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**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
SECURITIES DIVISION**

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IN THE MATTER OF DETERMINING
whether there has been a violation of the
Securities Act of Washington by:

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IMYERS CORPORATION (CRD No. 148149)
and SETH MYERS (CRD No. 4390286),

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Respondents

Order Number S-17-2230-17-CO01

CONSENT ORDER AND ORDER
VACATING SUMMARY ORDER S-17-2230-
17-TO01

THE STATE OF WASHINGTON TO: Imyers Corporation, CRD No. 148149
Seth Myers, CRD No. 4390286

On June 22, 2017, the Securities Administrator of the state of Washington issued a Summary Order to Suspend Registrations and Notice of Intent to Enter an Order to Revoke Registrations, Impose a Fine, and Charge Costs order number S-17-2230-17-TO01 (“Summary Order”). The Securities Division and Respondents do hereby enter into this Consent Order in settlement of the matters alleged in the Summary Order.

FINDINGS OF FACT

Respondents

1. Imyers Corporation (“Imyers”) is a Washington state registered investment adviser located in Camano Island, Washington. The firm Central Registration Depository (“CRD”) number is 148149.
2. Seth Myers (“Myers”) is registered as an investment adviser representative of Imyers and is the president of Imyers. His individual CRD number is 4390286.

Nature of the Conduct

3. As an investment adviser registered with the Securities Division, Respondent Imyers must, under WAC 460-24A-060, file with the Securities Division a fiscal year-end balance sheet within 120 days following the end of its fiscal year-end. The Securities Division reviews these balance sheets to determine whether the investment adviser met the minimum financial requirements as set forth in WAC 460-24A-170.

4. Imyers has a fiscal year-end of December 31. Respondent's 2016 year-end balance sheet was due by April 30, 2017.

5. As of March 31, 2017, Imyers had 41 clients. Imyers has discretion in those clients' accounts, which is the ability to determine which securities to purchase or sell on behalf of the client. The Securities Division was unable to verify whether Respondent was conducting its business lawfully without knowing whether Respondent was complying with the minimum financial requirements as set forth in WAC 460-24A-170.

6. Between November 1, 2016 and June 1, 2017, the Securities Division sent Respondents 6 emails reminding Respondents to file the year-end balance sheet. In addition, on June 5, 2017, the Securities Division telephoned Respondent Myers asking him to file the year-end balance sheet by June 9, 2017.

7. On June 22, 2017, when Respondents failed to file the balance sheet, the Securities Division issued the Summary Order suspending Respondents' licenses.

8. The Summary Order together with a Notice of Opportunity to Defend and Opportunity for Hearing and an Application for Adjudicative Hearing was served on Respondents.

9. After the Summary Order was served, the Respondents filed a 2016 year-end balance sheet attesting that Imyers was meeting its minimum financial requirement.

1 **CONCLUSIONS OF LAW**

2 1. Respondent Imyers Corporation willfully violated WAC 460-24A-060 when it failed to file a
3 2016 year-end balance sheet by April 30, 2017.

4 2. The willful violation of WAC 460-24A-060 constitutes a ground for the entry of an order
5 imposing a fine under RCW 21.20.110(4).

6 3. The willful violation of WAC 460-24A-060 constitutes a ground for the entry of an order
7 charging costs under RCW 21.20.110(7).

8 **CONSENT ORDER**

9 IT IS AGREED that the Summary Order to Suspend Registrations and Notice of Intent to Enter an
10 Order to Revoke Registrations, Impose a Fine, and Charge Costs order number S-17-2230-17-TO01 is
11 vacated.

12 IT IS FURTHER AGREED that Respondent, Imyers Corporations' investment adviser license and
13 Respondent Seth Myers' investment adviser representative license are reinstated as of the date of this
14 Consent Order.

15 IT IS FURTHER AGREED that Respondent, Imyers Corporation, shall pay a fine of \$1,000 and
16 costs of \$200.

17 IT IS FURTHER AGREED that the Securities Division has jurisdiction to enter this Consent
18 Order.

19 IT IS FURTHER AGREED that Respondents enter into this Consent Order freely and voluntarily
20 and with full understanding of its terms and significance.

21 IT IS FURTHER AGREED that in consideration of the foregoing, Respondents waived the right to
22 an administrative hearing and judicial review of this matter.

1 **AUTHORITY AND PROCEDURE**

2 This Order is entered pursuant to the provisions of chapter 21.20 RCW and is subject to the
3 provisions of RCW 21.20.120 and Chapter 34.05 RCW.

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6 SIGNED this 11th day of August, 2017.

7 By:

8 /S/
9 Seth Myers (CRD No. 4390286)
10 Individually and on behalf of
Imyers Corporation (CRD No. 148149)

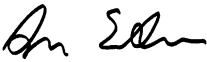
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12 DATED AND ENTERED this 30th day of August, 2017.

13 By:

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16 William M. Beatty
17 Securities Administrator

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19 Approved by:

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22 Suzanne E. Sarason
23 Chief of Enforcement

Presented by:

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25 Kristen Standifer
26 Kristen Standifer
27 Compliance Legal Examiner

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**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
SECURITIES DIVISION**

IN THE MATTER OF DETERMINING
registration under the Securities Act of
Washington of:

IMYERS CORPORATION (CRD No.
148149) AND SETH MYERS (CRD No.
4390286),

Respondents.

