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

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

Trivista Development Corporation;
Trivista Financial Services, LLC; Dennis
Ziegler; Roger Dennis Kimble; Chuck
Methvin; and Michael Ward,

Respondents.

Order Number S-05-152-06-FO01

ENTRY OF FINDINGS OF FACT AND
CONCLUSIONS OF LAW AND FINAL ORDER
TO CEASE AND DESIST, IMPOSE FINES, AND
CHARGE COSTS AS TO DENNIS ZIEGLER

THE STATE OF WASHINGTON TO: Dennis Ziegler

On February 7, 2006, the Securities Administrator of the State of Washington issued Statement of Charges and Notice of Intent to Enter an Order to Cease and Desist, Impose Fines, and Charge Costs, Order number S-05-125-06-SC01, hereinafter referred to as "Statement of Charges," against Trivista Development Corporation, Trivista Financial Services, LLC, Dennis Ziegler, Roger Dennis Kimble, Chuck Methvin, and Michael Ward.

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 Dennis Ziegler on February 13, 2006 via certified mail. The Notice of Opportunity for Hearing advised Dennis Ziegler 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. Dennis Ziegler failed to request an administrative hearing within

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ENTRY OF FINDINGS OF FACT AND CONCLUSIONS OF LAW AND FINAL ORDER TO CEASE AND DESIST, IMPOSE FINES, AND CHARGE COSTS AS TO DENNIS ZIEGLER

DEPARTMENT OF FINANCIAL INSTITUTIONS
Securities Division
PO Box 9033
Olympia, WA 98507-9033
360-902-8760

1 twenty days of receipt of the Statement of Charges and Notice of Opportunity for Hearing, either on the
2 Application for Hearing provided or otherwise.

3 The Securities Administrator therefore will adopt as final the findings of fact and conclusions of law as
4 set forth in the Statement of Charges.

5
6 The Securities Administrator makes the following findings of fact and conclusions of law:

7
8 **FINDINGS OF FACT**

9 **RESPONDENTS**

10 1. Trivista Development Corporation (“Trivista Development”) is a California corporation
11 with its principal place of business at 14225 Ventura Blvd, 2nd Floor, Sherman Oaks, CA 91423 and a
12 Nevada corporation with its principal place of business at 401 Paradise Pkwy #50, Mesquite, NV 89027.
13 Trivista Development is a real estate development company that was developing time-share condos at a
14 golf course called “The Masters” at Paradise Canyon Resort in Mesquite, Clark County, Nevada.

15 2. Trivista Financial Services, LLC (“Trivista Financial”) is a Nevada limited liability
16 company with its principal place of business at 401 Paradise Pkwy #50, Mesquite, NV 89027. The
17 members of Trivista Financial are Trivista Corporation and Trivista Management Group LLC.

18 3. Dennis Ziegler (“Ziegler”) is the registered agent for all of the Trivista entities and an
19 officer of Trivista Development (both the California and Nevada corporations) and Trivista Corporation,
20 and a member of Trivista Management Group, LLC. In 2001, Ziegler, a licensed California attorney,
21 was convicted for possession of a controlled substance, which led to his being placed on interim
22 suspension with the State Bar of California. In 2002, Ziegler was suspended for three years from the

1 State Bar of California after stipulating that he commingled personal funds in this clients' trust account,
2 used client funds to pay personal and business expenses, wrote 65 checks with insufficient funds, and
3 misappropriated client funds.

4 4. Roger Dennis Kimble ("Kimble") is an officer or member of all of the Trivista entities,
5 including president of Trivista Development and Trivista Corporation, as well as a member of Trivista
6 Management Group, LLC.

7 5. Chuck Methvin ("Methvin"), formerly of Battleground, WA, acted as an agent for the
8 Trivista entities.

9 6. Mike Ward ("Ward"), of St. Helens, OR, acted as an agent for the Trivista entities.

10 OTHER ENTITIES

11 7. Other entities involved with the real estate development of time share condos at a golf
12 course called "The Masters" at Paradise Canyon Resort in Mesquite, Clark County, Nevada were The
13 Classics At Paradise Canyon Resort Owners Association, Inc., Trivista Management Group, LLC,
14 Trivista Resorts, LLC, TWC Development Partners, LLC, Cascade Villas, LLC, and Trivista Corporation
15 (the "Trivista entities"). Each of these entities was apparently operated and/or owned by Kimble and
16 Ziegler as officers or members and was doing business at 401 Paradise Pkwy #50, Mesquite, NV 89027.

17 NATURE OF THE OFFERING

18 8. Beginning in at least mid-2002, Methvin offered and sold a security in the form of a loan
19 agreement to one Washington resident after the Washington resident was introduced to Methvin and
20 Ward by a mutual friend who was familiar with the Trivista investment. On or about May 15, 2002, the
21 Washington resident, after refinancing her home to make the investment, entered into the loan agreement
22 for \$160,000 with Trivista Development. The agreement included an option to renew at the one year

1 maturity date. Trivista Development agreed to pay the Washington resident two and one-half percent
2 interest per month (a 30% annual return) on the \$160,000 investment.

