



June 3, 2021

SENT VIA CERTIFIED MAIL

James Adger
13138 Carrollwood Creek Dr.
Tampa, FL 33624

RE: Application for Insurance Producer License

Dear Mr. Adger,

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 applied for an individual nonresident insurance producer license to the South Dakota Division of Insurance ("Division") on August 5, 2020. You answered "no" to the application question asking if you had ever been convicted of a misdemeanor, and "yes" to whether you had ever been subject to an administrative action. However, despite answering "no," you provided documentation regarding a February 12, 2001 misdemeanor marijuana possession conviction in Florida. Further, the Division conducted an investigation that revealed ten administrative actions taken against you in various states (the number has risen to eleven since the submission of your application). You did not provide documentation for all your administrative actions.

The Division wrote you on August 26, 2020, requesting that you provide documentation of your administrative actions and explain the inaccuracies in your application. While you did upload additional incomplete documentation on August 30, 2020, you did not respond to the Division's correspondence or provide all the needed documents. The Division wrote you again on November 3, 2020, and the USPS confirmed delivery of this letter on November 7, 2020. You never responded to this correspondence, but you did leave the Division a voicemail on December 31, 2020 explaining why you had not responded and requesting an extension.

The Division provided you with additional time, but never received a response to its previous requests. On February 3, 2021, the Division attempted contacting you by phone and again sent you written correspondence via email. However, on February 4, 2021, you left another voicemail stating that you had never received any of the Division's written correspondence, contrary to it having been sent to your email address or confirmed delivered to your mailing address by the USPS, both of which you provided in your application. On February 8, 2021, you provided an incomplete written response to the Division's email. The Division attempted contacting you by phone again on March 23, 2021 and April 1, 2021, both times leaving messages. These calls were not responded to, and to date, the Division has not received the complete administrative action documentation it requested in August of 2020.

Based on the above information, your application is denied under SDCL § 58-30-167(1), (2), (8), and (9) for providing incorrect, misleading, incomplete, or materially untrue information in a license application, violating any insurance laws or rules, subpoena, or order of the director or of another state's insurance director, commissioner, or superintendent, using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere, and having an insurance producer license denied, suspended, or revoked in any other state.



SOUTH DAKOTA
DEPT. OF **LABOR**
& **REGULATION**

DIVISION OF INSURANCE

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

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