# STATE OF NEW HAMPSHIRE BUREAU OF SECURITIES REGULATION DEPARTMENT OF STATE CONCORD, NEW HAMPSHIRE

## IN THE MATTER OF:

Bankers Life Securities, Inc. CRD#173962

Respondent

INV2017-00014

## CONSENT ORDER

I. For purpose of settling the above-referenced matter and in lieu of further administrative proceedings, Bankers Life Securities, Inc., (hereinafter referred to as "Respondent"), has submitted an offer of settlement, which the Bureau of Securities Regulation, Department of State, State of New Hampshire (hereinafter referred to as "the Bureau") has determined to accept. Accordingly, the Respondent does hereby consent to the following findings, conclusions, undertakings and sanctions:

### The Facts

- Respondent, is a broker-dealer firm with a mailing address on record with the Bureau of 111 E. Wacker Drive, 19<sup>th</sup> Floor, Chicago, Illinois 60601. Many of its broker-dealer records are kept on the FINRA's Central Registry Depository system ("CRD"). BLS's CRD number is 173962. BLS was registered with the Bureau effective on 9/28/2015.
- 2. Respondent has failed to pay the Bureau a penalty of \$125.00 for late filing of its year 2016 audited financial report which was filed on 3/6/2017 and 5 days beyond the due date of 3/1/2016. Letters were sent on 3/7/2017, 4/20/2017, and 5/23/2017 (sent certified mail and received 5/30/2017) to Respondent which requested payment, and no payment was received by the Bureau. An enforcement warning letter was sent certified mail on 8/9/2017 and received on 8/15/2016. No response was received by the Bureau.

### Law

1. RSA 421-B:4-411(b)(1), requires every broker-dealer within 60 days after the close of the fiscal year, to make and transmit to the secretary of state an audited financial

statement certified by an independent certified public accountant.

- 2. RSA 421-B:4-411(b)(2) requires every broker-dealer to pay to the state \$25 for each day of delinquency. The secretary of state may suspend or revoke the license of any broker-dealer failing to file its annual statement when due. Respondent has violated this section.
- 3. RSA 421-B:4-411(I) requires any officer of a broker-dealer doing business in this state to reply in writing to any written inquiry from the Secretary of State requesting a reply. Respondent has violated this section by failing to respond and reply to correspondence from the Bureau.
- 4. RSA 421-B:4-412(c) provides that the secretary of state, may upon hearing, assess an administrative fine of not more than \$2,500 per violation, in lieu of or in addition to, an order to revoke a license. Respondent is subject to a fine under this section.
- 5. Pursuant to N.H. RSA 421-B:6-604(f), whenever it appears to the Secretary of State that any person has engaged or is about to engage in any act or practice constituting a violation of this chapter or any rule under this chapter, he shall have the power to issue and cause to be served upon such person an order requiring the person to cease and desist from violations of this chapter. Respondent is a person subject to this provision and shall be ordered to permanently cease and desist from any violations of N.H. RSA 421-B.
- II. In view of the foregoing, the Respondent agrees to the following undertakings and sanctions:
  - 1. Respondent agrees that that they have voluntarily consented to the entry of this Order and represent and aver that no employee or representative of the Bureau has made any promise, representation or threat to induce their execution.
  - 2. Respondent agrees to waive their right to an administrative hearing and any appeal therein under this chapter.
  - 3. Respondent, agrees to pay an administrative fine totaling in the amount of Two Thousand Five hundred Dollars (\$2,500) to the State of New Hampshire. Respondent agrees to pay a lateness penalty of One Hundred Twenty-Five Dollars (\$125). Total payment is (\$2,625). Upon execution of this Order payment shall be made by 1) United States postal money order, certified check, bank cashier's check, or bank money order; 2) made payable to the State of New Hampshire; and 3) hand-delivered or mailed to the Bureau of Securities Regulation, Department of State, State House, Room 204, Concord, New Hampshire, 03301.

- 4. Respondent agrees that this Consent is entered into for purpose of resolving only the matter and issues as described herein and no other issues pending before the State of New Hampshire. This Consent shall have no collateral estoppel, res judicata, evidentiary, or other legal effect in any other lawsuit, proceeding, or action, not described herein.
- 5. The Respondent may not take any action or make or permit to be made any public statement, including in regulatory filings or otherwise, denying, directly or indirectly, any allegation in this Consent or create the impression that the Consent is without factual basis. Nothing in this provision affects the Respondents' testimonial obligations or right to take legal positions in litigation in which the State of New Hampshire is not a party.
- III. Based on the foregoing, the Bureau deems it appropriate and in the public interest to accept and enter into this Order. THEREFORE, IT IS HEREBY ORDERED THAT:
  - Respondent pays an administrative fine in the amount of Two Thousand Five Hundred Dollars (\$2,500) as stated above.
  - 2. Respondent pay a lateness penalty of One Hundred Twenty-Five dollars (\$125).
  - 3. Respondent shall make all payments as outlined above.
  - 4. Respondent cease and desist from any further violations of RSA 421-B.
  - 3. Respondent complies with the above-referenced undertakings.

Executed this <u>30<sup>th</sup></u> day of <u>Novumber</u> 2017.

on behalf of Banker's Life Securities, Inc.

on behalf of Banker's Life Securities, Inc. Please print name below:

Entered this day of Herember 2017

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and the States

11. Barry Glennon, Director