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

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

Henry Duval (previously known as Roger Allan Duval),

Respondent.

Order Number: S-23-3690-24-FO01

ENTRY OF FINDINGS OF FACT AND CONCLUSIONS OF LAW AND FINAL ORDER TO CEASE AND DESIST, TO IMPOST A FINE, AND TO CHARGE COSTS

THE STATE OF WASHINGTON TO:

Henry Duval

(previously known as Roger Allan Duval)

On October 8, 2024, the Securities Administrator of the Securities Division of the Department of Financial Institutions ("Securities Division") issued a Statement of Charges and Notice of Intent to Enter Order to Cease and Desist, to Impose a Fine, and to Charge Costs ("Statement of Charges"), Order Number S-23-3690-24-SC01, against Respondent Henry Duval (a/k/a Roger Allan Duval).

The Statement of Charges, together with a Notice of Opportunity to Defend and Opportunity for Hearing, hereinafter referred to as "Notice of Opportunity for Hearing" and an Application for Adjudicative Hearing, hereinafter referred to as "Application for Hearing," were served on Respondent Henry Duval (a/k/a Roger Allan Duval) on October 12, 2024. The Notice of Opportunity for Hearing advised Respondent Henry Duval (a/k/a Roger Allan Duval) that a written application for an administrative hearing on the Statement of Charges must be received within twenty days from the date of receipt of the notice. Respondent Henry Duval (a/k/a Roger Allan Duval) failed to request an administrative hearing within twenty days of receipt of the Statement of Charges and Notice of Opportunity for Hearing, either on the Application for Hearing provided, or otherwise.

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The Securities Administrator therefore will adopt as final the following Findings of Fact and Conclusions of Law as set forth in the Statement of Charges and enter a final order against Respondent Henry Duval (a/k/a Roger Allan Duval) to cease and desist from violations of the Securities Act, and to impose the fine and costs sought in the Statement of Charges. The Securities Administrator makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

Respondent

1. Henry Duval, previously known as Roger Allan Duval ("Duval") (CRD No. 2503718) is a resident of Liberty Lake, Washington. Duval was first employed in the securities industry in approximately 1994 and worked for multiple firms. Between September 2018 and May 2019, Duval was employed with Pruco Securities, LLC ("Pruco Securities") and was registered as a securities salesperson and investment adviser representative. On May 13, 2019, Duval resigned from Pruco Securities. As described below, Duval was later barred from the securities industry. In May 2022, Duval changed his name from Roger Allan Duval to Henry Duval.

2019 DFI Enforcement Action

2. On May 24, 2019, the Securities Division entered a Summary Order to Suspend Registrations and Notice of Intent to Enter an Order to Revoke Registrations, Deny Future Registrations, Impose Fines, and Charge Costs against Duval (Order No. S-19-2683-19-TO01). The Summary Order alleged that between June 2017 and April 2019, Duval made unauthorized withdrawals totaling \$246,400 from three Washington resident brokerage accounts. Duval misappropriated the funds by depositing them into a credit union account under his control. Two of the accounts were held by elderly residents, and one account was owned by a deceased individual who died in 2017. The Summary Order suspended Duval's investment adviser representative and securities salesperson registration.

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3. On December 12, 2019, the Securities Division entered into a Consent Order with Duval. In the Consent Order, Duval agreed to cease and desist from violating the Securities Act of Washington, to the revocation of his securities registrations in Washington, the denial of any future securities registration applications, and to pay a total of \$10,000 in fines and costs.

2020 FINRA Enforcement Action

4. On September 18, 2020, Duval entered into a Letter of Acceptance, Waiver, and Consent (AWC) with the Financial Industry Regulatory Authority (FINRA). According to the AWC, beginning in 2013, Duval convinced three elderly customers to establish and maintain brokerage accounts at a FINRA member firm, away from his employer member firms. From June 2017 through April 2019, Duval used the customers' login credentials to access these accounts and wrote himself checks totaling approximately \$130,000 without their knowledge or authorization. Duval deposited these checks into his personal checking account and then transferred some of these funds into his personal brokerage account. By converting customer funds for his own personal use, Duval violated FINRA Rules 2150(a) (Improper Use of Customers' Securities or Funds) and Rule 2010 (Standards of Commercial Honor and Principles of Trade). In the AWC, Duval was barred from association with any FINRA member in all capacities.

