



November 30, 2020

SENT VIA CERTIFIED MAIL

Melissa Gainey
2723 E Schiliro Cir
Phoenix, AZ 85032-2454

7015 1520 0003 3179 8444

RE: Application for Insurance Producer License

Dear Ms. Gainey,

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:

On August 5, 2020, the South Dakota Division of Insurance (“Division”) received an application for a nonresident insurance producer license from you. You answered “yes” to having been convicted of a misdemeanor. You answered “no” to whether you had ever been the subject of an administrative proceeding. The Division conducted an investigation that revealed you were convicted of Disorderly Conduct in 2002 in Arizona, and that you were the subject of a 2007 Alabama administrative action for an address change violation that resulted in a fine.

On August 21, 2020, the Division sent correspondence to the mailing and email addresses you provided and asked for written explanations on why you provided incorrect information in your application, an explanation of the facts and circumstances surrounding the administrative action, and any relevant documents. The Division received no response from you and sent follow up correspondence on September 21, 2020. You responded via email that you did not remember the administrative action. The Division responded by asking that you answer the questions in the initial correspondence. To date, the Division has received no response and you have not addressed the Division’s questions.

Based on the above information, your application is denied under SDCL § 58-30-167(1), (2), (3), and (8) for providing incorrect, misleading, incomplete, or materially untrue information on your license application, violating the insurance laws of another state, attempting to obtain a license through misrepresentation or fraud, 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.



SOUTH DAKOTA
DEPT. OF LABOR
& REGULATION

DIVISION OF INSURANCE

Tel: 605.773.3563 | Fax: 605.773.5369 | dlr.sd.gov/Insurance

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.

Sincerely,

Maggie Dell

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

CC (U.S. First Class): Melissa Gainey
One Norterra Dr.
Phoenix, AZ 85085

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