

1 **STATE OF WASHINGTON**
2 **DEPARTMENT OF FINANCIAL INSTITUTIONS**
3 **SECURITIES DIVISION**

4 IN THE MATTER OF DETERMINING
5 Whether there has been a violation of the
6 Securities Act of Washington by:

7 New Vision Properties, LLC;
8 Jimi T. Ward;

9 Respondents.

Order No. S-20-3048-21-FO01

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

10 THE STATE OF WASHINGTON TO:

New Vision Properties, LLC
Jimi Terrell Ward

11 **STATEMENT OF CHARGES**

12 On January 28, 2021, the Securities Administrator of the state of Washington issued Statement of
13 Charges and Notice of Intent to Enter Order to Cease and Desist, To Impose Fines, and to Charge Costs,
14 Order No. S-20-3048-21-SC01 (“Statement of Charges”). The Statement of Charges, together with a Notice
15 of Opportunity for Hearing (“Notice”) and an Application for Adjudicative Hearing (“Application”), were
16 served on Respondents New Vision Properties, LLC and Jimi T. Ward on February 8, 2021. The Notice
17 advised Respondents New Vision Properties, LLC and Jimi T. Ward that the Application must be received
18 within twenty days from the date of service. Respondents New Vision Properties, LLC and Jimi T. Ward
19 failed to request an administrative hearing within twenty days of service.

20 The Securities Administrator therefore adopts as final the following Findings of Fact and
21 Conclusions of law as set forth in the Statement of Charges and enters a final order against Respondents
22 New Vision Properties, LLC and Jimi T. Ward to cease and desist from violations of the Securities Act, and
23 to impose the fines and costs sought in the Statement of Charges.

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FINAL ORDER

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

1 **FINDINGS OF FACT**

2 **Respondents**

3 1. New Vision Properties, LLC was a Washington limited liability company formed on February
4 9, 2018. New Vision Properties, LLC used a business address in Walla Walla, Washington and was in the
5 business of buying, rehabilitating, and reselling residential properties. In January 2020, New Vision
6 Properties, LLC filed a voluntary bankruptcy petition under Chapter 11. In April 2020, the United States
7 Trustee filed a motion to dismiss the case and it was later dismissed in July 2020. New Vision Properties,
8 LLC was administratively dissolved on July 3, 2020.

9 2. Jimi Terrell Ward (“Ward”) was the CEO, owner, and Manager of New Vision Properties,
10 LLC. During the relevant time period, Ward resided in Walla Walla, Washington. In December 2014,
11 Ward was sentenced in the United States District Court for the Southern District of Ohio to 36 months
12 imprisonment after pleading guilty to one count of conspiracy to possess with the intent to distribute 1,000
13 or more kilograms of marijuana. Ward was also fined \$5,000 and sentenced to five years of supervised
14 release. Ward was released from prison in approximately December 2017, and was on supervised release
15 by the United States Probation Office until October 2020.

16 **Nature of the Conduct**

17 *Overview*

18 3. Between 2018 and 2019, Ward raised a total of approximately \$100,000 from two investors
19 for his business, New Vision Properties. Ward told investors that he would use investor funds to renovate
20 and “flip” houses, which would enable them to earn large returns on their investments. Both investors were
21 passive and relied on Ward to generate a return on their investments. Ward did not provide investors with
22 a written disclosure document containing material information regarding New Vision Properties, its
23 financial condition, or the history of its operations. Ward failed to provide the investors with any financial

1 statements or any written disclosure regarding the general and specific risks of the investments. Ward failed
2 to disclose his prior felony conviction or that fact that he was subject to supervision by the United States
3 Probation Office. Each investor provided Ward with a credit card that he later used for thousands of dollars
4 in unauthorized charges.

5 *Oregon Investor*

6 4. In 2017, Ward was released from federal prison into a halfway house. Within a few months,
7 a senior citizen residing in Portland, Oregon (the “Oregon investor”) invested \$60,000 with Ward, using
8 proceeds from the sale of a property that she owned. These funds constituted a substantial portion of the
9 investor’s life savings.

10 5. The Oregon investor initially became in contact with Ward after calling a used car lot in Walla
11 Walla where Ward was working at the time. Ward told the Oregon investor that he had a business named
12 New Vision that flipped houses and that she could invest in his company and earn large profits. Ward said
13 that he previously flipped houses in Ohio, but did not disclose detailed information regarding his prior
14 experience or track record in flipping houses.

15 6. In April 2018, Ward came to the investor’s home in Oregon. Ward represented that if the
16 investor invested \$60,000, she would be paid \$6,000 per month and could get her investment funds back at
17 any time. The investor provided a \$60,000 check that was made out to Ward. The word “Investment” is
18 written on the memo line of the check. Ward failed to provide the Oregon investor with a written agreement
19 containing the material terms of the investment, or any written disclosure regarding the risks of the
20 investment. Ward told the Oregon investor that he would use her funds to purchase and renovate a specific
21 home in Walla Walla. Ward represented that he had other investors, but did not disclose any other
22 information, such as the amount and terms of their investments. Ward did not provide any financial
23

1 statements for New Vision Properties and he did not disclose the risks of investing in newly formed business
2 with little or no operating history.

3 7. A few days after receiving the Oregon investor's check, New Vision Properties purchased a
4 home in Walla Walla for approximately \$196,000. A few months later, Ward made small payments to the
5 Oregon investor that totaled about \$13,500. In November 2018, New Vision Properties sold the Walla
6 Walla home for approximately \$279,000. Ward told the Oregon investor that he would repay her using the
7 proceeds from another property, but failed to do so. Ward provided the Oregon investor with at least five
8 checks that were returned for insufficient funds, including a check for \$87,000 and a check for \$60,000.

