1	STATE OF WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS SECURITIES DIVISION	
2 3 4 5 6	IN THE MATTER OF DETERMINING Whether there has been a violation of the Business Opportunity Fraud Act of Washington by: Vending For Sale, Respondent.	Order No. S-14-1526-14-FO01 ENTRY OF FINDINGS OF FACT AND CONCLUSIONS OF LAW AND FINAL ORDER TO CEASE AND DESIST O
8	THE STATE OF WASHINGTON TO:	Vending For Sale
10 11 12 13	On August 14, 2014, the Securities Administrator of the state of Washington issued Order Number S-14-1526-SC01, a Statement of Charges and Notice of Intent to Enter Order to Cease and Desist ("Statement of Charges") against Vending For Sale. 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,	
14 15	hereinafter referred to as "Application for Hearing," were served by U.S. Mail on Respondent Vending For Sale on August 16, 2014. The Notice of Opportunity for Hearing advised Respondent Vending For Sale that a written application for an administrative hearing on the Statement of Charges must be received within twenty days from the	
16 17	date of receipt of the notice. Respondent Vending For Sale submitted the Application for Hearing form on September 10, 2014 and stated on the form that it did not request a hearing. The Securities Administrator therefore will adopt as final the following Findings of Fact and Conclusions of	
18	Law as set forth in the Statement of Charges and as set forth below: FINDINGS OF FACT	
20	I. Respondent	
22	1. Vending For Sale is a business entity located in Enterprise, FL that sells various vending machines and vending machine services. Vending For Sale conducts its business through its website at http://www.vendingforsale.biz.	
24	II.	
25		Related Parties

2. Laurie Daignault is the owner of Vending for Sale and lives in Deltona, FL. ENTRY OF FINDINGS OF FACT AND CONCLUSIONS OF LAW AND FINAL ORDER TO CEASE AND DESIST

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3. Mark Anson is the Director of Sales for Vending for Sale and lives in Deltona, FL.

III.

Nature of the Offering

- 4. Vending For Sale currently offers and sells business opportunities through its website, vendingforsale.biz, by offering vending machines and location services under one price. On its website, Vending for Sale states, "With our vending machines and assistance you can be operating your own successful vending business..." For each vending machine offered on the website, Vending For Sale displays one price that includes one location for each machine purchased.
- 5. Vending For Sale assists purchasers in finding locations by recommending a location service provider. The price for the location service provider is included in the advertised price for the vending machines on Vending For Sale's website. In addition, Vending For Sale offers a "Locating Guarantee". The guarantee offers one free replacement location for every three locations received, if a purchaser is not happy with one of those locations.
- 6. Vending for Sale offered and sold vending machines to residents of the state of Washington on April 16, 2014. The purchasers found Vending for Sale's website, http://www.vendingforsale.biz, through an internet search and chose the company based on their advertised locator service, Better Business Bureau accreditation, and pricing. The purchasers had not had any experience in the vending machine business prior to this transaction.
- 7. Prior to the purchase date, a representative of Vending for Sale had been in contact with the purchasers by phone and email about the location services offered by Vending for Sale. The representative stated that Vending for Sale would provide location services to the purchasers for the vending machines they purchased. Vending For Sale later recommended a location service provider to the purchasers.
- 8. The purchasers paid for the vending machines through a Paypal Account and Vending for Sale sent a bill of sale dated April 16, 2014. Vending For Sale listed the total cost of the transaction as \$7,550. Vending For Sale deducted \$750 from the total price for the locator fee, which the purchasers would pay directly to the locator. The total amount paid to Vending For Sale was thus \$6,800.
- 9. Following the purchase of the machines, Vending for Sale referred a locator to the purchasers and the locator contacted the purchasers directly. Vending For Sale verified the identity of the locator for the purchasers. After receiving verification of the locator's identity, the purchasers paid the locator \$750, and the locator provided the purchasers with several potential locations for the vending machines.

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IV.

Disclosure Document Required

10. In connection with the offer and sale of the vending machine business opportunity, the Respondent failed to provide the purchasers with a disclosure document as required by RCW 19.110.070.

Registration Status

11. Respondent, Vending for Sale, is not currently registered to sell business opportunities in the state of Washington and has not previously been so registered.

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

CONCLUSIONS OF LAW

The offer or sale of vending machines with location assistance as described above constitutes the offer and/or sale of a business opportunity as defined in RCW 19.110.020 and 19.110.030.

The offer or sale of said business opportunities is in violation of RCW 19.110.050 because no registration for such offer and/or sale by Respondent, Vending For Sale, was on file with the Securities Administrator.

III.

The offer and/or sale of said business opportunities were in violation of RCW 19.110.070 because Respondents failed to provide prospective purchasers with the required disclosure document.

FINAL ORDER

Based upon the foregoing:

IT IS HEREBY ORDERED that Respondent Vending For Sale, its agents and employees each shall cease and desist from offering or selling business opportunities in violation of RCW 19.110.050, the registration section of the Business Opportunity Fraud Act of the state of Washington.

IT IS HEREBY ORDERED that Respondent Vending For Sale, its agents and employees each shall cease and desist from violating RCW 19.110.070, the disclosure document section of the Business Opportunity Fraud Act of the

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state of Washington.

This Order is entered pursuant to RCW 19.110.150 and is subject to the provisions of Chapter 34.05 RCW.

WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

Signed and dated this <u>23rd</u> day of September, 2014 by:

William M. Beatty Securities Administrator

Approved by:

Suzanne Sarason Chief of Enforcement

Reviewed by:

Jack McClellan

Financial Legal Examiner Supervisor

Presented by:

Martin Cordell

Martin Cordell, Financial Legal Examiner