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BEFORE THE ARIZONA CORPORATION COMMISSION
Arizona Corporation Commission

DOCKETED

MAR 29 2018

DOCKETED BY

[Signature]

COMMISSIONERS

TOM FORESE - Chairman
BOB BURNS
ANDY TOBIN
BOYD DUNN
JUSTIN OLSON

In the matter of:
HOWARD PRICE WEALTH
MANAGEMENT, LLC an Arizona limited
liability company, and
HOWARD M. PRICE III, CRD #4650960, a
single man,

Respondents.

DOCKET NO. S-21031A-17-0347

DECISION NO. 76621

**ORDER TO CEASE AND DESIST, ORDER
FOR RESTITUTION, ORDER FOR
ADMINISTRATIVE PENALTIES, AND
ORDER FOR OTHER AFFIRMATIVE
ACTION**

On November 22, 2017, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Temporary Order to Cease and Desist and Notice of Opportunity for Hearing (the "Notice") against Respondents HOWARD PRICE WEALTH MANAGEMENT, LLC and HOWARD M. PRICE III.

On November 30, 2017, the Division served a copy of the Notice, upon HOWARD PRICE WEALTH MANAGEMENT, LLC and HOWARD M. PRICE III, by delivering to HOWARD M. PRICE III [the managing member and statutory agent for HOWARD PRICE WEALTH MANAGEMENT, LLC] via personal service. To date, no request for a hearing or answer to the Notice has been filed.

I.

FINDINGS OF FACT

1. HOWARD PRICE WEALTH MANAGEMENT, LLC ("HPWM") is a member managed limited liability company that was organized under the laws of the state of Arizona in May

1 2013. HPWM has not been registered by the Commission as a securities salesman or dealer, and has not
2 been licensed by the Commission as an investment adviser or investment adviser representative. For all
3 times relevant, HOWARD M. PRICE III has been the statutory agent and sole managing member of
4 HPWM.

5 2. At all relevant times to this matter, HOWARD M. PRICE III ("PRICE") has been a
6 resident of Arizona.

7 3. Since at least November 20, 2007, until July 20, 2012, PRICE was registered with the
8 Financial Industry Regulatory Authority ("FINRA") and the Commission (CRD #4650960), in
9 association with dealer AXA Advisors, LLC ("AXA Advisors"), as a securities salesman, based in
10 Arizona.

11 4. Since at least January 31, 2008, until July 20, 2012, PRICE was licensed with the
12 Commission, in association with investment adviser AXA Advisors, as an investment adviser
13 representative, based in Arizona.

14 5. PRICE voluntarily terminated his association with AXA Advisors on or about July 20,
15 2012. Since leaving AXA Advisors, PRICE has not been employed by or associated with a registered
16 securities dealer, or a licensed investment adviser.

17 6. PRICE's securities salesman registration was automatically suspended on July 20, 2012,
18 pursuant to A.R.S. § 44-1949. On December 31, 2012, PRICE's securities salesman registration expired,
19 pursuant to A.R.S. § 44-1947(B).

20 7. PRICE's investment adviser representative license was automatically suspended on July
21 20, 2012, pursuant to A.R.S. § 44-3158(B). On December 31, 2012, PRICE's investment adviser
22 representative license expired, pursuant A.R.S. § 44-3158(A).

23 8. HPWM and PRICE may be referred to collectively as "Respondents."

24 9. From at least January 2013 until at least November 2017, PRICE and/or HPWM were
25 acting in the capacity as an investment adviser and/or investment adviser representative by providing
26

1 investment advisory services to at least three Arizona residents (may be referred to collectively as
2 “Clients”), who were all clients of PRICE’s, while he was associated with AXA Advisors.

3 10. From at least July 2013 until at least January 2017, Respondents offered and sold
4 unregistered securities to at least one Arizona investor (“AZ Investor”) in the form of promissory
5 notes and investment contracts. During the above-relevant time period, Respondents made materially
6 false and misleading statements and omissions.

