STATE OF SOUTH DAKOTA
DEPARTMENT OF LABOR AND REGULATION

IN THE MATTER OF
SANGVORN SANG BONSYNAT

INS 26-32242

NOTICE OF ENTRY OF PROPOSED
FINDINGS OF FACT, CONCLUSION OF LAW,
AND DECISION AND FINAL DECISION

NOTICE IS HEREBY GIVEN, that attached hereto, is a true and correct copy of the Proposed Findings of Fact, Conclusions of Law, and Decision, and Final Decision entered by Marcia Hultman, Secretary of the South Dakota Department of Labor and Regulation, on July 28, 2026.

Dated this 4th day of August, 2026.

Callie A. Pospishil
Legal Counsel
South Dakota Division of Insurance
124 S. Euclid Ave., 2nd Floor
Pierre, SD 57501
(605) 773-3563

CERTIFICATE OF SERVICE

I, Callie Pospishil, the undersigned, do hereby certify that on the date shown below, a true and correct copy of the Proposed Findings of Fact, Conclusions of Law, and Decision, and Final Decision with respect to the above-entitled action was sent U.S. Certified Mail, U.S. First Class Mail, and electronic mail thereon, to the following:

[redacted]

[redacted]

Dated this 4th day of August, 2026 in Pierre, South Dakota.

Callie A. Pospishil
Legal Counsel
South Dakota Division of Insurance
124 S. Euclid Ave., 2nd Floor
Pierre, SD 57501
(605) 773-3563

SOUTH DAKOTA
DEPARTMENT OF LABOR AND REGULATION
DIVISION OF INSURANCE

IN THE MATTER OF SANGVORN SANG BONSYNAT	**FINAL DECISION INS 26-013**

This matter came for hearing before the Office of Hearing Examiners on June 3, 2026 pursuant to a Notice of Hearing issued by the South Dakota Division of Insurance ("Division"). Callie Pospishil appeared as counsel for the Division with Division witness, Haelly Pease. Applicant, Sangvorn Sang Bonsynat (Licensee), did not appear. Exhibits 1 through 7 were entered into evidence. Judicial Notice is taken of revocation hearing INS 26-014 In the Matter of the Insurance License of Samai Khunchart. A Motion for Default Judgment was made by the Division as the Licensee failed to appear at the hearing that he had requested. The Motion is Default Judgement is granted and is the proposed decision. These Findings and Conclusions support the Default.

The Office of Hearing Examiners, through Hearing Examiner Catherine Williamson, entered and served a Proposed Decision regarding the parties on June 15, 2026. After reviewing the record and the Proposed Decision, this Final Decision follows and includes Findings of Fact, Reasoning, Conclusions of Law, and the Order. I adopt the Hearing Examiner's Proposed Decision with modifications, the reasons for which are noted in footnotes relating to those areas pursuant to SDCL 1-26D-8.

ISSUE[1]

Whether the insurance producer's license of Sangvorn Sang Bonsynat should be revoked in view of the Order Revocation issued by the South Dakota Division of Insurance and the evidence provided at hearing under SDCL §§ 58-30-167, 58-30-167.2, and 58-30-167.3?

FINDINGS OF FACT[2]

1. Petitioner applied for and received a resident insurance producers license on June 18, 2024. (Exhibit 1.)

2. On the NIPR (National Insurance Producer Registry), Licensee listed his address as [redacted] Kansas Ave SE, [redacted] SD [redacted] He indicated that he is a United States citizen and resident of South Dakota. Petitioner's business mailing address is a location in San Diego, California. (Exhibit 1.)

3. On October 21, 2025, the Division reached out to verify the Licensee's residency in South Dakota. He did not respond. (Exhibit 3.)

---

[1] The Issue Statement is modified to closer reflect the standards in SDCL §§ 58-30-167, 58-30-167.2, and 58-30-167.3.

[2] This Final Decision is modified to correct relevant undisputed facts in the record and to include references to Exhibits admitted at hearing. Findings unsupported in the Record were removed or modified to reflect the Record.

4. Evidence from the NIPR indicates that there are 32 individual resident producers claiming the same address on Kansas Ave SE in [redacted] as their residence. (Exhibit 2.)

5. Again, on November 12, 2025, the Division reached out to the Licensee for proof of residency in South Dakota. They advised Licensee that he needed to respond to the Division within 20 days of the letter. Licensee did not respond within 20 days. (Exhibit 4.)

6. On December 29, 2025, Petitioner indicated that he was in the process of updating and filing his paperwork to the California Residency. (Exhibit 5.)

7. On January 26, 2026, the Division send an order revoking Licensee Insurance Producer License. The Division cited SDCL §§ 58-30-167(8), 58-30-167.2, 58-30-167.3, and 58-33-66 as the reasons for revocation. (Exhibit 6.)

8. On February 12, 2026, within the 60-day statutory timeframe, the Licensee e-mailed a request for hearing to the Division. (Exhibit 7.)

9. The same e-mail address is listed as his official e-mail.[3] (Exhibits 1 & 7.)

10. Petitioner failed to contact the Division after multiple requests. He did not do so until his license was revoked and he needed a hearing to retain the license.

11. There is no proof from Petitioner that he is a resident of South Dakota and deserving of holding a resident producer license.

