

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

IN THE MATTER OF)
JOSEPH RODGERS)

CONSENT ORDER

In resolution of the above matter and in lieu of a formal hearing, the undersigned parties do hereby agree to the following:

JOSEPH RODGERS, whose address of record is 4523 Hawthorne Dr., Sioux City, IA 51106, is a nonresident insurance producer licensed in the State of South Dakota;

JOSEPH RODGERS is aware the South Dakota Division of Insurance ("Division") has conducted an investigation;

The Division alleges the following:

- 1) JOSEPH RODGERS's nonresident insurance producer license expired on July 31, 2019;
- 2) JOSEPH RODGERS wrote 2 insurance applications for South Dakota consumers on September 24, 2019, without proper licensure in violation of SDCL §§ 58-30-143 and 58-30-167(8);
- 3) On October 8, 2019, JOSEPH RODGER's nonresident insurance producer license was reactivated;
- 4) On October 21, 2019 the Division received notice from an insurance company that JOSEPH RODGERS's appointment was terminated for cause due to submitting applications without proper licensure in violation of SDCL § 58-30-167(8);
- 5) Pursuant to SDCL §§ 58-30-167(2) & (8) and 58-30-143 the Director of Division may revoke or suspend JOSEPH RODGERS's license for any of the above-cited reasons.

JOSEPH RODGERS 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 JOSEPH RODGERS agreeing to and complying with the provisions of this Consent Order, the Division agrees not to proceed with the revocation or suspension of JOSEPH RODGERS's license and subsequent administrative hearing and agrees that this Consent Order will constitute an informal and complete disposition of this licensing matter and the prior period of non-registration pursuant to SDCL § 1-26-20;

JOSEPH RODGERS agrees to pay \$750 pursuant to SDCL §§ 58-30-167(2) & (8), 58-30-143, and 58-4-28.1, in lieu of a license revocation or suspension, administrative hearing, and Final Decision;

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

JOSEPH RODGERS further agrees that this Consent Order may be considered in any future licensing procedures with the South Dakota Division of Insurance and 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;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that JOSEPH RODGERS pay a monetary penalty in the amount of \$750 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 JOSEPH RODGERS 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 23 day of April, 2020.



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 20 day of April, 2020.



Signature

Joseph Rodgers
Printed Name