7 11. In 2013, PRICE formed HPWM with the purpose of providing “comprehensive asset
8 management, risk management, and retirement and financial planning strategies...to assist clients
9 achieve and realize their stated objectives and goals.”

10 **AZ Investor**

11 12. In or about 2011, the AZ Investor met PRICE in Arizona, and the two became
12 acquaintances. The AZ Investor was not a client of PRICE’s, however was aware that PRICE was
13 an investment adviser representative and securities salesman associated with AXA Advisors. In or
14 about 2013, PRICE informed the AZ Investor that he left AXA Advisors, and has started his own
15 investment advisory firm, HPWM. PRICE represented that through HPWM he would provide the
16 same investment advisory services that he provided when he was associated with AXA Advisors.
17 PRICE further represented to the AZ Investor that he was still licensed as an investment adviser
18 representative and registered as a securities salesman in Arizona, and that HPWM was licensed to
19 provide investment advisory service in Arizona.

20 13. Based on PRICE’s representations, AZ Investor decided to invest with the
21 Respondents on at least the following two occasions:

- 22 a) On or about July 19, 2013, Respondents sold securities to the AZ Investor for the
23 purpose of funding the “management of Howard Price Wealth Management, LLC.”
24 The AZ Investor invested \$40,000 and received a promissory note (“note”), and an
25 investment contract in the form a loan agreement, issued by the Respondents. The
26

1 term of the note (“2013 Note”) was for 12 months with an annual percentage rate of
2 25% paid monthly; and

3 b) On or about January 18, 2017, Respondents sold additional securities to the AZ
4 Investor for the purpose of funding the “management of Howard Price Wealth
5 Management, LLC.” The AZ Investor invested \$87,700 and received a note and an
6 investment contract in the form of a loan agreement, issued by the Respondents. The
7 term of the note (“2017 Note”) was for 5 months with an annual percentage rate of
8 10% paid monthly.

9 14. The AZ Investor received a full return on his 2013 Note. However, as of this date, the
10 AZ Investor has not received any return on his 2017 Note. Respondents used certain funds deposited
11 from AZ Investor’s 2017 Note on personal expenses not related to the investment.

12 **Client 1**

13 15. From at least September 2008 until at least July 2012, Client 1 was a client of PRICE’s
14 while he was associated with AXA Advisors.

15 16. In or about January 2014, PRICE met with Client 1 and informed her that he had
16 formed his own investment advisory firm, HPWM. PRICE represented to Client 1 that he had a two-
17 year non-compete agreement with AXA Advisors. PRICE further represented that that the two-year
18 period was over, and that he wanted her to be his client at HPWM. Contrary to that statement, PRICE
19 did not have a two-year non-compete agreement with AXA Advisors.

20 17. PRICE represented to Client 1 that he could make her more money if she rolled over
21 her individual retirement account (“IRA”) from AXA Advisors into HPWM. PRICE provided Client-
22 1 with a one-page biography which described PRICE’s qualifications and work experience
23 (“PRICE’s Bio”).

24 18. According to PRICE’s Bio, “Howard began his financial services career in 2003 as a
25 financial advisor for Merrill Lynch. Howard transitioned to AXA Advisors in 2007, and now
26 employees [sic] a comprehensive wealth management process to assist clients achieve and realize

1 their stated objectives and goals...through his own firm, Howard Price Wealth Management, LLC.”
2 In light of those statements, PRICE failed to disclose that since July 20, 2012, he has not been
3 registered as a securities salesman, or licensed as investment adviser representative. PRICE also
4 failed to disclose that HPWM has not been licensed as an investment adviser or investment adviser
5 representative.

6 19. According to PRICE’s Bio, PRICE is “Registered to Officer [sic] Investment
7 Advisory Services in: AZ, LV [sic], NY, TX, WA.” Contrary to that statement, PRICE and HPWM
8 are not registered or licensed to offer investment advisory services in any state.

