business entity license in the State of South Dakota;

EQUIS FINANCIAL, LLC is aware that the South Dakota Division of Insurance ("Division") has conducted an investigation into its insurance related business in South Dakota;

The South Dakota Division of Insurance alleges the following:

- 1) EQUIS FINANCIAL, LLC sent over 17,00 mailers to South Dakota consumers between January 1, 2018, and September 1, 2021, that contained misleading and deceptive information, in violation of SDCL §§ 58-33-5; 58-33-6; 58-33A-10; & ARSD 20:06:10:03; ARSD 20:06:10:04; ARSD 20:06:10:14(1)(4).
- 2) Any of the above-cited conduct may be grounds for the revocation or suspension of EQUIS FINANCIAL, LLC's business entity license pursuant to SDCL §§ 58-30-167(2), 58-33-5; 58-33-6; 58-33A-10; & ARSD 20:06:10:03; ARSD 20:06:10:04; ARSD 20:06:10:14(1)(4).

EQUIS FINANCIAL, LLC 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 EQUIS FINANCIAL, LLC 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, EQUIS FINANCIAL, LLC waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

EQUIS FINANCIAL, LLC further agrees to pay \$17,000 pursuant to SDCL §§ 58-30-167 and 58-4-28.1, in lieu of an administrative hearing and Final Decision;

EQUIS FINANCIAL, LLC further agrees to conduct itself in accordance with the insurance laws and regulations of the State of South Dakota;

EQUIS FINANCIAL, LLC 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;

CHARLES FORESTAND & C

NW ET TH

5th

Dotad this

EQUIS FINANCIAL, LLC 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 EQUIS FINANCIAL, LLC pay a monetary penalty in the amount of \$17,000 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 EQUIS FINANCIAL, LLC abide by the agreements made in this Consent Order; and it is further

ORDERED that the pending business entity application from EQUIS FINANCIAL, LLC is approved as of 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 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 thisday of	December, 2022.
	1/1
	MAK
	Larry Deiter, Director
	South Dakota Division of Insurance

¥

December

The undersigned, on behalf of EQUIS FINANCIAL, LLC, represents it understands the terms of this Consent Order and the waiver of its due process rights and voluntarily enters into this Consent Order.

Dated this day of	, 2022.
	Signature of Authorized Representative
	Robert Jones
	Printed Name
	Executive Vice President, Agency Development

Title