



November 1, 2019

Nicholas Barney
110 Holiday Cir.
West Des Moines, IA 50265-4224

CERTIFIED MAIL & FIRST-CLASS MAIL

7019 0700 0000 9717 5025

RE: Application for Insurance Producer License

Dear Mr. Barney,

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 submitted an application for an individual nonresident insurance producer license to the South Dakota Division of Insurance ("Division") on June 10, 2019. On your application, you answered "No" to all the questions. While investigating your application, it was discovered that you have a felony conviction. While investigating your application, it was discovered that you have administrative actions out of the states of Indiana in 2017, California in 2018, Washington in 2018, and Louisiana in 2018, where Indiana denied your nonresident insurance producer license application and Washington and Louisiana revoked your nonresident insurance producer licenses.

The Division wrote to you on July 3, 2019 to request a written explanation regarding inconsistent, incomplete, and incorrect information that was submitted, copies of the administrative actions, and a written statement explaining the circumstances of the administrative actions. You acknowledged the Division's request on July 3, 2019, but you did not provide a response. After receiving no response, the Division wrote to you on July 29, 2019 making the same request. The Division attempted to contact you via the telephone number and email address listed within your application. To date, the Division has not received a response from you.

Based on the above information, your application is denied based upon SDCL §§ 58-30-167(1), (2), (6), (8), and (9) 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; having been convicted of a felony; using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere; and having an insurance producer license, or its equivalent, denied, suspended, or revoked in another state.

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 days of the date of this denial for a hearing to determine the reasonableness of this decision to deny your application for licensure.



SOUTH DAKOTA
DEPT. OF **LABOR**
& **REGULATION**

DIVISION OF INSURANCE

Tel: 605.773.3563 | Fax: 605.773.5369

dlr.sd.gov/insurance

Sincerely,

Dan Nelson, *Assistant Director*
South Dakota Division of Insurance
South Dakota Department of Labor and Regulation

Cc: Nicholas Barney
12421 Meredith Dr.
Urbandale, IA 50398-9001

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PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions