



**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)

July 27, 2020

**CERTIFIED MAIL & FIRST-CLASS MAIL**

Eric Elgersma  
925 S. 5<sup>th</sup> Ave.  
Brandon, SD 57005

7019 0700 0001 4783 1154

RE: Application for Insurance Producer License

Dear Mr. Elgersma,

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

You submitted an application for an individual resident insurance producer license to the South Dakota Division of Insurance ("Division") on June 29, 2020. On your application, you answered "Yes" to the questions regarding misdemeanor and felony convictions. You failed to provide the required documentation with your application.

Due to the incomplete application, the Division wrote to you on July 1, 2020 via regular mail and email to request a written explanation regarding why the required information and documentation was not provided, a written statement explaining the circumstances of each incident, a copy of the charging document, and a copy of an official document demonstrating the resolution of the charges or any final judgment. You responded on July 1, 2020 providing documentation of your felony conviction of Possession of Controlled Substance in Schedules I or II in 2018. The Division wrote to you on July 2, 2020 via regular mail and email to request a written explanation why you believe a South Dakota license should be granted, a written statement of the controlled substance that was found, and written explanation of any other arrests or charges. You responded on July 6, 2020 and indicated the controlled substance and drug paraphernalia that were the subject of your felony case. While investigating your application, it was discovered that you have 2 other criminal cases with multiple felony charges of Possession of Controlled Substance in Schedules I or II, a felony charge of Possession of Controlled Substance in Schedules III or IV, and multiple misdemeanor charges of Possession of Drug Paraphernalia. These charges were not a part of the case you disclosed as your felony conviction, nor was the drug paraphernalia mentioned in your explanation the same drug paraphernalia that was charged in any of the criminal cases.

Based on the above information, your application is denied based upon SDCL §§ 58-30-167(1), (2), (3), (6) & (8) 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; obtaining or attempting to obtain a license through misrepresentation or fraud; having been convicted of a felony; and using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.

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.