12. To the extent any of the foregoing are improperly designated and are instead conclusions of law, they are hereby redesignated and incorporated herein as conclusions of law.

REASONING[4]

This case involves a request by the Division to revoke the Licensee's South Dakota Insurance Producer's License. As a consequence of the potential loss of the Licensee's livelihood from the lack of licensure, the burden of proof in this matter is higher than the preponderance of evidence standard, which applies in a typical administrative hearing. "In matters concerning the revocation of a professional license, we determine that the appropriate standard of proof to be utilized by an agency is clear and convincing evidence." *In re Zar*, 434 N.W.2d 598, 602 (S.D. 1989). Our Supreme Court has defined "clear and convincing evidence" as follows:

> The measure of proof required by this designation falls somewhere between the rule in ordinary civil cases and the requirement of our criminal procedure, that is, it must be more than a mere preponderance but not beyond a reasonable doubt. It is that

[3] The e-mails in the referenced cases are the official e-mails of the respective Respondents.

[4] The Reasoning section was updated to include the standards for revocation of an insurance producer license.

> measure or degree of proof which will produce in the mind of the trier of facts a firm belief or conviction as to the allegations sought to be established. The evidence need not be voluminous or undisputed to accomplish this.

Brown v. Warner, 107 N.W.2d 1, 4 (S.D. 1961).

Insurance laws and regulations are in place to protect consumers. An important rule and law is that only residents of this state can hold a resident insurance producer license. The Licensee moved to California in July 2024 and still retained her South Dakota resident producer license. She did not file the documents necessary to keep her South Dakota license as a nonresident producer. She did not obtain a California resident producer license. In 2026, the documentation shows that she had a business address in California and a misspelled residential address in Huron.

The Division of Insurance found that the address listed for Licensee in [redacted] on Low [sic Iowa Avenue] has seven (7) different insurance producers living at the same address. She testified that this address on "Iowa Avenue" was only a temporary address. Since moving back from California in early 2026, she lives at [redacted] Kansas Avenue, [redacted], SD. Licensee testified that only 4 people live at this address. Evidence in a hearing held contemporaneously to this hearing, INS 26-013, *In the Matter of Sangvorn Sang Bonsynat*, indicates that there are 32 insurance producers claiming that same address as their residence.

The Licensee was not truthful in her application for an insurance license, as is reported on the NAIC printout. She is not a citizen of the United States. She has a work visa and a green card and hopes to become a resident, but as of May 13, 2024, she was not a resident. There is an option on the NAIC to list the country of citizenship, a green card or work visa and the corresponding expiration dates. There is no argument brought in this case that having a green card or work visa is a bar for obtaining a license, but the applicant must be truthful on her application. That fact goes towards her credibility in her testimony. It is also a violation of SDCL 58-30-167(1), and (3).

The Division did bring these following charges against Licensee in their argument for revocation:

1. Violation of SDCL § 58-30-167(2); violating insurance laws or rules or an order of the Division;

2. Violation of SDCL § 58-30-167(8); using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere;

3. Violation of SDCL § 58-33-66(1) when Licensee failed to respond to inquiries by the Division and (2) when Licensee knowingly supplied the Division with false, misleading or incomplete information. This is listed as a deceptive trade practice law.

The totality of the file, and the facts of the case, proves by clear and convincing evidence that Licensee violated the law and requirements of South Dakota law to hold a resident insurance producer license. The Division is correct in revoking the resident producer license of Licensee. The revocation should be upheld.

CONCLUSIONS OF LAW

1. The Division has jurisdiction over the Licensee and the subject matter of this contested case pursuant to SDCL Chs. 1-26 and 58-30. The Office of Hearing Examiners is authorized to conduct the hearing and issue a proposed decision pursuant to SDCL §1-26D-4.

2. Due to the loss of livelihood from lack of licensure, the Division bears the burden of establishing the alleged statutory violations by clear and convincing evidence. In re Zar, 434 N.W.2d 598,602 (S.D. 1989) and Brown v. Warner, 107 N.W.2d 1, 4 (S.D. 1961).

3. The Division established by clear and convincing evidence that Licensee violated SDCL §§ 58-30-167(2), and 58-33-66.

4. The Division has established that the Licensee's South Dakota Insurance Producer License is subject to revocation pursuant to SDCL §§ 58-30-167(8), 58-30-167.2, and 58-33-68.

5. To the extent any of the foregoing are improperly designated and are instead findings of fact, they are hereby redesignated and incorporated herein as Findings of Fact.

Based on the above Findings of Fact, Reasoning, and Conclusions of Law, the Secretary of the Department of Labor and Regulation enters the following:

FINAL DECISION

IT IS HEREBY ORDERED that pursuant to SDCL § 1-26D-4, the Hearing Examiner's Proposed Findings of Fact, Conclusions of Law and Proposed Order is adopted with modifications as noted herein;

IT IS FURTHER ORDERED that the South Dakota Insurance Producer License of the Respondent will hereby be revoked.

Parties are hereby advised of the right to further appeal this Final Decision to Circuit Court within 30 days, pursuant to the authority of SDCL Ch. 1-26.

Dated this 28 day of July, 2026.

Marcia Hultman, Secretary
South Dakota Department of Labor and Regulation
123 W. Missouri Ave.
Pierre, SD 57501