

STATE OF VERMONT
DEPARTMENT OF FINANCIAL REGULATION

IN RE: Jacinto "Spirit Wolf" Vega, Jr.

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DOCKET NO. 18-015-S

FINAL CEASE AND DESIST ORDER

Based on the Ex Parte Motion for a Cease and Desist Order ("the Motion") filed by the Securities Division of the Vermont Department of Financial Regulation ("the Department"), the Commissioner entered on February 28, 2018 an Ex Parte Cease and Desist Order ("the Ex Parte Order"). Respondent was provided notice and a copy of the Ex Parte Order and a separate Notice describing his opportunity to request a hearing. Respondent has acknowledged receipt of the Ex Parte Order and has not requested a hearing or otherwise formally contested the Commissioner's findings or conclusions. As a result, the Commissioner makes the following findings of fact and conclusions of law and enters the following final order:

I. FINDINGS OF FACT

1. Respondent Jacinto "Spirit Wolf" Vega is a Vermont resident with a last known physical address of 2519 VT Rte. 105, Apt. C, Newport Center, Vermont 05857, and a last known mailing address of Post Office Box 474, Newport, Vermont 05855.
2. Respondent is not registered as an investment adviser or in any other capacity with the Department, and he is not employed by or associated with a broker-dealer or investment adviser registered in Vermont.
3. An investigation by the Securities Division revealed that Respondent engaged in unregistered activity by holding himself out as an investment adviser and by entering into one or more contracts to serve as a "financial adviser" and provide financial advice for Vermont

residents in return for compensation. Vega advised Vermont resident A.C. to sign a contract which establishes Vega as Image Consultant, Financial Adviser and Advocate for a period of 3 years and further provides that Vega will “supply services as a financial adviser upon request from the client for the length of the contract in order to assure a smooth and financially sound transition.” The contract further provided Mr. Vega with compensation of \$500 at the time of execution plus \$1500 per year.

4. A.C. suffers from multiple physical and mental impairments.

5. In the absence of a Cease and Desist Order, Vega may convince other vulnerable adults to give him substantial sums of money or other assets.

6. On February 28, 2018, the Commissioner entered an Ex Parte Order requiring Respondent to cease and desist from holding himself out as an investment adviser without being properly registered, in violation of 9 V.S.A. § 5403.

7. On March 1, 2018, the Department caused the Ex Parte Order and Notice of Opportunity to Request a Hearing to be sent to Respondent by certified mail (return receipt requested), and by regular mail. On March 28, 2018, Department counsel sent to Ex Parte Order, Notice and supporting documents to Respondent by electronic mail.

8. Respondent has acknowledged receipt of the Ex Parte Order and Notice, and he has not requested a hearing.

9. Respondent has not contested the findings of fact or conclusions of law in the Ex Parte Order.

II. CONCLUSIONS OF LAW

1. Pursuant to 9 V.S.A. §§ 5401 through 5404, it is unlawful for a person to act as a broker-dealer, agent, investment adviser or investment adviser representative without first being registered to do so with the Department.
2. The term “investment adviser” includes a “financial planner or other person that, as an integral component of other financially related services, provides investment advice to others for compensation as part of a business or that holds itself out as providing investment advice to others for compensation.” 9 V.S.A. § 5102(15)
3. By engaging in the conduct described above, Mr. Vega violated 9 V.S.A. § 5403 by holding himself out as an investment adviser and offering his services as an investment adviser in return for compensation without being registered with the Department.

III. COMMISSIONER’S AUTHORITY

1. Pursuant to 9 V.S.A. § 5604(a)(1), the Commissioner may issue orders or directives to any person to cease and desist from specific conduct if the Commissioner finds that the person has engaged, is engaging, or is about to engage in an act, practice or course of business which constitutes a violation of 9 V.S.A. Chapter 150, the Vermont Uniform Securities Act.
2. In light of the known violations of 9 V.S.A. § 5403, the risk that the financial health and welfare of additional Vermont residents may be affected by Vega’s conduct, and Respondent’s failure to request a hearing, a final cease and desist order is appropriate in this case.
3. In light of the known violation of 9 V.S.A. § 5403 a financial penalty is appropriate in this case.

IV. ORDER

PURSUANT TO 9 V.S.A. SECTION 5604, IT IS HEREBY ORDERED:

- A. Respondent Jacinto "Spirit Wolf" Vega has violated 9 V.S.A. § 5403 by holding himself out as an investment adviser without being properly registered with the Department.
- B. Respondent Jacinto "Spirit Wolf" Vega is ordered to CEASE and DESIST from offering or transacting business in this state as an unregistered investment adviser in violation of 9 V.S.A. § 5403.
- C. Respondent Jacinto "Spirit Wolf" Vega is ordered to pay the Department a financial penalty of \$15,000 on or before July 1, 2018 for his violation of V.S.A. § 5403.

Dated at Montpelier, Vermont this 7th day of June 2018.

A handwritten signature in black ink, appearing to read "Michael S. Pieciak", written over a horizontal line.

Michael S. Pieciak, Commissioner