9 20. Based on PRICE’s representations, from February 2014 to April 2016, Client 1
10 withdrew at least \$273,000 in distributions from her IRA accounts with AXA Advisors, in order to
11 rollover the funds into an IRA with HPWM. Respondents entered into the following executed
12 agreements with Client 1:

- 13 a) On or about February 15, 2014, Respondents entered into an agreement with Client-
14 1, to “receive \$150,000 to be managed within Howard Price Wealth Management,
15 LLC. These funds are to be secured through a note under Howard Price Wealth
16 Management, LLC.” The term of the note was for 24 months with an annual
17 percentage rate of 4% paid semi-annually;
- 18 b) On or about July 15, 2014, Respondents entered into an agreement with Client 1, to
19 “receive \$50,000 to be managed within Howard Price Wealth Management, LLC.
20 These funds are secured through a note under Howard Price Wealth Management,
21 LLC.” The term of the note was for 12 months with an annual percentage rate of 2%
22 paid semi-annually;
- 23 c) On or about February 11, 2016, PRICE “received a ‘rollover’ check in the amount of
24 \$46,637.90” from Client 1, which was to be applied to the following note: “I, Howard
25 Price, owner of Howard Price Wealth Management, LLC,” have entered into an
26 agreement with Client 1 “to manage \$224,637.90 within Howard Price Wealth

1 Management, LLC. \$224,000 is secured through a note Howard Price Wealth
2 Management LLC, and the remaining \$637.90 will remain in a stable value cash
3 fund.” The term of the note is for 24 months, with an annual percentage rate of 3%
4 paid semi-annually; and

5 d) On or about April 15, 2016, PRICE “received a ‘rollover’ check in the amount of
6 \$73,823.19” from Client 1, which was to be applied to the following note: “I, Howard
7 Price, owner of Howard Price Wealth Management, LLC,” have entered into an
8 agreement with Client 1 “to manage \$299,581.19 within Howard Price Wealth
9 Management, LLC. \$299,000 is secured through a note under Howard Price Wealth
10 Management LLC, and the remaining \$581.19 will remain in a stable value cash
11 fund.” The term of the note is for 24 months, with an annual percentage rate of 3%
12 paid semi-annually.

13 21. All the above-mentioned agreements listed PRICE as Client 1’s “financial advisor.”

14 22. In or about February 2016, PRICE discussed with Client 1 about rolling over some
15 additional funds from her IRA held with AXA Advisors, and opening an IRA with E*TRADE
16 Securities LLC (“E*TRADE”). On or about February 8, 2016, Client 1 issued a check in the amount
17 \$3,000 to E*TRADE. On or about February 9, 2016, PRICE completed an E*TRADE IRA
18 application for the benefit of Client 1, which Client 1 signed. An E*TRADE account was established
19 in Client 1’s name. PRICE created the username and password, and was orally given discretionary
20 authority by Client 1 to make transactions in Client 1’s E*TRADE account.

21 23. On March 8, 2016, PRICE sent Client 1 an email stating, “I made some investment
22 changes on Mon Feb 29, 2016 in your IRA at AXA...I increased your Templeton Global Equity
23 Managed Volatility Fund, and decreased your Guaranteed Interest Fund, in this IRA...I’m trying to
24 get your account value back over 75k before we talk about rolling over this IRA to your more stable
25 & conservative IRA at HPWM.” Price further stated, “[m]y goal is for you to eventually own only
26 two IRA’s: 1) [a]n income driven IRA @ HPWM, and 2) a speculative driven IRA at E*TRADE for

1 trading individual equities, such as the Consol Energy (CNX) you hold in this account.” PRICE had
2 access to, and made changes in Client 1’s IRA held at AXA Advisors.

3 24. On April 13, 2016, PRICE emailed Client 1 and stated, “I finally sold out your AXA
4 IRA this week, and now you can ‘rollover’ your proceeds of \$73,823.19 into your \$224,638 valued
5 IRA held at HPWM (my firm), so you don’t incur any taxes!!!” PRICE further stated, “[a]lthough I
6 failed to get your AXA IRA over our goal of 75k before we roll [sic] over to your HPWM IRA...we
7 made great strives [sic], from \$71,862 in Feb to \$74,655 in March, the most important aspect of
8 pulling the trigger at \$73,823 this week was to GUARANTEE that you get those funds, once again,
9 invested at a 3.00% annual return!!!”

