

1 an investment adviser in Oregon since November 2010 and is also registered in Arizona and California. It
2 has never been licensed to conduct business as an investment adviser in Washington state; however, it
3 filed a licensing application on February 15, 2021. The application is in pending status. Sommers
4 Financial's Central Registration Depository (CRD) number is 153223.

5 2. Respondent Adam Sommers is the managing member and chief compliance officer of
6 Sommers Financial. Mr. Sommers has been licensed as an Oregon investment adviser representative since
7 June 2010 and is also licensed in Arizona and California; however, he has never been licensed to conduct
8 investment advisory business as an investment adviser or investment adviser representative in Washington
9 state. He filed an investment adviser representative application on February 22, 2021. The application is in
10 pending status. His CRD number is 2969821.

11 *Nature of the Conduct*

12 3. From December 5, 2012, to the present, Sommers Financial has at all times had more than
13 five clients who are Washington residents. Presently, Sommers Financial has nineteen Washington clients.

14 4. Between December 5, 2012 and the present, Sommers Financial and Mr. Sommers
15 provided investment advice for compensation to eighteen Washington clients without being licensed in
16 Washington and without qualifying for an exemption from licensing. During this time, Sommers Financial
17 and Mr. Sommers received compensation for providing investment advisory services to its Washington
18 clients.

19 Based upon the above Findings of Fact, the following Conclusions of Law are made:

20 **CONCLUSIONS OF LAW**

21 1. Sommers Financial transacted investment advisory business in Washington for compensation
22 without being registered as an investment adviser in violation of RCW 21.20.040(3). Such a violation is a

1 basis to enter an order to impose a fine pursuant to RCW 21.20.395(1) and to cease and desist pursuant to
2 RCW 21.20.390(1).

3 2. Mr. Sommers transacted investment advisory business in Washington for compensation
4 without being registered as an investment adviser or an investment adviser representative in violation of
5 RCW 21.20.040(3). Such a violation is a basis to enter an order to impose a fine pursuant to RCW
6 21.20.395(1) and to cease and desist pursuant to RCW 21.20.390(1).

7 Based on the foregoing and finding it in the public interest:

8 **CONSENT ORDER**

9 IT IS AGREED AND ORDERED that Respondents will cease and desist from violations of RCW
10 21.20.040(3).

11 IT IS FURTHER AGREED AND ORDERED that Respondents shall be liable for and pay a fine of
12 \$30,000 prior to the entry of this Consent Order.

13 IT IS FURTHER AGREED that this Consent Order alone will not constitute a bar to the approval
14 of Respondent Sommers Financial's application to be licensed as an investment adviser in the state of
15 Washington.

16 IT IS FURTHER AGREED that this Consent Order alone will not constitute a bar to the approval
17 of the investment adviser representative application of Respondent Adam Sommers.

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

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

1 IT IS FURTHER AGREED that in consideration of the foregoing, Respondents waive their right to
2 a hearing and to judicial review of this matter pursuant to RCW 21.20.440 and Chapter 34.05 RCW.

3 **AUTHORITY AND PROCEDURE**

4 This Consent Order is entered pursuant to the provisions of Chapter 21.20 RCW and is subject to
5 the provisions of RCW 21.20.120 and Chapter 34.05 RCW. Respondents have been notified of their right
6 to an administrative hearing and have waived that right.

7 WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

8 SIGNED this 13th day of July, 2021.

9 Signed by:

10 /s/
Adam Sommers (CRD 2969821)
11 Individually and
as Managing Member and Chief Compliance Officer of Sommers Financial Management, LLC
12 (CRD 153223)

13 DATED and ENTERED this 22nd day of July, 2021.

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17 WILLIAM M. BEATTY
18 Securities Administrator

19 Approved by:

20 

21
22 Suzanne Sarason
Chief of Enforcement

Presented by:

23 

24 Brook Kellerman
25 Compliance Legal Examiner