

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

IN THE MATTER OF)	CONSENT ORDER
E. HEISINGER AGENCY INC.)	

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

E. HEISINGER AGENCY INC. ("HEISINGER AGENCY"), whose address of record is 2275 Lazelle Street, Suite #3, Sturgis, SD 57785 holds a business entity insurance license in the State of South Dakota;

HEISINGER AGENCY is aware that the South Dakota Division of Insurance has conducted an investigation;

The South Dakota Division of Insurance alleges the following with regard to HEISINGER:

- 1) HEISINGER AGENCY failed to maintain proper oversight of its agents handling consumer payments;
- 2) HEISINGER AGENCY withheld, misappropriated, or converted monies received in the course of doing insurance business, a violation of SDCL § 58-30-167 (4);
- 3) HEISINGER AGENCY demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business, a violation of SDCL § 58-30-167 (8);
- 4) Pursuant to SDCL §§ 58-30-167(2), (4), and (8), the Director of the South Dakota Division of Insurance may revoke or suspend HEISINGER AGENCY's business entity license for the above-cited conduct.

HEISINGER AGENCY is aware of and understands the nature of the allegations and has been informed that it 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 HEISINGER AGENCY agreeing to and complying with the provisions of this Consent Order, the Division agrees not to proceed to administrative hearing and agrees that this Consent Order will constitute an informal disposition of this licensing matter pursuant to SDCL 1-26-20;

By the execution of this Consent Order and the payment of a penalty pursuant to this Consent Order, HEISINGER AGENCY waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

HEISINGER AGENCY agrees to pay \$2,500.00 pursuant to SDCL 58-30-167 and SDCL 58-4-28.1, in lieu of a Final Order, and further agrees to conduct itself in accordance with the insurance laws and regulations of the State of South Dakota;

HEISINGER AGENCY agrees that this Consent Order may be considered 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;

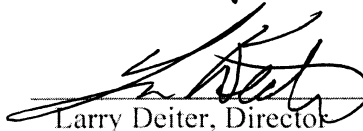
Wherefore, good cause appearing from the foregoing, it is hereby:

ORDERED that HEISINGER AGENCY pay a monetary penalty in the amount of \$2,500.00 payable to the South Dakota Division of Insurance for deposit in the general fund of the State of South Dakota and that HEISINGER AGENCY abide by the agreements made by it 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.

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 15th day of February, 2017.



Larry Deiter, Director
South Dakota Division of Insurance

The undersigned, on behalf of HEISINGER AGENCY, represents it understands the terms of this Consent Order and the waiver of its due process rights and voluntarily enters into this Consent Order.

Dated this 9 day of February, 2017.



Signature of Authorized Representative

Edward E Heisinger
Printed Name

Owner
Title