9 8. Around the time of her investment, Ward convinced the Oregon investor to provide him with
10 one of her credit cards. Between approximately May and July 2018, Ward used the credit card for numerous
11 unauthorized transactions, including thousands of dollars in payments to his business, New Vision
12 Properties, and a \$2,500 payment to a pawn shop in Ohio.

13 *Washington Investor*

14 9. In April 2019, Ward sold a \$40,000 investment to a resident of Walla Walla (the "Washington
15 investor"). A few weeks earlier, in February 2019, Ward came to the investor's architectural business in
16 Walla Walla and she began providing architectural services to Ward and New Vision Properties. Ward met
17 with Washington investor and he offered her an investment opportunity relating to a home in Walla Walla
18 that was purchased by New Vision Properties in March 2019 for approximately \$256,500. Ward
19 represented that he was raising funds to renovate the home, and that he would resell it a few months later
20 at a profit.

21 10. Ward represented to the Washington investor that he would secure her promissory note by
22 recording a deed of trust against the property. Ward failed to disclose that he already recorded a deed of
23 trust against the property to secure a \$210,000 promissory note that was issued by New Vision Properties

1 in February 2019. Ward failed to record any deed of trust to secure the Washington investor's promissory
2 note.

3 11. Ward made misleading statements concerning his track record and experience. Ward told the
4 Washington investor that he had other investors and that he had been flipping homes for years. Ward
5 showed the Washington investor photos of other homes that he had successful renovated, including a home
6 in Walla Walla. Ward failed to disclose material information regarding the investment that he sold to the
7 Oregon investor in April 2018. Ward failed to disclose that he did not fully repay the Oregon investor after
8 selling the home in Walla Walla that was the subject of her investment. Ward did not disclose that he had
9 written multiple checks to the Oregon investor that were returned for insufficient funds.

10 12. Ward and New Vision Properties issued a promissory note to the Washington investor for a
11 \$40,000 investment. The promissory note represented that New Vision Properties would repay the investor
12 \$55,000 in six months and that the investor would receive a minimum profit of \$15,000. Ward signed the
13 note in his individual capacity and as the manager of New Vision Properties. Ward provided the investor
14 with wire instructions for a bank account in the name of New Vision Properties. The investor took out a
15 loan and paid \$20,000 to New Vision Properties. Ward represented that the investor's funds would be used
16 for the wages of his employees and contractors.

17 13. In connection with the promissory note, the Washington investor provided Ward with a
18 business credit card. The Washington investor authorized Ward to use the credit card to purchase up to
19 \$20,000 in building materials, which were to be used to renovate the home in Walla Walla. The Washington
20 investor later determined that Ward used the credit card for unauthorized personal expenses unrelated to
21 the investment, including more than \$600 in charges at a pawn shop in Ohio.

1 14. The Washington investor has not been repaid. In addition to her investment losses, the
2 Washington investor is also owed thousands of dollars for unpaid architectural services that her business
3 provided to Ward and New Vision Properties.

4 **Registration Status**

5 15. New Vision Properties, LLC is not currently registered to sell its securities in the state of
6 Washington and has not previously been so registered, nor has it filed a claim of exemption from
7 registration.

8 16. Jimi T. Ward is not currently registered as a securities salesperson or broker-dealer in the state
9 of Washington and has not previously been so registered.

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

11 **CONCLUSIONS OF LAW**

12 1. The offer and/or sale of the investments described above constitutes the offer and/or sale of a
13 security as defined in RCW 21.20.005(14) and (17).

14 2. New Vision Properties, LLC and Jimi T. Ward violated RCW 21.20.140 by offering and/or
15 selling securities for which no registration is on file with the Securities Administrator.

16 3. Jimi T. Ward violated RCW 21.20.040 by offering and/or selling said securities while not
17 being registered as a securities salesperson or broker-dealer in the state of Washington.

18 4. New Vision Properties, LLC and Jimi T. Ward violated RCW 21.20.010 by making untrue
19 statements of material fact or omitting to state material facts necessary to make the statements made, in
20 light of the circumstances in which they were made, not misleading.

21
22 Based upon the foregoing and finding it in the public interest:
23

1 **FINAL ORDER**

2 IT IS HEREBY ORDERED that Respondents New Vision Properties, LLC and Jimi T. Ward, and
3 their agents and employees, shall each cease and desist from offering and/or selling securities in any manner
4 in violation of RCW 21.20.140, the securities registration section of the Securities Act of Washington.

5 IT IS FURTHER ORDERED that Respondent Jimi T. Ward and his agents and employees, shall each
6 cease and desist from offering and/or selling securities in any manner in violation of RCW 21.20.040, the
7 registration section of the Securities Act of Washington.

8 IT IS FURTHER ORDERED that Respondents New Vision Properties, LLC and Jimi T. Ward, and
9 their agents and employees, shall each cease and desist from violating RCW 21.20.010, the anti-fraud
10 section of the Securities Act of Washington.

11 IT IS FURTHER ORDERED that Respondent New Vision Properties, LLC shall be liable for a fine
12 of \$10,000.

13 IT IS FURTHER ORDERED that Respondent Jimi T. Ward shall be liable for a fine of \$10,000.

14 IT IS FURTHER ORDERED that Respondents New Vision Properties, LLC and Jimi T. Ward shall
15 be liable for and pay costs in the amount of \$2,500.

16 **AUTHORITY AND PROCEDURE**

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

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2 **WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.**

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4 SIGNED and ENTERED this 3rd day of March, 2021.

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8 _____
9 William M. Beatty
10 Securities Administrator

11 Approved by:

11 Presented by:

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15 _____
16 Suzanne Sarason
17 Chief of Enforcement

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20
21 _____
22 Robert Kondrat
23 Financial Legal Examiner