10 25. On April 20, 2016, PRICE emailed Client 1 and stated, “I successfully rolled your
11 check into your HPWM IRA...our goal of having one IRA with me and one IRA with E*TRADE
12 has come to fruition. And don’t let that confuse you...I manage BOTH IRA’s exclusively, it’s just
13 that they are held at different companies. For instance, your E*TRADE account is set up to buy
14 individual equities at a discount, while your HPWM account is set to buy bonds so I can guarantee
15 you a fixed rate of return.”

16 26. On or about November 1, 2017, PRICE emailed Client 1, stating that her E*TRADE
17 IRA value was \$7,241 and her HPWM IRA value was \$303,485. From February 2014 until at least
18 November 2017, Client 1 never received an account statement from any brokerage account or from
19 the Respondents regarding her HPWM IRA, even though Client 1 repeatedly requested updates on
20 the status on her HPWM IRA from PRICE.

21 27. On or about November 2, 2017, PRICE sent a text message to Client 1’s daughter
22 stating, “AXA Advisors uses LPL [LPL Financial LLC, hereinafter “LPL”] as their broker dealer, so
23 it only made sense that me/HPWM uses LPL too.” PRICE informed Client 1 that her HPWM IRA
24 was being held at LPL. Client 1 and/or Client 1’s daughter contacted LPL and was informed by an
25 LPL representative that no accounts were found at under Client 1’s name. Client 1’s daughter then
26 texted PRICE asking for an explanation.

1 28. On or about November 2, 2017, PRICE sent another text message to Client 1's
2 daughter stating, "(1) I have guaranteed from the beginning your mom would not lose any money,
3 and in fact she made 3.00% at HPWM, as agreed in her note, and (2) LPL is the broker dealer, and
4 that is the platform to make trades. No funds are currently at LPL because we are out of the stock
5 market...I will continue to make sure her retirement is safe...you [sic] mom shall receive her
6 distribution and dividends from her two IRA's totaling \$16,000 in three business days...you [sic]
7 mom will receive 100k from her IRA #2 within two weeks." Client 1 did not receive the promised
8 distribution and dividends.

9 **Client 2**

10 29. From at least March 2008 until at least July 2012, Client 2 was a client of PRICE's
11 while he was associated with AXA Advisors.

12 30. On or about December 17, 2012, Client 2 sent an email to PRICE, seeking financial
13 advice on at least four accounts that she held at AXA Advisors. Client 2 attached quarterly
14 performance reports and other relevant financial documents generated by AXA Advisors with the
15 email.

16 31. On December 17, 2012, PRICE responded to Client 2's email and stated "Ok. Good
17 stuff. Thanks!" On December 18, 2012, PRICE sent another email to Client 2 stating, "[d]o you have
18 a statement for your IRA? I would like to see when your last contribution was (I think it was for this
19 year: 2012). Everything else is what I needed." On December 21, 2012, Client 2 emailed PRICE the
20 requested IRA statement.

21 32. On January 17, 2013, PRICE emailed Client 2 stating, "[m]acro economics have
22 changed since our last conversation, and it was not necessary to make any changes until now." PRICE
23 then provided a detailed analysis of each of Client 2's AXA accounts, including recommending
24 changing the allocations in at least three of the accounts. PRICE further stated, "since I am no longer
25 with AXA Advisors," I am going need you to do a few things: contact AXA Advisors; give them
26 your account numbers; and have AXA email you the Change Allocation/Change Investment Form

1 that is applicable to your respective accounts. "Once you receive this, email it to me" and I will help
2 you change the allocations according to my recommendations. PRICE made the allocation changes
3 in at least three of Client 2's AXA accounts.

