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**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:

SHAWN E. STOLLER; FA MONITORS,
INC.,

Respondents.

S-09-193-09-TO01

SUMMARY ORDER SUSPENDING
INVESTMENT ADVISER AND INVESTMENT
ADVISED REPRESENTATIVE
REGISTRATION AND NOTICE OF INTENT
TO REVOKE REGISTRATION AND ORDER
TO CEASE AND DESIST

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THE STATE OF WASHINGTON TO:

Shawn E. Stoller (CRD #5488086)
FA Monitors, Inc. (CRD #146407)

STATEMENT OF CHARGES

Please take notice that the Securities Administrator of the State of Washington has reason to believe that Respondent Shawn E. Stoller has engaged in dishonest and unethical practices in the securities business while employed as an investment adviser representative for FA Monitors, Inc., an investment adviser solely owned by Shawn E. Stoller, and that those practices justify the suspension and/or revocation of Shawn E. Stoller's investment adviser representative registration and FA Monitors, Inc.'s investment adviser registration pursuant to RCW 21.20.110(1)(g). The Securities Administrator further has reason to believe that Respondent Shawn E. Stoller has violated the Securities Act of Washington, and that his violations justify the entry of an order of the Securities Administrator under RCW 21.20.390 to cease and desist from such violations.

SUMMARY ORDER SUSPENDING
INVESTMENT ADVISER AND INVESTMENT
ADVISED REPRESENTATIVE REGISTRATION
AND NOTICE OF INTENT TO REVOKE
REGISTRATION AND ORDER TO CEASE AND
DESIST

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

1 The Securities Administrator finds that delay in suspending and/or revoking Respondents' registrations
2 would be hazardous to the public interest and is necessary or appropriate for the protection of investors and
3 that a Summary Order should be entered immediately. The Securities Administrator finds as follows:

4 **TENTATIVE FINDINGS OF FACT**

5 Respondents

6 1. Shawn E. Stoller ("Stoller") is an individual with a last known residence in Renton,
7 Washington. Stoller is a Certified Public Accountant with Stoller and Company in Bellevue,
8 Washington. In addition, Stoller has been registered with the Washington State Securities Division as an
9 investment adviser representative with FA Monitors, Inc. since October 2, 2008. Stoller is the sole
10 owner and president of FA Monitors, Inc.

11 2. FA Monitors, Inc. ("FA Monitors"), a Washington corporation located in Bellevue,
12 Washington, was formed on January 23, 2008. FA Monitors has been registered as an investment
13 adviser with the Washington State Securities Division since October 2, 2008. Shawn E. Stoller is the
14 sole owner and president of FA Monitors.

15 Nature of the Conduct

16 3. Shawn E. Stoller, through his business as a Certified Public Accountant and investment
17 adviser, prepared tax returns and handled investments and other financial matters for an elderly husband
18 and wife in Washington. The husband and wife (collectively "Clients") were 88 and 86 years old. The
19 husband had been diagnosed with the early stages of dementia. The Clients had no children. Stoller
20 visited the Clients' home almost every day.

1 4. In or around March 2009, Stoller told the Clients about a three-year investment which would
2 pay 3.5% interest. He described this as a business investment. He failed to provide any written details
3 about the investment.

4 5. Stoller requested that payment for the investment be made in a particular manner. Stoller
5 instructed the wife to write a check for \$800,000 to her husband from their Charles Schwab account.
6 Stoller then instructed the husband to endorse the check and provide it to Stoller.

7 6. On March 31, 2009, the Clients wrote and endorsed an \$800,000 check as instructed, and
8 provided the check to Stoller. They did not understand why Stoller asked them to pay for the investment
9 in this manner.

10 7. Stoller deposited the check in the Clients' bank account at Boeing Employees Credit Union
11 ("BECU"). Stoller purchased \$150,000 of certificates of deposit for the Clients' BECU account. Stoller
12 then transferred \$650,000 from the Clients' BECU account to his personal bank account at Banner Bank
13 on April 6 2009.

14 8. On April 7, 2009, Stoller wire transferred \$441,977.38 from his Banner Bank account to First
15 Horizon Home. Stoller used the funds to pay off his mortgage.

