

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

IN THE MATTER OF
JASON DEVITT

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)

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:

JASON DEVITT, whose address of record is 7701 W. Alexandra St., Sioux Falls, SD 57106, is a licensed resident insurance producer in the State of South Dakota;

JASON DEVITT is aware the South Dakota Division of Insurance (“Division”) has conducted an investigation;

The Division alleges the following with regard to JASON DEVITT:

- 1) The Division received information regarding JASON DEVITT’s conduct involving a client;
- 2) JASON DEVITT misrepresented his identity to an insurance company during two telephone conversations on February 12, 2018 and February 14, 2018 in violation of SDCL § 58-30-167(8);
- 3) JASON DEVITT was the subject of a previous Division action in 2004 involving misrepresentation;
- 4) Pursuant to SDCL §58-30-167(2) and (8), the Director of the Division may revoke or suspend JASON DEVITT’s license for the above-cited conduct.

JASON DEVITT is aware of and understands the nature of the allegations and has been informed that he has the right to a Notice of Hearing, counsel and appeal and that by agreeing to sign this Consent Order, waives these rights;

In return for JASON DEVITT 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 the final disposition of this licensing matter pursuant to SDCL § 1-26-20;

JASON DEVITT agrees to a suspension of his resident insurance producer license for a period of 30 days starting February 1, 2019 and to pay a monetary penalty of \$1,500 pursuant to SDCL §§ 58-30-167 and 58-4-28.1, in lieu of a Notice of Hearing, administrative hearing, and Final Decision;

JASON DEVITT further agrees to conduct himself in accordance with the insurance laws and regulations of the State of South Dakota;

JASON DEVITT 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;

By execution of this Consent Order, JASON DEVITT waives his 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 JASON DEVITT's resident insurance producer license for a period of 30 days with said suspension starting February 1, 2019; and it is further

ORDERED that JASON DEVITT pay a monetary penalty in the amount of \$1,500 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 JASON DEVITT abide by the agreements made by him 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 16th day of January, 2019.



Larry Deiter, Director
South Dakota Division of Insurance

I have read and understand the terms of this Consent Order and the waiver of my due process rights and voluntarily enter into this Consent Order.

Dated this 11th day of January, 2019.



Signature
Jason Devitt

Printed Name