STATE OF VERMONT DEPARTMENT OF FINANCIAL REGULATION SECURITIES DIVISION

RECEIVED SECURITIES DIVISION	
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VT DEPARTMENT OF FINANCIAL REGULATION	

)	
IN RE:)	
SJ BOYLE WEALTH PLANNING, LLC)	DOCKET NO. 19-54-S
SALLY JANE BOYLE)	
)	

STIPULATION AND CONSENT ORDER

This Stipulation and Consent Order is entered this day of November 2019 by and among SJ Boyle Wealth Planning, LLC (the "Firm", CRD #174158), Sally Jane Boyle (CRD #1026790) (together, "Respondents"), and the Vermont Department of Financial Regulation (the "Department").

WHEREAS, the Commissioner of the Department (the "Commissioner") is responsible for administering and enforcing the Vermont Uniform Securities Act (the "Securities Act"), Title 9, Chapter 150 of the Vermont Statutes Annotated, pursuant to which the Department has conducted a review of the Respondents in response to the Firm's application to register under 9 V.S.A. § 5403; and

WHEREAS, as a result of the Department's review, the Department has concluded that Respondents violated the Securities Act by providing investment advisory services during the 12 preceding months to at least eight (8) clients that are Vermont residents without being registered to conduct securities business in Vermont;

WHEREAS, the Department has accordingly sought, and Respondents, without the necessity of further formal proceedings, have agreed to take corrective and remedial measures as more specifically described herein; and

WHEREAS, Respondents elect to permanently waive any right to a hearing and appeal under the Vermont Administrative Procedure Act, Title 3, Chapter 25 of the Vermont Statutes Annotated; the rules, regulations, and orders of the Commissioner; and any right Respondents may have to judicial review by any court with respect to this Consent Order.

NOW THEREFORE, the parties so stipulate, and the Commissioner makes findings and conclusions as follows:

FINDINGS OF FACT

1. Respondent SJ Boyle Wealth Planning, LLC is a limited liability company domiciled in the State of New Hampshire with its primary place of business at 1 Oak Ridge Road, West Lebanon, New Hampshire, 03784. Respondent Sally Boyle is the principal of the Firm.

- 2. The Firm is not registered to conduct securities business in any capacity in the State of Vermont. Sally Boyle is not registered to conduct securities business in any capacity in the State of Vermont.
- 3. The Firm applied for investment adviser registration in the State of Vermont in April 2019. On an Affidavit of Investment Advisor Activity dated June 5, 2019 and submitted to the Department as part of the application, the Firm fully disclosed that it has performed investment advisory activities with eight (8) clients who are Vermont residents.

CONCLUSIONS OF LAW

- 1. Under 9 V.S.A. § 5403(a), the Vermont Uniform Securities Act ("Securities Act") prohibits a person from transacting business in Vermont as an investment adviser unless the person is registered or exempt from registration.
- 2. Under 9 V.S.A. § 5404(a), the Securities Act prohibits an individual from transacting business in Vermont as an investment adviser representative unless the individual is registered or exempt from registration.
- 3. Under 9 V.S.A. § 5403(b), the Securities Act exempts a person from the investment adviser registration requirement if that person has had, during the preceding 12 months, not more than five clients that are Vermont residents.
- 4. The Firm, by providing investment advice to eight (8) Vermont clients as set forth in the Findings of Fact without registration as an investment adviser or being exempt from registration, has violated 9 V.S.A. § 5403.
- 5. Sally Boyle, by providing investment advice to eight (8) Vermont clients, as set forth in the Findings of Fact, without registering as an investment adviser representative or being exempt from registration, has violated 9 V.S.A. § 5404.

CONSENT ORDER

NOW, THEREFORE, based on Respondents' stipulation, and on the basis of the Findings of Fact and Conclusions of Law, the Commissioner issues the following Order, to be fully complied with following receipt by the Commissioner of the duly executed Consent to Entry of Administrative Order:

- 1. Respondents shall comply with the Vermont Uniform Securities Act.
- 2. Respondents shall pay an administrative penalty of \$4,500.00 to the Securities Division. The penalty shall be paid in three equal payments of \$1,500.00, with the first payment made within 10 days of the execution of this Stipulation and Consent Order, the second payment made by December 31, 2019, and the third payment made by January 31, 2020. Respondents are jointly and severally liable for the penalty amount.
- 3. If Respondents do not comply with any of the terms, conditions, or undertakings set forth in this Stipulation and Consent Order, the Department may, upon written notice to Respondents, institute any legal or administrative proceedings as it deems appropriate to enforce the same and to seek such other appropriate sanctions, and Respondents shall consent to the entry of judgment for any unpaid balance.
- 4. Upon receipt by the Securities Division of the full \$4,500.00 amount paid by Respondents in accordance with the terms of this Consent Order, this Stipulation and Consent Order will be deemed to have documented the resolution of this matter and will not be a basis for action against Respondents by the Department arising out of these same events in regards to the business of securities except in determining any action or penalty that may be imposed by the Department for any future violations of law by Respondents.

This ORDER shall become effective immediately upon the date set forth below.

BY ORDER OF THE COMMISSIONER

Entered at Montpelier, Vermont, this 25th day of November, 2019.

MICHAEL PIECIAK, Commissioner

Vermont Department of Financial Regulation

CONSENT BY SJ BOYLE WEALTH PLANNING, LLC AND SALLY JANE BOYLE TO THE ENTRY OF AN ORDER BY THE COMMISSIONER IMPOSING TERMS, CONDITIONS AND UNDERTAKINGS UNDER THE VERMONT UNIFORM SECURITIES ACT

- 1. SJ Boyle Wealth Planning, LLC (CRD # 174158) and Sally Jane Boyle (CRD # 1026790) (together, "Respondents") hereby admit the jurisdiction of the Commissioner over the subject matter of this proceeding and, solely with respect to this matter, knowingly and voluntarily waive any and all rights to a hearing before the Commissioner or his designee and all other procedures otherwise available under the Vermont Uniform Securities Act, Title 9, Chapter 150 of the Vermont Statutes Annotated, any successor act, and the rules, regulations, and orders of the Commissioner. Respondents also waive compliance with the provisions of 3 V.S.A. Chapter 25 regarding contested cases. Respondents acknowledge that this Consent Order constitutes a valid order duly rendered by the Commissioner.
- 2. Respondents voluntarily and knowingly waive any rights they may have to judicial review by any court by way of suit, appeal, or extraordinary remedy resulting from the issuance of the Consent Order.
- 3. Respondents acknowledge and agree that the Consent Order is entered into freely and voluntarily and that no promise was made, other than as outlined herein, nor was any coercion used, to induce the Respondents to enter into the Consent Order.
- 4. Respondents acknowledge their understanding of all terms, conditions, and obligations contained in the Consent Order, and further acknowledge that should they fail to comply with any and all provisions of the Consent Order, the Commissioner may impose additional sanctions and seek other appropriate relief subject to Respondents' right to a hearing pursuant to the Securities Act and any successor act.

Dated this 21 day of November, 2019. By: Sally Boyle, on behalf of Perself and as property of the second s	rincipal of SJ Boyle W	ealth Planning, LLC
BEFORE ME this day of <u>Ovember</u> Sally Boyle who acknowled executed the foregoing for the purposes contained and deed on behalf of herself and SJ Boyle Wealth	therein, and that such e	eared authorized so to do, xecution is her free act Acrole DONNA STENDER, Notary Public My Commission Expires January 28, 2020

My commission expires: