ADMINISTRATIVE PROCEEDING

BEFORE THE

SECURITIES COMMISSIONER OF SOUTH CAROLINA

IN THE MATTER OF:)
)
Curb Appeal Properties, Inc. and)
Richard Van Blarcom (a/k/a "Rick Van Blarcom"),)
)
)
Respondents.)

ORDER TO CEASE AND DESIST

File No. 12051

WHEREAS, the Securities Division of the Office of the Attorney General of the State of South

Carolina

6. By October of2007, the Respondents had begun to offer and sell promissory notes issued by Curb Appeal (the "Promissory Notes") to South Carolina investors.
7. Van Blarcom sold at least six Promissmy Notes to at least five South Carolina investors.
8. In connection with the offer and sale of the Promissory Notes, Van Blarcom told one or more South Carolina investors that Curb Appeal was in the acquisition and due diligence stage in the development of a residential community named "Heritage Manor" in Onslow County, North Carolina.
9. In connection with the offer and sale of the Promissory Notes, Van Blarcom told one or more South Carolina investors that Curb Appeal needed their investment to meet certain cash-on-hand requirements asked for by third party sources of financing. Van Blarcom stated that the money would be "show money" and would not be spent. Rather, the money would solely be used to secure other financing.
10. In connection with the offer and sale of the Promissory Notes, Van Blarcom stated to at least one South Carolina investor that the money would be deposited into an escrow account and the
money would not leave that account. Van Blarcom stated further that once the financing was obtained, the money would be released from escrow and returned to the investor along with a return on the investment.
11. According to the Promisso1y Notes, the principal and interest owed would be paid upon the Promissory Note's maturity. Specifically, one Promissory Note promised to pay the

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23. Pursuanto S.C. Code Ann. Section 35-1-402(d), it is unlawful for a broker-dealer or an issuer engaged in offering, selling, or purchasing securities in South Carolina to employ an agent who is neither registered nor exempt from registration.
24. Pursuanto S.C. Code Ann. Section 35-1-501, it is unlawful for a person, in connection with the offer, sale, or purchase of a security, directly or indirectly:
a. to employ a device, scheme, or artifice to defraud;
b. to make an untrue statement of a material fact or to omit to state a material fact necessary
in order to make the statements made, in light of the circumstances under which they
were made, not misleading; or
c. to engage in an act, practice, or course of business that operates or would operate as a
fraud or deceit upon another person.
25. On at least six occasions, Van Blarcom offered and sold unregistered securities in the State of South Carolina, in violation ofS.C. Code Ann. Section 35-1-301.
26. On at least six occasions, Van Blarcom acted as an agent by representing the issuer, Curb Appeal, in effecting or attempting to effect the sales of securities in the State of South Carolina while Van Blarcom was not properly registered with the Division, in violation of S.C. Code Ann. Section 35-1-402(a).
27. Van Blarcom employed one or more agents to offer and sell securities while said agents were not properly registered with the Division, in violation of S.C. Code Ann. Section 35-1-402(d).
28. On at least nine occasions, Van Blarcom, in connection with the offer and sale of the security at issue, made material misstatements; omitted to state material facts necessary in order to make other statements made, in light of the surrounding circumstances under which they were made,
not misleading; and engaged in acts or practices that operated as a fraud upon investors, in violation ofS.C. Code Ann. Section 35-1-501.
29. On at least six occasions, Curb Appeal offered and sold unregistered securities in the State of South Carolina, in violation of S.C. Code Ann. Section 35-1-301.
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30. On at least seven occasions, Curb Appeal employed agents to offer and

a. Immediately cease and desist from transacting business in this State in violation of the Act and, in pmticular, Sections 35-1-301, 35-l-402(a), 35-l-402(d), and 35-1-501 thereat; and
b. Pay a civil penalty in an amount of$10,000 for each of the twenty-two (22) violations of the
Act committed by that Respondent and detailed in this Order.

REQUIREMENT OF ANSWER AND
NOTICE OF OPPORTUNITY FOR HEARING

The Respondents are hereby notified that they each have the right to a hearing on the matters
contained herein. To sch4Tt <</Conf 0 >>BDC -0.0148 Tc71(herj 0;)Tj -3 Tc 2.26su9 >>BDCl-0.(i9-Tc 3.497 0.45

detailedained

ORDER COULD RESULT IN CRIMINAL PENALTIES UNDER S.C. CODE ANN.§ 35-1-508 OF

THE ACT.

IT IS SO ORDERED, This the _EL day of February, 2013.

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