



SOUTH DAKOTA
DEPT. OF LABOR
& REGULATION

DIVISION OF INSURANCE

Tel: 605.773.3563 | Fax: 605.773.5369

dlr.sd.gov/insurance

June 17, 2020

CERTIFIED MAIL & FIRST-CLASS MAIL

Beth Gifford
3171 Dayton St.
Magna UT, 84044

7019 0700 0001 4783 0690

RE: Application for Insurance Producer License

Dear Ms. Gifford,

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 November 27, 2019. On your answers to the application questions, you answered "Yes" to the question concerning misdemeanor convictions. You failed to provide documents of your criminal history with your application to the Division. While investigating your application, it was discovered that you were charged with defraud innkeeper, a felony, in the state of Florida.

Due to the incomplete application, the Division wrote to you on December 5, 2019 via email to request an explanation regarding incorrect, misleading, or incomplete information in your application, a written statement explaining the circumstances of each incident, a copy of the charging document, a copy of the notice of hearing, and a copy of an official document demonstrating the resolution of the charges or any final judgment. Having failed to receive a response from you, the Division wrote to you on December 17, 2019 via regular mail and email to request a written statement explaining the circumstances of each misdemeanor incident, a copy of the charging document, a copy of an official document demonstrating the resolution of the charges or any final judgment, a written explanation regarding why the documentation was not provided with the application, and a written explanation why you did not respond to the Division's previous correspondence. You were advised that uploading information to the NIPR Attachments Warehouse will not be considered a response to the Division. The Division received an email on December 21, 2019 from a third party stating the information was uploaded to the NIPR Warehouse. The Division responded on December 27, 2019 advising the third party of the letter sent to you on December 17, 2019 that requested documentation and informed that uploading information was not a response. Having failed to receive a response from you, the Division wrote to you on January 28, 2020 via certified mail, regular mail, and email to request a response from you. 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), and (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 and another state; 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.

Pursuant to SDCL § 58-30-168, you may make a written request to the Division of Insurance within thirty (30) 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
South Dakota Department of Labor and Regulation

Cc: bethanngifford@gmail.com

Cc: Beth Gifford
1991 South 4650 West
Salt Lake City, UT 84104

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