4 33. In light of those above statements, PRICE failed to disclose that since July 20, 2012,
5 he has not been registered as securities salesman or licensed as an invest adviser or investment
6 adviser representative.

7 34. In or about 2015, PRICE informed Client 2, that he had formed his own investment
8 advisory firm, HPWM. PRICE recommended that Client 2 rollover her IRA at AXA Advisors into
9 an IRA with HPWM. PRICE further stated that HPWM uses LPL as its broker dealer. In light of that
10 statement, PRICE failed to disclose that HPWM was not licensed as an investment adviser or
11 investment adviser representative.

12 35. Based on PRICE's representations, Client 2 requested and received a \$180,000
13 distribution from her AXA IRA in order to rollover the funds into an IRA with HPWM.

14 36. On or about June 30, 2015, Respondents entered into an executed agreement with
15 Client 2, to "receive \$180,000...to be managed by HPWM. These funds are secured by a note" under
16 HPWM. The term of the note is for 36 months with a fixed annual percentage rate of 4% paid
17 annually. In the agreement, PRICE is listed as Client 2's "financial advisor."

18 37. On July 3, 2015, PRICE sent Client 2 a text message stating, that he sent her an email
19 disclosing how Respondents would be compensated. "What I didn't say is this: [e]ven though you
20 will see from my email that a commission from your 180k note is small or nil, I will be compensated
21 later from working with you, and eventually from the funds in the AXA annuity." Respondents
22 charged 1.3% annual fee to manage Client 2's HPWM IRA.

23 38. On September 8, 2015, Client 2 emailed PRICE stating "[o]ther than the initial
24 document confirming the 180k you received, I haven't seen anything regarding the investments. Is
25 there something you can send me please? Looking at all the statements etc., it's a little scary that
26 180K disappeared."

1 39. On September 9, 2015, PRICE emailed Client 2 stating “[s]orry I haven’t sent you
2 anything on your new account and my investment matrix...I can ensure you all your funds are safe,
3 and the proper monthly maintenance is always done.”

4 40. On or about March 5, 2016, Client 2 sent a text message to PRICE stating, that she
5 was looking at her 2015 1099 R from AXA, which listed the \$180,000 as a distribution, and that
6 according to her tax software “I’m showing a 70k tax obligation...what am I missing? I thought there
7 was to be minimal to no tax consequences on this transaction.”

8 41. On or about March 5, 2016, PRICE responded to Client 2’s text message stating, “I’ll
9 look into your tax situation, because you are simply missing something from AXA, or something is
10 wrong with the 1099.”

11 42. On July 19, 2017, PRICE executed a letter on HPWM’s letterhead stating that Client-
12 2’s \$180,000 distribution from AXA Advisors in the tax year 2015 was “indeed a non-taxable event,
13 and should be classified as ‘rollover.’” And, Client 2 after receiving \$180,000 from AXA Advisors
14 immediately “deposited the \$180,000 into her IRA” held at HPWM. PRICE provided a copy of letter
15 to Client 2.

16 43. On or about August 6, 2017, PRICE emailed Client 2, wanting to set up a meeting to
17 discuss rolling over approximately \$412,000 from her IRA at AXA Advisors into her IRA at HPWM.
18 On or about August 11, 2017, PRICE filled out the rollover application, which listed PRICE as Client
19 2’s “financial professional.” Client 2 signed the application and submitted it to AXA Advisors.
20 Subsequently, a client representative from AXA Advisors contacted Client 2, and informed her that
21 there are issues with PRICE’s license, and that PRICE has not been licensed as an investment adviser
22 representative since he left AXA Advisors in July 2012. Client 2 was also informed that the funds
23 would come out as a distribution. Client 2 cancelled the rollover based on PRICE’s non-licensure as
24 an investment adviser representative.

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1 44. On August 8, 2017, PRICE emailed Client 2, an LPL statement purporting to be Client
2 2's, and that the account's balance on June 30, 2017, was \$2,589.95 over the \$187,200 current
3 balance because PRICE did not take out Respondents 1.3% annual fee.

