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

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SDO -040-01

SUMMARY ORDER TO CEASE AND DESIST

Case No. 00-09-347

Respondents.

IN THE MATTER OF DETERMINING

Whether there has been a violation

INLAND NORTHWEST CAPITAL

CONSULTANTS; DELTECH CAPITAL, LLC; VANCE MCFARLAND; their employees and agents

of the Securities Act of the State

of Washington by:

THE STATE OF WASHINGTON TO: **Inland Northwest Capital Consultants**

> Deltech Capital, LLC Vance McFarland

STATEMENT OF CHARGES

Please take notice that the Securities Administrator of the State of Washington has reason to believe that Respondents, Inland Northwest Capital Consultants (Inland), Deltech Capital, LLC (Deltech), and Vance McFarland (McFarland) have each violated the Securities Act of Washington and that their violations justify the entry of an order of the Securities Administrator under RCW 21.20.390 against each of them to cease and desist from such violations. The Securities Administrator finds that delay in ordering the Respondents to cease and desist from such violations would be hazardous to the investors and to the public and that a Summary Order to Cease and Desist should be entered immediately. The Securities Administrator finds as follows:

TENTATIVE FINDINGS OF FACT

I. Respondents

1. Inland Northwest Capital Consultants, an unincorporated business entity, had a principal business address of 315 W 9th, Suite 230, Spokane, Washington.

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- 2. Deltech Capital, LLC, a Nevada corporation, had a principal business address of 315 W 9th, Suite 230, Spokane, Washington.
 - 3. Vance McFarland is a principal in both Inland and Deltech.

II. Offering

- 4. In early 1998 a Washington resident contacted McFarland regarding financing for the Washington residents company. McFarland, acting as Inland Northwest Capital Consultants, claimed to be in the business of arranging financing for businesses. Although the Washington resident did not receive financing for his company, McFarland told him about an investment opportunity in "Chinese Reconstruction Bonds". As a result, this person and at least four other Washington residents loaned funds to Deltech Capital for the purchase of the bonds. The contract between the investors and Deltech states that Deltech would use the funds to purchase "Gold-Backed" "Chinese Reconstruction Bonds". The contract also states that Deltech would "trade" the bonds within six months and would receive payment for the trading of the bonds within ten months. After Deltech received payment, the investors were to receive ten times their initial investment.
- 5. The offering material presented by McFarland states that the bonds were "designated by the International Monetary Fund" and that the proceeds of the sale of these bonds were to fund humanitarian and environmental projects. McFarland failed to disclose to the investors that the International Monetary Fund does not have any affiliation with bond programs of this nature.
- 6. The offering material also states that the bonds have been authenticated by "Fidelity Secured Deposit Corporation". McFarland failed to disclose to the investors that the Securities and Exchange Commission was granted an injunction against Fidelity Secured Deposit Corporation for misrepresenting material facts in the valuation and authentication of railroad bonds for investment purposes.
- 7. McFarland failed to provide documentation to substantiate the high rate of return expected for the promissory notes. Additionally, McFarland failed to provide the investors with a disclosure document containing complete material information regarding the investment opportunity, including risk factors disclosure, the business

history and experience of the McFarland, and financial statements of Deltech. Additionally, McFarland failed to disclose to the investors that he had been convicted of Securities Fraud and the Sale of Unregistered Securities in 1985.

8. Following the signing of the contract mentioned above, McFarland sent a letter to the investors, on Inland Northwest Capital Consultants letterhead, stating that the funds to purchase the high yield Chinese bonds were "secured by Marietta/North Georgia railroad bonds". These railroad bonds only have value as historical collectors items, they do not posses substantial investment value. The injunction granted to the Securities and Exchange Commission against Fidelity Secured Deposit Corporation for misrepresenting bond value and authenticity was in regards to railroad bonds.

III. Registration Status

- 9. Neither Inland Northwest Capital Consultants nor Deltech Capital, LLC is currently registered to sell its securities in the state of Washington and neither has previously been so registered.
- 10. Vance McFarland is not currently registered as a securities salesperson or broker-dealer in the state of Washington and has not previously been so registered.

CONCLUSIONS OF LAW

I. Securities

11. The offer and/or sale of the investment opportunities described above constitutes the offer and/or sale of a security as defined in RCW 21.20.005 (10) and (12).

II. Anti-Fraud Provision

12. The offer and/or sale of said securities was made in violation of RCW 21.20.010 because, as set forth in section II of the Tentative Findings of Fact, Respondents omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.

III. Registration of Securities

13. The offer and/or sale of said securities is in violation of RCW 21.20.140, the registration section of the Securities Act, because no registration for such offer and/or sale is on file with the Securities Administrator of the state of Washington.

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IV. Registration of Broker-Dealer and Salespersons

14. Respondent Vance McFarland has violated RCW 21.20.040 by offering and/or selling said securities while not being registered as a broker-dealer or securities salesperson in the state of Washington

EMERGENCY

The Securities Administration finds that an emergency exists and that the continued violations of RCW 21.20.010, RCW 21.20.140, and RCW 21.20.040, constitute a threat to the investing public. The Respondent has previously been convicted of Securities Fraud and the Sale of Unregistered Securities pursuant to RCW 21.20.010 and RCW 21.20.140. Accordingly, a Summary Order to Cease and Desist from those violations is in the public interest and necessary for the protection of the investing public.

SUMMARY ORDER

Based upon the foregoing, IT IS THEREFORE HEREBY SUMMARILY ORDERED that Respondents, Inland Northwest Capital Consultants, Deltech Capital, LLC, Vance McFarland their agents, and employees shall each cease and desist from violating RCW 21.20.010, the anti-fraud section of the Securities Act.

It is further SUMMARILY ORDERED that Respondents, Inland Northwest Capital Consultants, Deltech Capital, LLC., their agents, and employees shall each cease and desist from violating RCW 21.20.140, the securities registration section of the Securities Act.

It is further SUMMARILY ORDERED that Respondent, Vance McFarland, their agents, and employees shall each cease and desist from violating RCW 21.20.040, the securities broker-dealer, securities salesperson registration section of the Securities Act.

AUTHORITY AND PROCEDURE

This Order is entered pursuant to the provisions of RCW 21.20.390, and is subject to the provisions of Chapter 34.05 RCW. The Respondents, Inland Northwest Capital Consultants, Deltech Capital, LLC, and Vance McFarland, may each make a written request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this Order. A request for a hearing should be in writing and sent to

Deborah R. Bortner, Securities Administrator, Department of Financial Institutions, P.O. Box 9033, Olympia, 1 Washington 98507-9033 to the attention of Tyler Letey. 2 If a respondent does not request a hearing, the Securities Administrator intends to adopt the above Tentative 3 Findings of Fact and Conclusions of Law as final and make the Summary Order to Cease and Desist permanent as to the 4 Respondent. 5 **CONTINUING INVESTIGATION** б The Securities Division is continuing to investigate the practices of the Respondent McFarland to determine the 7 full extent of the violations of the Securities Act that have occurred in this matter. 8 WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE. 9 DATED this 30th day of May, 2001 10 11 12 Deboul R Borner 13 14 DEBORAH R. BORTNER Securities Administrator 15 Approved by: Presented by: 16 17 18 Michael E. Stevenson Tyler Letey Chief of Enforcement Staff Attorney 19 20 21 22 23 24 DEPARTMENT OF FINANCIAL INSTITUTIONS 5 **Securities Division** SUMMARY ORDER TO CEASE AND 25 PO Box 9033 **DESIST** Olympia, WA 98507-9033

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