Order Number S-17-2230-17-TO01

SUMMARY ORDER TO SUSPEND
REGISTRATIONS AND NOTICE OF
INTENT TO ENTER AN ORDER TO
REVOKE REGISTRATIONS, IMPOSE A
FINE, AND CHARGE COSTS

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THE STATE OF WASHINGTON TO: Imyers Corporation, CRD No. 148149
Seth Myers, CRD No. 4390286

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STATEMENT OF CHARGES

Please take notice that the Securities Administrator of the State of Washington has reason to believe that the Respondents, Imyers Corporation and Seth Myers, violated the Washington Securities Act. The Securities Administrator believes that those violations justifies the entry of an order by the Securities Division summarily suspending Imyers' investment adviser registration and Myers' investment adviser representative registration and giving notice of the intent to enter an order to revoke Imyers' investment adviser registration and Myers' investment adviser representative registration, impose a fine, and charge costs. The Securities Administrator finds that a delay in suspending Respondents' registration would be hazardous to the investors and to the public and that this Summary Order should be entered immediately. The Washington Securities Administrator finds as follows:

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SUMMARY ORDER TO SUSPEND REGISTRATIONS AND
NOTICE OF INTENT TO ENTER AN ORDER TO REVOKE
REGISTRATIONS, IMPOSE A FINE, AND CHARGE COSTS

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DEPARTMENT OF FINANCIAL INSTITUTIONS
Securities Division
PO Box 9033
Olympia, WA 98507-9033
360-902-8760

1 **TENTATIVE FINDINGS OF FACT**

2 *Respondents*

3 1. Imyers Corporation (“Imyers”) is a Washington state registered investment adviser located
4 in Camano Island, Washington and San Antonio, Texas. The firm Central Registration Depository
5 (“CRD”) number is 148149.

6 2. Seth Myers (“Myers”) is registered as an investment adviser representative of Imyers and is
7 the president of Imyers. He is also registered as an investment adviser representative in Texas. His
8 individual CRD number is 4390286.

9 *Nature of the Conduct*

10 3. Each investment adviser registered with the Securities Division must make annual filings
11 with the director after the investment adviser’s fiscal year-end.

12 4. An investment adviser must, under WAC 460-24A-060, file with the Securities Division a
13 fiscal year-end balance sheet within 120 days following the end of the investment adviser’s fiscal year-
14 end. The Securities Division reviews these balance sheets to determine whether the investment adviser
15 met the minimum financial requirements as set forth in WAC 460-24A-170.

16 5. Imyers has a fiscal year-end of December 31. Respondent’s 2016 year-end balance sheet
17 was due by April 30, 2017.

18 6. Between November 1, 2016 and June 1, 2017, the Securities Division sent Respondents 6
19 emails reminding Respondents to file the year-end balance sheet. In addition, on June 5, 2017, the
20 Securities Division telephoned Respondent Myers asking him to file the year-end balance sheet by June 9,
21 2017. As of the date of this order, Respondents have not submitted a 2016 year-end balance sheet.

1 violations of WAC 460-24A-060 constitutes a threat to the investing public and a summary order
2 suspending Imyers investment adviser registration and Myers investment adviser representative
3 registration is in the public interest and necessary of the protection of the investing public.

4 **NOTICE OF INTENT TO REVOKE REGISTRATIONS**

5 Pursuant to RCW 21.20.110(1), and based upon the above Tentative Findings of Fact and
6 Conclusions of Law, the Securities Administrator intends to order Imyers Corporation's investment adviser
7 registration and Seth Myers' investment adviser representative registration be revoked.

8 **NOTICE OF INTENT TO IMPOSE FINES**

9 Pursuant to RCW 21.20.110(4), and based upon the above Tentative Findings of Fact and
10 Conclusions of Law, the Securities Administrator intends to order that Respondents shall be liable for and
11 shall pay a fine of at least \$1,000.

12 **NOTICE OF INTENT TO CHARGE COSTS**

13 Pursuant to RCW 21.20.110(7), and based upon the above Tentative Findings of Fact and
14 Conclusions of Law, the Securities Administrator intends to order that Respondents shall be liable for
15 and shall pay costs of at least \$200.

16 **SUMMARY ORDER**

17 Based upon the foregoing and finding it in the public interest,

18 NOW, THEREFORE, IT IS HEREBY SUMMARILY ORDERED under the authority of RCW
19 21.20.110(1) and (3) that Imyers Corporation's investment adviser registration and Seth Myers' investment
20 adviser representative registration are suspended pending a final determination in this proceeding.

1 **AUTHORITY AND PROCEDURE**

2 This Statement of Charges is entered pursuant to the provisions of chapter 21.20 RCW and is
3 subject to the provisions of chapter 21.20 RCW and 34.05 RCW. The Respondents may make a written
4 request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND
5 OPPORTUNITY FOR HEARING accompanying this Order. If a respondent does not request a hearing
6 in the allowed time, the Securities Administrator intends to adopt the above Tentative Findings of Fact
7 and Conclusions of Law as final and enter an order revoking Imyers Corporation’s investment adviser
8 registration and Seth Myers’ investment adviser representative registration and imposing the fines and
9 charging the costs sought.

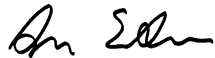
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11 DATED and ENTERED this 22nd day of June, 2017.

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14 WILLIAM M. BEATTY
15 Securities Administrator

16 Approved by:

16 Presented by:

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19 Suzanne Sarason
Chief of Enforcement

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19 Kristen Standifer
Financial Legal Examiner