4 45. On August 16, 2017, PRICE executed another letter on HPWM's letterhead stating
5 that Client 2's \$180,000 distribution from AXA Advisors in the tax year 2015 was "indeed a non-
6 taxable event, and should be classified as 'rollover.'" And, Client 2 after receiving \$180,000 from
7 AXA Advisors immediately "deposited the \$180,000 to HPWM, where the funds were invested into
8 IRRA [sic]" for the benefit of Client 2. A copy of an LPL Statement purporting to be Client 2's was
9 included with the letter; which PRICE gave to Client 2. The LPL Statement had a different account
10 number assigned to Client 2, from the LPL statement that PRICE provided to Client 2 on August 8,
11 2017.

12 46. On or about November 3, 2017, Client 2 sent an email to a representative from LPL,
13 regarding the LPL account statements that PRICE gave Client 2, and whether an alert could be placed
14 on the account to safeguard the funds. The purported LPL accounts that PRICE represented were
15 assigned to Client 2 was not under Client 2's name or the Respondents' names.

16 47. Respondents provided Client 2 with fraudulent investment reports showing that her
17 funds were being invested with LPL.

18 **Client 3**

19 48. From at least September 2009 until July 2012, Client 3 was a client of PRICE's while
20 he was associated with AXA Advisors.

21 49. In or about October 2016, PRICE approached Client 3 at her job in Mesa Arizona,
22 and informed her that he had formed his own investment advisory firm, HPWM. PRICE represented
23 that she was losing money with her IRA at AXA Advisors, and that he could make her more money
24 if she rolled over her AXA IRA into an IRA at HPWM. PRICE further represented that he would
25 invest her money through a brokerage account held at LPL. In light of that statement, PRICE failed
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1 to disclose that since July 20, 2012, he has not been registered as securities salesman or licensed as
2 an investment adviser or investment adviser representative.

3 50. Based on PRICE's representation, Client 3 requested and received at least \$13,300 in
4 distributions from her IRA at AXA Advisors, in order to rollover the funds into an IRA with HPWM.

5 51. On or about October 25, 2016, Respondents received a rollover check from Client 3,
6 in the amount of \$13,304.81. Respondents entered into an executed agreement with Client 3 "to
7 manage \$13,304.81" within HPWM. \$13,000 is secured through a note under HPWM, the remaining
8 \$304.81 will remain in a stable value cash fund. The term of the note is for 36 months, with an annual
9 percentage rate of 3.00% paid annually.

10 52. Respondents never provided Client 3 with monthly or quarterly statements, even
11 though Client 3 repeatedly asked for the statements. PRICE sent Client 3 text messages that assured
12 her that her account was doing well.

13 53. All the funds Respondents received from the AZ Investor and the Clients were
14 deposited into HPWM's business account, and PRICE was sole signatory on the account and the
15 only person that had access or control of the account.

16 54. No brokerage accounts were ever opened and established in any of the Clients' names,
17 or funded by the Respondents. Respondents used a portion of the Clients' funds on personal expenses
18 not related to their investments.

19 55. From July 2013 until January 2017, Respondents raised \$630,900.90, of which
20 \$56,200 was offset. The remaining principal owed is \$574,700.90.

21 **II.**

22 **CONCLUSIONS OF LAW**

23 1. The Commission has jurisdiction over this matter pursuant to Article XV of the
24 Arizona Constitution, the Securities Act of Arizona ("Securities Act"), and the Investment
25 Management Act ("IM Act").
26

1 IT IS ORDERED, pursuant to A.R.S. §§ 44-2032 and 44-3292, that Respondents, and any of
2 Respondents' agents, employees, successors and assigns, permanently cease and desist from
3 violating the Securities Act and the IM Act.

