

STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCE AND CORPORATE SECURITIES

In the Matter of:) Case No. S-13-0603
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)
IRA WEALTH, LLC, an Oregon limited liability company, d/b/a SAFEGUARD FINANCIAL and SAFEGUARD IRA & 401(K) ADVISORS,) ORDER TO CEASE AND DESIST AND ASSESSING CIVIL PENALTIES AND CONSENT TO ENTRY OF ORDER
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Respondent)

WHEREAS, the Director of the Department of Consumer and Business Services for the State of Oregon (the "Director"), acting pursuant to the authority granted by the Oregon Securities Law, Oregon Revised Statutes ("ORS") 59.005 *et seq.*, has conducted an investigation into the securities related activities of IRA WEALTH, LLC, an Oregon limited liability company, d/b/a SAFEGUARD FINANCIAL and SAFEGUARD IRA & 401(K) ADVISORS ("IRA WEALTH");

WHEREAS, the Respondent does not wish to expend additional time or incur additional costs in connection with this matter;

NOW THEREFORE, the Director hereby issues the following Findings of Fact and Conclusions of Law, which the Respondent neither admits nor denies, and Order, to which the Respondent consents, as evidenced by the Consent to Entry of Order attached hereto.

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Division of Finance and Corporate Securities
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387



1 FINDINGS OF FACT

2 The Director FINDS that:

3 1. IRA WEALTH was, at all times material herein, an Oregon limited liability
4 company (Oregon Business Registry #437931-99). Its principal place of business was, at
5 all times material herein, located at 1880 Willamette Falls Drive #220, West Linn,
6 Oregon 97068. Robert Hubbard was, at all times material herein, the sole member of IRA
7 WEALTH.

8 2. IRA WEALTH was not, at all relevant times herein, licensed to sell securities
9 in Oregon.

10 3. IRA WEALTH aided individuals seeking to form and structure so-called “self
11 directed” IRA and 401(k) plans that adhere to pertinent Internal Revenue Service
12 guidelines, including “prohibited transaction” rules.

13 4. True Wholesale Houses, LLC, an Oregon limited liability company
14 unaffiliated with IRA WEALTH, offered and sold real estate paper securities (notes) to
15 members of the public. (Pursuant to ORS 59.015 [15], real estate paper includes any
16 obligation that is secured, or purportedly secured, by an interest in real property. Pursuant
17 to ORS 59.015 [19], real estate paper is included within the definition of a “security.”)

18 5. IRA WEALTH entered into a contractual arrangement with True Wholesale
19 Houses, LLC on December 27, 2011. Under the terms of the contract, IRA WEALTH
20 would receive a sales commission for referring clients for whom it had previously formed
21 and structured a self-directed IRA to True Wholesale Houses, LLC. A commission would
22 be paid only in circumstances under which an IRA WEALTH client invested funds
23 through True Wholesale Houses, LLC.

24 6. At one time, the IRA WEALTH website (IRA123.com) included a description
25 of what it called the Safeguard “Managed Real Estate Investment Program.” This
program consisted of real estate paper securities (notes) issued by True Wholesale

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1 Houses, LLC. Additionally, in one instance the firm’s website described the CEO of IRA
2 WEALTH as a “Sr. Investment Adviser.”

3 7. IRA WEALTH sent e-mail communications to its clients regarding the
4 Safeguard “Managed Real Estate Investment Program.” For example, one e-mail stated
5 “Over the years, many of our clients (both experts and novices) asked us to assist in
6 finding high-yield real estate investments that would eliminate the hassles of finding,
7 buying and managing their own income-producing properties... to meet the need, we
8 designed and implemented a Managed Program with projected annualized returns of 9%
9 to 15%.” IRA WEALTH would communicate with clients who responded with
10 expressions of interest and, in some instances, subsequently referred such clients directly
11 to True Wholesale Houses, LLC.

12 CONCLUSIONS OF LAW

13 The Director CONCLUDES that:

14 8. The notes offered by IRA WEALTH, and issued by True Wholesale Houses,
15 LLC, are, in Oregon, “real estate paper”, as defined in ORS 59.015 (15), and are
16 therefore “securities”, as defined in ORS 59.015 (19) (a).

17 9. The e-mail communications IRA WEALTH sent to its clients constituted an
18 “offer” to sell a security for value, pursuant to ORS 59.015 (13).

19 10. IRA WEALTH offered securities without being properly licensed, in violation
20 of ORS 59.165.

21 ORDER

22 Therefore, the Director ORDERS that:

23 11. IRA WEALTH shall cease and desist from offering or selling securities in
24 violation of the Oregon Securities Law, ORS 59.005 *et seq.*, its accompanying
25 administrative rules, or the terms of this Order.

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CONSENT TO ENTRY OF ORDER

I, Robert Hubbard, consent to the entry of this Order by the Director, and state:

- 1. I have read the foregoing Order and fully understand the contents thereof.
- 2. I have the authority to enter into this Order on behalf of the Respondent.
- 3. I am not consenting to the entry of this Order under force or duress.
- 4. I have been represented by counsel in connection with this matter, and have had the opportunity to discuss the contents of this Order with that attorney.
- 5. The Respondent waives any right it may have to a hearing before an Administrative Law Judge.
- 6. The Respondent will fully comply with the terms of this Order, and understands that the Director reserves the right to take actions needed to enforce this Order, or take other appropriate action upon discover of other violations of the Oregon Securities Law, and accompanying rules, that have not been described in this Order.
- 7. I understand that this Order is, under the provisions of the Oregon Public Records Law, a public document.

/s/ Robert Hubbard
Robert Hubbard

Dated: 12/30/2013

Jaquelynn M. H. Moran
(Printed Name of Notary Public)
Notary Public
for the State of: Oregon

My commission expires: 7/14/16

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