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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:

John C. Brandy d/b/a Open Mind Generations;

Respondent

Order No. S-19-2805-22-FO01

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

THE STATE OF WASHINGTON TO:

John C. Brandy, CRD No. 4887385

On December 9, 2021, the Securities Administrator of the State of Washington issued Statement of Charges and Notice of Intent to Enter Order to Cease and Desist, to Impose a Fine, to Charge Costs, and to Deny Registrations, Order No. S-19-2805-21-SC01 (the "Statement of Charges"). The Statement of Charges, together with a Notice of Opportunity for Hearing ("Notice") and an Application for Adjudicative Hearing ("Application"), were served on Respondent John C. Brandy on January 26, 2022. The Notice advised Respondent John C. Brandy that the Application must be received within twenty days from the date of receipt of the Notice. Respondent John C. Brandy failed to request an administrative hearing within twenty days of receipt of the Notice.

The Securities Administrator therefore adopts as final the following Findings of Fact and Conclusions of Law as set forth in the Statement of Charges and enters a final order against Respondent John C. Brandy to cease and desist from violations of the Securities Act of Washington, to impose a \$5,000 fine, to charge \$1,000 in costs, and to deny any investment adviser or investment adviser representative registration that Respondent John C. Brandy may seek in the future.

1 **FINDINGS OF FACT**

2 **Respondent**

3 1. John C. Brandy d/b/a Open Mind Generations (“Brandy”) is a resident of Placerville,
4 California. Prior to living in California, Brandy was a resident of Mill Creek, Washington. Brandy’s Central
5 Registration Depository number is 4887385.

6 2. Between February 2005 and January 2014, Brandy was registered with the Securities Division
7 as a securities salesperson of Edward Jones. Between February 2007 and January 2014, Brandy was registered
8 as an investment adviser representative of Edward Jones. In January 2014, Edward Jones terminated Brandy
9 for providing inaccurate information during a compliance investigation of an unannounced and unauthorized
10 document shredding event that Brandy promoted to the public.

11 3. Between February 2014 and May 2014, Brandy was registered with the Securities Division as
12 an investment adviser representative of Columbia River Advisors. Brandy resigned from the firm in May
13 2014 after forwarding nonpublic, personal client information to his unsecure, personal email system. Between
14 May 2014 and September 2015, Brandy was registered with the Securities Division as a securities salesperson
15 and investment adviser representative of Conover Securities Corporation. In September 2015, the firm
16 terminated Brandy for having an undisclosed, unapproved outside business related to financial planning.

17 **Nature of the Conduct**

18 *John Brandy Provided Investment Advisory Services for Compensation*

19 4. Beginning no later than October 2015 and as recently as February 2020, Brandy provided
20 finance-related services to at least five Washington residents. These clients did not receive the services over
21 that entire period. However, each of the five clients received these services for at least two years cumulatively.

1 **CONCLUSIONS OF LAW**

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

3 1. John C. Brandy d/b/a Open Mind Generations acted as an investment adviser, as defined at
4 RCW 21.20.005(8) by providing the services described above for compensation. By doing so while not
5 registered as an investment adviser in the State of Washington, John C. Brandy d/b/a Open Mind Generations
6 has violated RCW 21.20.040(3).

7 2. John C. Brandy d/b/a Open Mind Generations’ failure to remove all references to the Certified
8 Financial Educator designation from the website once he no longer held that designation constitutes a
9 dishonest or unethical business practice as defined at WAC 460-24A-220(22), and prohibited by RCW
10 21.20.020. This violation constitutes grounds to deny any investment adviser or investment adviser
11 representative registrations that John C. Brandy d/b/a Open Mind Generations may seek in the future.

12 3. These violations constitute grounds for entry of an order, pursuant to RCW 21.20.390, to cease
13 and desist, and to charge costs, and, pursuant to RCW 21.20.395, to impose a fine.

14 **FINAL ORDER**

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

16 IT IS HEREBY ORDERED that Respondent John C. Brandy d/b/a Open Mind Generations, and his
17 agents and employees, shall each cease and desist from violations of RCW 21.20.020 and RCW 21.20.040.

18 IT IS FURTHER ORDERED that Respondent John C. Brandy d/b/a Open Mind Generations shall be
19 liable for and pay a fine in the amount of \$5,000.

20 IT IS FURTHER ORDERED that Respondent John C. Brandy d/b/a Open Mind Generations shall be
21 liable for and pay costs in the amount of \$1,000.

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IT IS FURTHER ORDERED that the Securities Administrator will deny any application for registration as an investment adviser, or investment adviser representative, that Respondent John C. Brandy d/b/a Open Mind Generations may file in the future.

AUTHORITY AND PROCEDURE

This FINAL ORDER is entered pursuant to RCW 21.20.390 and is subject to Chapter 34.05 RCW. Respondent has the right to petition the superior court for judicial review of this agency action under Part V of Chapter 34.05 RCW. Pursuant to RCW 21.20.395(4), a certified copy of this Final Order may be filed in superior court. If so filed, the clerk shall treat the Final 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.

WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

SIGNED and ENTERED this 11th day of March, 2022.



William M. Beatty
Securities Administrator

Approved by:

Presented by:



Brian J. Guerard
Chief of Enforcement



Edward R. Thunen
Financial Legal Examiner