4 IT IS FURTHER ORDERED, pursuant to A.R.S. §§ 44-2032 and 44-3292, that Respondent
5 PRICE shall, jointly and severally with Respondent HPWM, pay restitution to the Commission in
6 the principal amount of \$574,700.90 as a result of the conduct set forth in the Findings of Fact and
7 Conclusions of Law. Payment is due in full on the date of this Order. Payment shall be made to the
8 "State of Arizona" to be placed in an interest-bearing account controlled by the Commission. Any
9 principal amount outstanding shall accrue interest at the rate of 10 percent per annum from the date
10 of purchase until the date of this Order. Interest in the amount of \$157,293.59 has accrued from the
11 date of purchase to March 13, 2018.

12 IT IS FURTHER ORDERED that the restitution ordered in the preceding paragraph will
13 accrue interest, as of the date of the Order, at the rate of the lesser of (i) ten percent per annum or (ii)
14 at a rate per annum that is equal to one per cent plus the prime rate as published by the board of
15 governors of the federal reserve system in statistical release H. 15 or any publication that may
16 supersede it on the date that the judgment is entered.

17 The Commission shall disburse the funds on a pro-rata basis to investors shown on the records
18 of the Commission. Any restitution funds that the Commission cannot disburse because an investor
19 refuses to accept such payment, or any restitution funds that cannot be disbursed to an investor
20 because the investor is deceased and the Commission cannot reasonably identify and locate the
21 deceased investor's spouse or natural children surviving at the time of the distribution, shall be
22 disbursed on a pro-rata basis to the remaining investors shown on the records of the Commission.
23 Any funds that the Commission determines it is unable to or cannot feasibly disburse shall be
24 transferred to the general fund of the state of Arizona.

25 IT IS FURTHER ORDERED, pursuant to A.R.S. §§ 44-2036 and 44-3296, that Respondent
26 PRICE shall, jointly and severally with Respondent HPWM pay an administrative penalty in the

1 amount of \$75,000 as a result of the conduct set forth in the Findings of Fact and Conclusions of
2 Law. Payment is due in full on the date of this Order. Payment shall be made to the "State of
3 Arizona." Any amount outstanding shall accrue interest as allowed by law.

4 IT IS FURTHER ORDERED that the administrative penalty ordered in the preceding
5 paragraph will accrue interest at the rate of the lesser of (i) ten percent per annum or (ii) at a rate per
6 annum that is equal to one per cent plus the prime rate as published by the board of governors of the
7 federal reserve system in statistical release H. 15 or any publication that may supersede it on the date
8 that the judgment is entered.

9 IT IS FURTHER ORDERED that payments received by the state of Arizona shall first be
10 applied to the restitution obligation. Upon payment in full of the restitution obligation, payments
11 shall be applied to the penalty obligation.

12 IT IS FURTHER ORDERED, that if Respondents fail to comply with this order, the
13 Commission may bring further legal proceedings against Respondents, including application to the
14 superior court for an order of contempt.

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1 IT IS FURTHER ORDERED that this Order shall become effective immediately.

2 BY ORDER OF THE ARIZONA CORPORATION COMMISSION

3 *Pro. Forese*

4 *Commissioner Dunn*

CHAIRMAN FORESE

COMMISSIONER DUNN

5 *Commissioner Tobin*

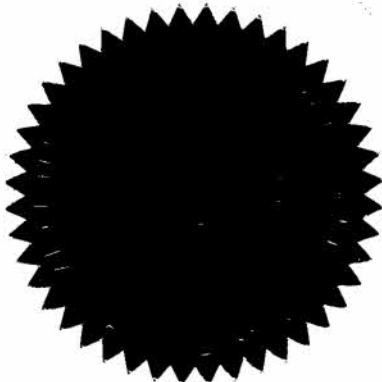
6 *Commissioner Olson*

7 *Commissioner Burns*

COMMISSIONER TOBIN

COMMISSIONER OLSON

COMMISSIONER BURNS



8 IN WITNESS WHEREOF, I, TED VOGT, Executive Director
9 of the Arizona Corporation Commission, have hereunto set my
10 hand and caused the official seal of the Commission to be
11 affixed at the Capitol, in the City of Phoenix, this 29th day
12 of MARCH, 2018.

