

ADMINISTRATIVE PROCEEDING
BEFORE THE
MARYLAND SECURITIES COMMISSIONER

IN THE MATTER OF: *

First Command Financial Planning, Inc. * Docket No. 2013-0105

*

* * * * *

CONSENT ORDER

WHEREAS, pursuant to Section 11-405 of the Maryland Securities Act, Corporations and Associations Article, Title 11, Annotated Code of Maryland (2007 Repl. Vol. and 2012 Supp.) (the "Act"), First Command Financial Planning, Inc. (the "Respondent" or "FCFP") has been notice filed as a federal covered adviser with the Maryland Division of Securities (the "Division") since July 28, 2005; and

WHEREAS, Section 11-101 of the Act defines an investment adviser representative to include an individual who has a place of business located in this State and is employed by or associated with a federal covered adviser, and who renders investment advice to clients; and

WHEREAS, Section 11-402 of the Act provides that an investment adviser representative who has a place of business in this State may not transact business on behalf of a federal covered adviser, unless the investment adviser representative is registered or exempt from the registration requirements; and

WHEREAS, in or about January 1998, K.F. joined FCFP and began working out of a branch office located in Virginia; and

WHEREAS, in or about December 2005, K.F. relocated her place of business from Virginia to a branch office located in Maryland; and

WHEREAS, in or about February 2006, K.F. became registered with the Division as an investment adviser representative and began providing investment advisory services to clients; and

WHEREAS, in October 2006, K.F.'s investment adviser representative registration with the Division was terminated but, despite that termination, K.F. continued to offer and provide investment advisory services from her Maryland office; and

WHEREAS, in May 2012, the Division inquired into K.F.'s advisory activities in Maryland at which time FCFP informed the Division of K.F.'s unregistered advisory activities; and

WHEREAS, at the Division's request that FCFP conduct an internal review of its registration records, FCFP further informed the Division of the unregistered activities of two additional investment adviser representatives who maintained places of business in Maryland; and

WHEREAS, FCFP has represented to the Division that, after conducting its internal review, it has found no other incidents of unregistered activities; and

WHEREAS, the previously unregistered investment adviser representatives are now registered with the Division, with the exception of one individual who ended his association with FCFP in 2008; and

WHEREAS, FCFP has further represented to the Division that the compliance software program that it uses to prevent or detect unregistered agent activities has been upgraded to detect and prevent the unregistered advisory activities underlying this Order; and

WHEREAS, the Commissioner has determined that it is in the public interest to enter into this Consent Order; and

WHEREAS, Respondent consents to the actions set forth below.

NOW, THEREFORE, it is ordered that:

1. Respondent, contemporaneous with the issuance of this Consent Order, shall pay a \$5,000 fine to the Division.
2. Respondent shall follow the procedures provided to the Division (or as modified or amended pursuant to regulatory or other legal requirements) in connection with this matter, which procedures are incorporated by reference herein.
3. Respondent shall in all future activities in Maryland comply fully with the Act and the rules and regulations promulgated thereunder.

If the Respondent fails to comply with any term of this Consent Order, the Division may institute administrative or judicial proceedings against Respondent to enforce this Consent Order or to sanction the Respondent for violating an order of the Commissioner, and may take any other action authorized under the Act or any other applicable law. Solely for the purposes of determining those sanctions, the facts and the violations of the Act set forth in this Consent Order shall be deemed admitted and may be introduced into evidence against the Respondent by the Division.

The terms of this Consent Order may only be modified by a subsequent order issued by the Commissioner.

DATE OF THIS ORDER:

November 1, 2013

SO ORDERED:

**Commissioner's Signature is
on File with Original Document**

Melanie Senter Lubin
Securities Commissioner

CONSENTED TO:

First Command Financial Planning, Inc.

BY: _____ /S/
Name

Title

On this 18th day of October, 2013, personally appeared _____, signer of the foregoing Consent Order, who did duly acknowledge his/her signature to be his/her free act and deed.

_____/S/_____
Notary Public
My Commission Expires: _____
Seal: