

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
BUSINESS REGULATION AND ENFORCEMENT DIVISION**

IN THE MATTER OF :

THE SENIORS COALITION, INC.

9001 Braddock Road
Suite 200
Springfield, Virginia 22151

Respondent

)
) **Administrative**
) **Proceeding**
) **Number:C-04-0166**
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**FINAL CEASE AND DESIST ORDER AND ORDER DENYING
REGISTRATION AND IMPOSING ADMINISTRATIVE PENALTY**

The SECRETARY OF STATE OF MISSISSIPPI, by and through the undersigned designated representative, after having served a Summary Cease and Desist Order and Order Denying Registration and Imposing Administrative Penalty on the Respondent and said Respondent having wholly failed to respond or otherwise defend within the time frame allowed by the rules, hereby issues this Final Cease and Desist Order and Order Denying Registration and Imposing Administrative Penalty against THE SENIORS COALITION, INC. (hereinafter "TSC"), and in support hereof, states the following.

I. JURISDICTION

The Secretary of State is vested with the regulation of charitable organizations that solicit donations in the State of Mississippi pursuant to Miss. Code Ann. §79-11-501, *et seq.* (Rev. 2001). TSC is a charitable organization as defined by Miss. Code Ann. §79-11-501(a)(i) (Rev. 2001), to-wit:.....

(B) Any person actually or purporting to be established for any voluntary health and welfare, benevolent, philanthropic, patriotic, educational, humane, scientific, public health, environmental conservation, civic, or other eleemosynary purpose

or for the benefit of law enforcement personnel, fire fighters, or other public safety organizations, or any person employing in any manner a charitable appeal as the basis of any solicitation or an appeal that suggests that there is a charitable purpose to any solicitation and includes each local, county or area division within this state of such charitable organization, provided such local, county or area division has authority and discretion to disburse funds or property otherwise than by transfer to any parent organization.

TSC is a charitable organization as defined by the Act, and therefore subject to the Secretary of State's regulatory authority. The Secretary of State, therefore, finds that he has jurisdiction over the subject matter and the parties herein.

II. FINDINGS OF FACT

1. On July 22, 2003, TSC's registration with the Secretary of State's Office expired.
2. On December 16, 2003, the Secretary of State's Office, Business Regulation and Enforcement Division ("Division") informed TSC that a registration renewal package had been received. However, the package was incomplete. Therefore, the renewal package was returned without being processed.
3. On June 25, 2004, the Division received documentation that TSC was soliciting donations from the public and indicating that it was registered with the Division.
4. After a diligent search, it was determined that TSC was not registered with the Division.
5. A Summary Cease and Desist Order was entered against TSC on July 14, 2004. TSC was served with a copy of the Summary Order as evidenced by the certified mail receipt. A true and correct copy of the receipt is attached hereto as Exhibit A.

6. TSC failed to request a hearing or otherwise respond to the Summary Order within the thirty (30) day time frame prescribed in the Act. Therefore, entry of a Final Order is appropriate.

III. CONCLUSIONS OF LAW

7. According to Miss. Code Ann. §79-11-503(1) (Rev. 2001), every charitable organization, which solicits or intends to solicit contributions shall file a registration statement with and pay a filing fee of Fifty Dollars (\$50.00) to the Secretary of State. Since TSC is distributing documentation stating that it is soliciting contributions in the State of Mississippi, without being registered, it is therefore in violation of this provision.

8. Pursuant to Miss. Code Ann. §79-11-509(1) (e) (Rev. 2001), the Secretary of State shall suspend, revoke, or deny a registration if the applicant or registrant has violated or failed to comply with any provisions of this chapter or any rule or order thereunder. Since the Division has received documentation that TSC is distributing documentation stating that it is soliciting contributions in the State of Mississippi without being registered as required by the law, the Secretary of State must deny the organization's registration.

9. Since TSC is soliciting contributions without being registered, it is, therefore, subject to the provisions of §79-11-509 (Rev. 2001) to include the issuance of a cease and desist order with or without a prior hearing and revocation, denial, or suspension of registration and imposition of an administrative penalty.

IV. PUBLIC INTEREST

The actions taken and proposed to be taken herein by the Secretary of State are in the public interest and are consistent with the purposes set out in Miss. Code. Ann. §79-11-501, *et seq.* (Rev. 2001).

V. FINAL ORDER

IT IS, THEREFORE ORDERED, pursuant to Miss. Code Ann. §79-11-509(4) (Rev. 2001), that TSC shall immediately and permanently **CEASE AND DESIST** soliciting charitable contributions in and from the State of Mississippi as defined by Miss. Code Ann. §79-11-501 (Rev. 2001).

IT IS FURTHER ORDERED that the registration statement filed by TSC on December 16, 2003, is hereby **DENIED**. The Division hereby imposes a fine against TSC in the amount of \$8,000.00.

BE ADVISED THAT, a willful violation of this Final Cease and Desist Order may be punishable upon conviction by a fine of not more than Twenty-five Thousand Dollars (\$25,000.00) or five (5) years imprisonment, or both, in addition to civil and administrative remedies to the Division.

SO ISSUED, this the 10th day of SEPTEMBER, 2004.

ERIC CLARK
Secretary of State
State of Mississippi

BY:



JAMES O. NELSON, II
Assistant Secretary of State
Business Regulation & Enforcement

CERTIFICATE OF SERVICE

I, Joseph Brady, do here by certify, that I have this day, mailed via United States Certified Mail, a true and correct copy of the Final Cease and Desist Order to the following:

The Seniors Coalition, Inc.
9001 Braddock Road
Suite 200
Springfield, Virginia 22151

Maureen E. Otis
4950 Wright Road
Suite 168
Stafford, Texas 77477-4114

This the 13th day of September, 2004.



JOSEPH BRADY
Chief Counsel
Business Regulation & Enforcement

Joseph Brady, MSB # 10074
Mississippi Secretary of State's Office
Post Office Box 136
700 North Street
Jackson, Mississippi 39205
(601) 359-1650

Article Number		COMPLETE THIS SECTION ON DELIVERY	
		A. Signature <input checked="" type="checkbox"/> <i>Laura Howell</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
7115 4411 7555 0000 2619 Article Addressed to: 4401 Fair Lakes CT suite 210 Fairfax VA 22033-3848 THE SENIORS COALITION, INC. 9801 BRADDOCK ROAD SUITE 200 SPRINGFIELD, VA 22151 <i>FORWARD</i>		B. Received by (Printed Name) <i>Laura Howell</i>	C. Date of Delivery <i>7/14/04</i>
7/7/2004 5:50 PM		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input checked="" type="checkbox"/> Certified	
		4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes	

Form 3811 Domestic Return Receipt

Article Number		COMPLETE THIS SECTION ON DELIVERY	
		A. Signature <input checked="" type="checkbox"/> <i>Roma Cortez</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
7115 4411 7555 0000 2626 Article Addressed to: MAUREEN E. OTIS 4950 WRIGHT ROAD SUITE 168 STAFFORD, TX 77477-4114		B. Received by (Printed Name) <i>Roma Cortez</i>	C. Date of Delivery <i>7/12/04</i>
7/7/2004 5:51 PM		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input checked="" type="checkbox"/> Certified	
		4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes	



Form 3811 Domestic Return Receipt