



STATE OF MISSOURI
OFFICE OF SECRETARY OF STATE

IN THE MATTER OF:)	
)	
SUCCESSFUL RESOURCE MANAGEMENT, LTD.,)	Case No. AP-15-24
CRD No. 110317)	
)	
)	
)	
<i>Respondent.</i>)	
)	
Serve: Successful Resource Management, LTD)	
c/o John D. Hunter)	
Brown Winick)	
666 Grand Avenue,)	
Suite 2000 Ruan Center)	
Des Moines, IA 50309)	
)	

CONSENT ORDER

SUMMARY OF THE SECURITIES DIVISION’S ALLEGATIONS

1. The Missouri Securities Division of the Office of Secretary of State (“Division) alleges that Successful Resource Management, LTD. (“Successful Resource Management”) employed or associated with an unregistered investment adviser representative for 56 months and transacted business in Missouri as an unregistered investment adviser in violation of Section 409.4-403(d) RSMo (Cum. Supp. 2014)¹, and that this constitutes grounds to issue an order pursuant to Section 409.6-604.
2. Respondent and the Division desire to settle the allegations and the matters raised by the Division relating to the Respondent’s alleged violation of Section 409.4-403(d).

¹Unless otherwise noted, all statutory references are to the 2014 cumulative supplement to the Revised Statutes of Missouri

CONSENT TO JURISDICTION

3. Respondent and the Division stipulate and agree that the Missouri Commissioner of Securities (“Commissioner”) has jurisdiction over Respondent and these matters pursuant to the Missouri Securities Act of 2003, Chapter 409, RSMo.
4. Respondent stipulates and agrees that the Commissioner has authority to enter this Order pursuant to Section 409.6-604(h), which provides:

“The commissioner is authorized to issue administrative consent orders in the settlement of any proceeding in the public interest under this act.”

WAIVER AND EXCEPTION

5. Respondent waives Respondent’s right to a hearing with respect to this matter.
6. Respondent waives any rights that Respondent may have to seek judicial review or otherwise challenge or contest the terms and conditions of this Order. Respondent specifically forever releases and holds harmless the Missouri Office of Secretary of State, Secretary of State, Commissioner, and their respective representatives and agents from any and all liability and claims arising out of, pertaining to, or relating to this matter.
7. Respondent stipulates and agrees with the Division that, should the facts contained herein prove to be false or incomplete, the Enforcement Section reserves the right to pursue any and all legal or administrative remedies at its disposal.

CONSENT TO COMMISSIONER’S ORDER

8. Respondent and the Division stipulate and agree to the issuance of this Consent Order without further proceedings in this matter, agreeing to be fully bound by the terms and conditions specified herein.
9. Respondent agrees not to take any action or to make or permit to be made any public statement creating the impression that this Order is without factual basis. Nothing in this paragraph affects Respondent’s (a) testimonial obligations; (b) right to take legal or factual positions in defense of litigation or in defense of other legal proceedings in which the Commissioner is not a party; or (c) right to make public statements that are factual.
10. Respondent agrees that Respondent is not the prevailing party in this action since the parties have reached a good faith settlement.
11. Respondent neither admits nor denies the allegations made by the Division, but consents to the Commissioner’s Findings of Fact, Conclusions of Law, and Order as set forth below solely for the purposes of resolving this proceeding and any proceeding that may be brought to enforce the terms of this Consent Order.

COMMISSIONER'S FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND ORDER

I. FINDINGS OF FACT

12. Respondent Successful Resource Management is an Iowa-registered investment adviser with a mailing address of 7017 Hickman Road, Urbandale, IA 50322. Successful Resource Management is registered with the Central Depository System ("CRD") with number 110317.
13. On or about May 1, 2009, Respondent Successful Resource Management sent to the Division its application to register as an investment adviser in Missouri, as well as the accompanying fees and documentation. Its application was approved effective September 17, 2009. Prior to this, it was a federal covered investment adviser.
14. On or about April 21, 2014, Investment Adviser Representative ("IAR") sent to the Division IAR's application to register as an investment adviser representative in Missouri, along with accompanying fees and documentation. IAR's application was approved effective May 28, 2014.
15. In December 2013, the Examinations Section of the Division conducted a desk examination that revealed that a Missouri resident ("MR") entered into an investment advisory agreement with Successful Resource Management and IAR on December 12, 2008.
16. MR remains a client of Successful Resource Management and IAR.

II. CONCLUSIONS OF LAW

17. The Commissioner concludes that Respondent Successful Resource Management associated with or employed an unregistered investment adviser representative who transacted business in this state on behalf of Successful Resource Management from September 2009 through May 2014 in violation of Section 409.4-403(d), and that this violation constitutes grounds to issue an order pursuant to Section 409.6-604.
18. The Commissioner, after consideration of the stipulations set forth above and on consent of the Respondent and the Division, finds and concludes that the Commissioner has jurisdiction over Respondent in this matter and that the following order is in the public interest, necessary for the protection of public investors, and consistent with the purposes intended by Chapter 409, RSMo.

III. ORDER

NOW, THEREFORE, it is hereby Ordered that:

1. Respondent, its agents, employees and servants, and all other persons participating in the above-described violations with knowledge of this order are permanently enjoined and restrained from violating Section 409.4-404(a) and Section 409.4-403(d).
2. Respondent Successful Resource Management is ordered to pay \$7,500 to the Investor Education and Protection Fund for violations of the Missouri Securities Act. Respondent shall send or deliver \$5,500 of this amount within 10 days of the effective date of this Consent Order to the Securities Division at 600 W. Main Street, Jefferson City, Missouri 65101. This amount shall be payable to the Missouri Secretary of State's Investor Education and Protection Fund, and the Division will forward the money to that fund.
3. Respondent's payment of the remaining \$2,000 is hereby suspended but shall become due immediately, by operation of law, upon the sooner of (1) Respondent's noncompliance with the terms of this Consent Order or (2) a finding, after notice and opportunity for a hearing, by the Commissioner or a court of competent jurisdiction that Respondent has violated the Missouri Securities Act. If, after two years from the date of this Consent Order, neither of those two conditions has occurred, the Commissioner waives Respondent's payment of the remaining \$2,000.
4. Any payments referenced above shall be in addition to all other penalties then available under the law.
5. The Commissioner may refer this matter for enforcement as provided in Sections 409.6-603 and 409.6-604.
6. Respondent shall pay its own costs and attorneys' fees with respect to this matter.

SO ORDERED:

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY,

MISSOURI THIS 7th DAY OF July, 2015.



JASON KANDER
SECRETARY OF STATE

Andrew M. Hartnett

ANDREW M. HARTNETT
COMMISSIONER OF SECURITIES

RESPONDENT

Successful Resource Management, LTD.

By: *Terry A. Vrieze*
Name: TERRY A VRIEZE
Title: PRES