

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

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IN THE MATTER OF  
LEESA MARIE WARE

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CONSENT ORDER

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

LEESA MARIE WARE, whose address of record is 523 S. Main St., Aberdeen, SD 57401 is a resident insurance producer licensed in the State of South Dakota;

LEESA MARIE WARE is aware that the South Dakota Division of Insurance ("Division") has conducted an investigation regarding her insurance-related activities;

The Division alleges the following:

- 1) LEESA MARIE WARE failed to obtain or consider the necessary suitability information or documentation before the execution or exchange of annuities, in violation of SDCL § 58-33A-16;
- 2) LEESA MARIE WARE provided inaccurate or incomplete information on insurance policies and presented inaccurate or incomplete information to consumers, in violation of ARSD 20:06:01:03, 20:06:08:50, and 20:06:08:64;
- 3) LEESA MARIE WARE dissuaded or attempted to dissuade a consumer from filing a complaint with the Division, in violation of SDCL 58-33A-20.2;
- 4) LEESA MARIE WARE used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business, in violation of SDCL 58-30-167(8);
- 5) Pursuant to SDCL §§ 58-30-167(2) & (8), 58-33A-16, and 58-33A-20.2 and ARSD 20:06:01:03, 20:06:08:50, and 20:06:08:64, the Director of the Division may revoke LEESA MARIE WARE's resident insurance producer license for any one of the above-cited reasons.

LEESA MARIE WARE is aware of and understands the nature of the charges and has been informed that she has the right to counsel, hearing, and appeal and that by agreeing to and signing this Consent Order, waives these rights;

By the execution of this Consent Order LEESA MARIE WARE neither admits to nor denies any violations of the laws of the State of South Dakota, but waive his right to contest the allegations contained in this Consent Order;

In return for LEESA MARIE WARE agreeing to the provisions of this Consent Order, the Division agrees not to proceed to administrative hearing and agrees that this Consent Order will constitute the final disposition pursuant to SDCL § 1-26-20;

LEESA MARIE WARE further agrees to pay \$10,000 pursuant to SDCL § 58-4-28.1, in lieu of an administrative hearing and Final Decision;

LEESA MARIE WARE further agrees cease all sales, solicitations, or negotiations regarding annuity or annuity-like products for a period of 12 months to begin on the effective date of this Consent Order;

LEESA MARIE WARE 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;

By the execution of this Consent Order, LEESA MARIE WARE waives her right to contest the allegations contained in this Consent Order in any future licensing proceedings;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that LEESA MARIE WARE pay a monetary penalty in the amount of \$10,000 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 LEESA MARIE WARE abide by the agreements made by her 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 4th day of January, 2023

  
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 10th day of December, 2022.  
  
LEESA MARIE WARE