13 *Ted Vogt*

14 TED VOGT
EXECUTIVE DIRECTOR

15
16 DISSENT

17
18 DISSENT

19 This document is available in alternative formats by contacting Kacie Cannon, ADA Coordinator,
20 voice phone number (602) 542-3931, e-mail kcannon@azcc.gov.

21 (MS)

Exhibit A

INVESTMENT #	INVESTOR	DATE	INVESTMENT	AMOUNT RETURNED	NET PRINCIPAL
1	1	7/19/2013	\$40,000.00	\$40,000.00	\$0
2	2	2/19/2014	\$150,000.00	\$9,000	\$141,000.00
3	2	7/8/2014	\$25,000.00	\$0	\$25,000.00
4	3	6/30/2015	\$179,910.00	\$0	\$179,910.00
5	2	2/9/2016	\$46,637.90	\$7,200	\$39,437.90
6	2	4/15/2016	\$73,823.19	\$0	\$73,823.19
7	1	6/28/2016	\$10,000.00	\$0	\$10,000.00
8	1	7/18/2016	\$1,725.00	\$0	\$1,725.00
9	1	8/3/2016	\$3,300.00	\$0	\$3,300.00
10	1	8/15/2016	\$5,800.00	\$0	\$5,800.00
11	4	10/17/2016	\$13,304.81	\$0	\$13,304.81
12	1	1/18/2017	\$46,400.00	\$0	\$46,400.00
13	1	1/18/2017	\$35,000.00	\$0	\$35,000.00
TOTAL			\$630,900.90	\$56,200	\$574,700.90

1 SERVICE LIST FOR: HOWARD PRICE WEALTH MANAGEMENT, LLC *et al.*

2 HOWARD PRICE WEALTH MANAGEMENT, LLC

3 4429 N. 44th Street

4 Phoenix, AZ 85018

(Respondent)

5 HOWARD M. PRICE III

6 6875 E. Camelback Road, Unit #3008

7 Scottsdale, AZ 85251

(Respondent)

8 HOWARD PRICE WEALTH MANAGEMENT, LLC's, Statutory Agent

9 HOWARD M. PRICE III

6905 N. 77TH Place

10 Scottsdale, AZ 85250

(Statutory Agent)

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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 TOM FORESE – Chairman
4 BOB BURNS
5 ANDY TOBIN
6 BOYD DUNN
7 JUSTIN OLSON

6 In the matter of:)
7 HOWARD PRICE WEALTH MANAGEMENT,)
8 LLC an Arizona limited liability company, and)
9 HOWARD M. PRICEE III, CRD #4650960, a)
10 single man,)
11 Respondents.)

DOCKET NO: S-21031A-17-0347

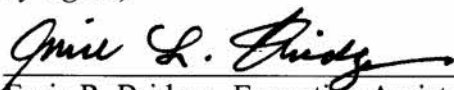
**CERTIFICATION OF SERVICE OF
PROPOSED OPEN MEETING AGENDA
ITEM**

11 On this 26th day of February 2018, the foregoing document was filed with Docket Control as a
12 Securities Division Memorandum & Proposed Order, and copies of the foregoing were mailed on
13 behalf of the Securities Division to the following who have not consented to email service. On this
14 date or as soon as possible thereafter, the Commission’s eDocket program will automatically email
15 a link to the foregoing to the following who have consented to email service.
16

17 HOWARD PRICE WEALTH MANAGEMENT, LLC
18 4429 N. 44th Street
19 Phoenix, AZ 85018
20 (Respondent)

21 HOWARD M. PRICE III
22 6875 E. Camelback Road, Unit #3008
23 Scottsdale, AZ 85251
24 (Respondent)

25 HOWARD PRICE WEALTH MANAGEMENT, LLC’s Statutory Agent
26 HOWARD M. PRICE III
27 6905 N. 77TH Place
28 Scottsdale, AZ 85250
29 (Statutory Agent)

30 By: 
31 Emie R. Bridges, Executive Assistant