16 9. After making the investment with Stoller, the Clients repeatedly requested written
17 documentation of their investment. On June 1, 2009, Stoller provided a document by fax. The
18 document stated that the Clients had loaned \$650,000 to Stoller for a term of 360 months. The
19 document appeared to be signed by the Clients and Stoller. The Clients did not recall signing the
20 document, and did not recall agreeing to loan their money to Stoller. The Clients believed they were
21 making a three-year investment, not a 30-year loan.

1 3. Shawn E. Stoller, as described above, engaged in one or more dishonest or unethical practices
2 in the investment adviser business, as defined by WAC 460-24A-220, by obtaining funds from his elderly
3 clients under false pretenses and converting the funds for his personal use. Such practices are grounds for
4 the suspension or revocation of Stoller's investment adviser representative registration pursuant to
5 RCW 21.20.110(1)(g).

6 4. Under WAC 460-24A-220(6), it is a dishonest or unethical practice in the investment adviser
7 business to borrow money from a client unless the client is a broker-dealer, an affiliate of the investment
8 adviser, or a financial institution engaged in the business of loaning funds. Therefore, even if the
9 investment transaction described above was a loan, Shawn E. Stoller engaged in one or more dishonest
10 or unethical practices in the investment adviser business, as defined by WAC 460-24A-220(6), by
11 borrowing money from a client. Such practice is an independent ground for the suspension or revocation
12 of Stoller's investment adviser representative registration pursuant to RCW 21.20.110(1)(g).

13 5. The dishonest or unethical practices of the officer of an investment adviser are grounds for the
14 suspension or revocation the investment adviser's registration pursuant to RCW 21.20.110(1)(g).
15 Shawn E. Stoller, the president of investment adviser FA Monitors, Inc., engaged in dishonest or
16 unethical acts in the investment adviser business by obtaining funds from his elderly clients under false
17 pretenses and converting the funds for his personal use. Such practices are grounds for the suspension or
18 revocation of FA Monitor's investment adviser registration pursuant to RCW 21.20.110(1)(g).

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1 **SUMMARY ORDER**

2 Based upon the foregoing and finding it in the public interest,

3 NOW, THEREFORE, IT IS HEREBY SUMMARILY ORDERED that the investment adviser
4 representative registration of Shawn E. Stoller, be, and hereby is, summarily suspended pending a final
5 determination in this proceeding.

6 NOW, THEREFORE, IT IS HEREBY SUMMARILY ORDERED that the investment adviser
7 registration of FA Monitors, Inc., be, and hereby is, summarily suspended pending a final
8 determination in this proceeding.

9 **NOTICE OF INTENT TO REVOKE REGISTRATION**

10 Pursuant to RCW 21.20.110(1), and based upon the above Tentative Findings of Fact and
11 Conclusions of Law, the Securities Administrator intends to order that the investment adviser
12 representative registration of Shawn E. Stoller, and the investment adviser registration of FA Monitors,
13 Inc. be revoked.

14 **NOTICE OF INTENT TO ENTER ORDER TO CEASE AND DESIST**

15 Pursuant to RCW 21.20.390(1), and based on the above Tentative Findings of Fact and
16 Conclusions of Law, the Securities Administrator intends to order that Shawn E. Stoller, and his agents
17 and employees, shall cease and desist from violations of RCW 21.20.010.
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AUTHORITY AND PROCEDURE

This Summary Order and Statement of Charges is entered pursuant to the provisions of RCW 21.20.110 and RCW 21.20.390 and is subject to the provisions of RCW 21.20.120 and RCW 34.05. The Respondents may make a written request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this order. If a Respondent does not request a hearing in this matter, the Securities Administrator intends to adopt the foregoing Tentative Findings of Fact and Conclusions of Law as final as to that Respondent, and as described above in the Notice of Intent to Revoke Registration, enter an order revoking that Respondent's registration.

DATED AND ENTERED this 2nd day of July, 2009.



MICHAEL E. STEVENSON
Securities Administrator

Approved by:



SUZANNE SARASON
Chief of Enforcement

Presented by:



JILL VALLELY
Enforcement Attorney