3 9. The Washington resident received \$4,000 in monthly interest payments from June 2002
4 through May of 2003. The Washington resident then renewed the loan agreement and received sporadic
5 payments from July 2003 until January 2004 for a total of \$20,000. No additional interest payments were
6 made and the principal was not returned upon maturity in May 2004.

7 10. The Washington resident was also offered and sold a promissory note by Ward. On or
8 about April 8, 2003, the Washington resident invested \$9,634.00 of her IRA in a Trivista Financial
9 promissory note. The promissory note was guaranteed by Trivista Corporation to pay the original
10 principal and 13% interest in one payment upon maturity on April 14, 2004, however, no payment has
11 been made on this investment to date.

12 11. Ziegler and Kimble, as officers of the relevant Trivista entities, both signed the loan
13 agreement and promissory note for the Washington resident.

14 12. In approximately mid-2002, Methvin offered and sold an investment opportunity in Trivista
15 Development to a second Washington resident. The second Washington resident, after refinancing his
16 home to make the investment, invested approximately \$180,000 with Trivista Development. The
17 investment was to pay interest on a quarterly basis for two years.

18 13. Methvin and Ward were paid commissions for the funds raised on behalf of Trivista
19 entities.

20 MISREPRESENTATIONS AND OMISSIONS

21 14. Respondents failed to disclose material information about the investment opportunities
22 described above, including, but not limited to, the risks associated with the investment, the financial

1 statements for Trivista Development and Trivista Financial, and Ziegler's dismissed criminal conviction
2 and administrative proceedings that resulted in his three year suspension from the State Bar of California.

3 REGISTRATIONS

4 15. Trivista Development and Trivista Financial are not currently registered to offer or sell their
5 securities in the state of Washington and have not previously been so registered.

6 16. Methvin is not currently registered as a securities salesperson or broker-dealer in the state
7 of Washington and has not previously been so registered.

8 17. Ward is not currently registered as a securities salesperson or broker-dealer in the state of
9 Washington. Ward was registered as a securities salesperson with a limited license to offer and sell
10 mutual funds and variable contract products in Washington from March 13, 1995 to December 15, 2000.

11
12 Based upon the above Findings of Fact, the following Conclusions of Law are made:

14 CONCLUSIONS OF LAW

15 1. The offer or sale of the investment opportunities described above constitute the offer or sale
16 of a security as defined in RCW 21.20.005(10) and (12).

17 2. The offer or sale of said securities is in violation of RCW 21.20.140 because no registration
18 for such offer or sale is on file with the Securities Administrator.

19 3. Chuck Methvin and Michael Ward have violated RCW 21.20.040 by offering or selling
20 said securities while not registered as a securities salesperson or broker-dealer in the state of Washington.

21 4. The offer or sale of said securities was made in violation of RCW 21.20.010 because as set
22 forth in the Tentative Findings of Fact, Respondents omitted to state material facts necessary in order to

1 make the statements made, in the light of the circumstances under which they were made, not misleading.

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3 **FINAL ORDER**

4 It is hereby ORDERED that the Respondent, Dennis Ziegler, cease and desist from offering and/or
5 selling securities in any manner in violation of RCW 21.20.140, the section of the Securities Act of
6 Washington requiring registration.

7 It is further ORDERED that Dennis Ziegler cease and desist from violation of RCW 21.20.040, the
8 broker-dealer and securities salesperson registration section of the Securities Act.

9 It is further ORDERED that Dennis Ziegler cease and desist from violation of RCW 21.20.010, the
10 anti-fraud section of the Securities Act.

11 It is further ORDERED that Dennis Ziegler shall be subject to a fine in the amount of \$10,000.

12 It is further ORDERED that Dennis Ziegler shall pay costs incurred in the conduct of the
13 administrative investigation in the amount of \$1,000.

14 **AUTHORITY AND PROCEDURE**

15 This Final Order is entered pursuant to the provisions of RCW 21.20.110 and 21.20.390, and is
16 subject to the provisions of RCW 21.20.120 and Chapter 34.05 RCW. Respondents have the right to
17 petition the superior court for judicial review of this agency action under the provisions of chapter 34.05
18 RCW. For the requirements for filing a Petition for Judicial Review, see RCW 34.050.510 and sections
19 following. Pursuant to 21.20.395, a certified copy of this order may be filed in Superior Court. If so
20 filed, the clerk shall treat the order in the same manner as a Superior Court judgment as to the fine and
21 costs, and the fine and costs may be recorded, enforced, or satisfied in like manner.

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23 ENTRY OF FINDINGS OF FACT AND CONCLUSIONS 6
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1 **WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.**

2 DATED this 8th day of March, 2006.

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5 _____
6 MICHAEL E. STEVENSON
7 Securities Administrator

8 Approved by:

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10 _____
11 Martin Cordell
12 Chief of Enforcement

13 Presented by:

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16 Dylan Waits
17 Financial Legal Examiner

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