

STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCIAL REGULATION

In the Matter of:

Case No. S-18-0089

HAROLD F. COUGLAR, an Individual,
Respondent.

ORDER TO CEASE AND DESIST,
ORDER DENYING USE OF
EXEMPTIONS, ORDER TO
REFRAIN FROM LICENSE
APPLICATIONS, AND CONSENT
TO ENTRY OF ORDER

The Director of the Department of Consumer and Business Services for the State of Oregon (“Director”), acting in accordance with Oregon Revised Statutes (“ORS”) chapter 59 and Oregon Administrative Rules (“OAR”) chapter 441 (collectively, “the Oregon Securities Law”), has conducted an investigation into the activities of Harold F. Couglar (“Respondent”) and determined that Respondent engaged in violations of the Oregon Securities Law.

Respondent, without admitting or denying the Director’s findings of fact or conclusions of law, wishes to resolve and settle this matter with the Director.

Now, therefore, as evidenced by the signature(s) subscribed on this Order, Respondent hereby CONSENTS to entry of this Order.

FINDINGS OF FACT

The Director FINDS that:

1. On December 14, 2016, Respondent was issued an Oregon investment adviser representative license (“License”). Respondent’s Central Registration Depository (“CRD”) number is 1193367.

2. On May 21, 2018, the Financial Industry Regulatory Authority (“FINRA”) barred Respondent from membership and association with its members. FINRA is a self-

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1 regulatory organization registered under the Securities Exchange Act of 1934.

2 3. FINRA made the following determinations in support of its decision to bar
3 Respondent. Respondent consented to FINRA’s findings and sanction without admitting
4 or denying the findings.

5 A. Respondent had discretionary authority over, and effected securities
6 transactions in, accounts (“Outside Accounts”) which did not belong to the
7 securities firms of which he was a member (“Member Firms”);

8 B. Respondent executed transactions in the Outside Accounts, for which
9 he received compensation as to certain of them;

10 C. Respondent failed to notify his Member Firms about the Outside
11 Accounts and/or securities transactions he effected in them;

12 D. Respondent failed to notify his Member Firms about tax preparation
13 services he provided for individuals who were not customers of the firms, for which
14 he received \$27,255 in compensation; and

15 E. Respondent submitted numerous compliance questionnaires to his
16 Member Firms in which he falsely stated that he:

17 (a) Did not have discretionary authority over any Outside Accounts
18 belonging to non-family members; and

19 (b) Had fully disclosed his outside business interests.

20 4. On or around November 16, 2018, the License was terminated.

21 **CONCLUSIONS OF LAW**

22 The Director CONCLUDES that:

23 5. Because Respondent has been barred from membership in FINRA and
24 association with its members, the Director may take action against his License under ORS
25 59.205(12)(b).

26 6. By reason of the foregoing, the Director may issue an order to Respondent to

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1 cease and desist from violations of the Oregon Securities Law under ORS 59.245(4).

2 7. By reason of the foregoing, the Director may deny Respondent the use of
3 exemptions pursuant to ORS 59.045(2).

4 ORDERS

5 Now therefore, the Director issues the following Orders:

6 8. As authorized by ORS 59.245(4), the Director hereby ORDERS Respondent to
7 CEASE AND DESIST from violating any provision of the Oregon Securities Law.

8 9. As authorized by ORS 59.045(2), the Director hereby DENIES Respondent the
9 use of exemptions that would otherwise be available to him under ORS 59.025 and ORS
10 59.035, concerning securities and transactions exempt from the registration requirements
11 of the Oregon Securities Law.

12 10. Respondent hereby AGREES to permanently REFRAIN from applying for any
13 license governed or regulated by the Oregon Securities Law.

14 11. This Order is a "Final Order" under ORS 183.310(6)(b). Subject to that
15 provision, the entry of this Order does not limit other remedies that are available to the
16 Director under Oregon law.

17 SO ORDERED this 17th day of April _____, 2019.

18 CAMERON C. SMITH, Director
19 Department of Consumer and Business Services

20 /s/ Dorothy Bean
21 Dorothy Bean, Chief of Enforcement
22 Division of Financial Regulation

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CONSENT TO ENTRY OF ORDER

I, Harold F. Couglar, state that I have read the foregoing Order and that I know and fully understand the contents hereof. I have been advised of my right to a hearing and of my right to be represented by counsel in this matter. I neither admit nor deny the Director’s findings of fact or conclusions of law but voluntarily consent to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this Order. I understand that the Director reserves the right to take further actions against me to enforce this Order or to take appropriate action upon discovery of other violations of the Oregon Securities Law by me. I will fully comply with the terms and conditions stated herein.

Signature: /s/ Harold F. Couglar

State of California
County of San Diego

Signed or attested before me on this 10th day of April, 2019
by Harold F. Couglar.

/s/ Kenneth C. Shook
Notary Public

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