Nature of the Conduct

- 5. On May 13, 2019, Duval resigned from Pruco Securities. As detailed below, after his resignation, Duval received a total of more than \$73,000 from a senior citizen who was a former client (hereinafter "Client 1"). Client 1 is a resident of Spokane, Washington and is presently 79 years old.
- 6. On the day following Duval's resignation (May 14, 2019), Client 1 received a deposit in the amount of \$36,073.39 from another financial firm. This deposit represented proceeds from the sale of securities. The following day (May 15, 2019), Client 1 wrote a check for the same amount (\$36,023.39) to Duval's business, Retirement Base Camp. A few days later, on May 24, 2019, the Securities Division entered

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- a Summary Order against Duval for securities violations, including dishonest and unethical business practices. Duval did not disclose the DFI Summary Order to Client 1 and Client 1 was not aware that Duval's securities license had been suspended. After Client 1's check was deposited into Duval's Retirement Base Camp account, Duval transferred much of the funds to a personal bank account. Between 2019 and 2022, Duval made small payments of a few hundred dollars to Client 1's account. These payments total around \$25,000.
- 7. Between 2020 and 2022, Client 1 received more than \$40,000 in proceeds from the liquidation of a Real Estate Investment Trust (REIT).
- 8. Over this time period, a total of approximately \$37,500 was withdrawn from Client 1's bank account through online banking transactions and deposited into Duval's Retirement Base Camp bank account. Client 1 informed the Securities Division that these withdrawals were made out of her account without her knowledge or authorization. Around the time of these transactions, Duval's Retirement Base Camp account had negative account balances and was subject to overdraft fees.
- 9. In February 2024, the Securities Division sent a subpoena Duval for all records regarding Client 1. In response, Duval sent a letter to the Securities Division that stated that he had no documents of any kind relating to Client 1.

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

CONCLUSIONS OF LAW

1. Henry Duval (a/k/a Roger Allan Duval) as set forth in the Tentative Findings of Fact, violated RCW 21.20.010 because he employed a device, scheme, or artifice to defraud; made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements

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made, in the light of the circumstances under which they are made, not misleading; or engaged in an act, practice, or course of business which operates or would operate as a fraud or deceit upon another person.

Based upon the foregoing and finding it in the public interest:

FINAL ORDER

IT IS ORDERED that the Respondent Henry Duval (a/k/a Roger Allan Duval), his agents and employees each shall cease and desist from violating RCW 21.20.010, the anti-fraud section of the Securities Act of Washington.

IT IS FURTHER ORDERED that the Respondent Henry Duval (a/k/a Roger Allan Duval) shall be liable for and pay a fine in the amount of \$20,000.

IT IS FURTHER ORDERED that the Respondent Henry Duval (a/k/a Roger Allan Duval) shall be liable for and pay costs in the amount of \$3,000.

AUTHORITY AND PROCEDURE

This FINAL ORDER is entered pursuant to the provisions of RCW 21.20.390 and is subject to the provisions of RCW 21.20.440 and Chapter 34.05 RCW. Respondents have the right to petition the superior court for judicial review of this agency action under the provisions of RCW 34.05. For the requirements for Judicial Review, see RCW 34.05.510 and sections following. Pursuant to RCW 21.20.395, a certified copy of this Order may be filed in Superior Court. If so filed, the clerk shall treat the Order in the same manner as a Superior Court judgment as to the fine, and the fine may be recorded, enforced, or satisfied in like manner.

1	WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.					
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3	SIGNED and ENTERED this <u>5th</u>	day of _	<u>November</u>	, 2024.		
4			/s/			
5			William M.	Beatty	_	
6			Securities A	Administrator		
7	Approved by:		Presented b	y:		
8	/s/		/s/			
9	Brian J. Guerard Chief of Enforcement		Robert Kon	drat egal Examiner		
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