

BEFORE THE DIRECTOR OF THE DEPARTMENT OF FINANCE
OF THE STATE OF IDAHO

STATE OF IDAHO, Department of Finance,
Securities Bureau,

Complainant,

vs.

TRECIA D. RODGERS DBA
RODGERS FINANCIAL SERVICES,

Respondent.

Docket No. 2007-7-38

AGREEMENT AND ORDER

The Director of the Department of Finance has instituted an investigation into the conduct of Respondent. Pursuant to said investigation it appears to the Director that violations of the Idaho Uniform Securities Act (2004), Idaho Code 30-14-101 *et seq.* have occurred. The Director and Respondent have agreed to resolve this matter without a public hearing or other adjudication of this matter. Therefore, the Director deems it appropriate and in the public interest that this Agreement and Order be entered, and the Respondent consents to the entry of this Agreement and Order.

BACKGROUND

1) Respondent Trecia D. Rodgers is an Idaho resident and the sole proprietor and qualifying officer of Rodgers Financial Services which became registered as an investment adviser with the State of Idaho, Department of Finance on July 13, 2006.

2) On June 26, 2007, the Complainant conducted a routine examination of Respondent's office located at 1775 Brenthaven Street in Idaho Falls, Idaho. On August 1, 2007 Complainant provided a list of examination findings which included compliance deficiencies. Complainant required a written response to the examination findings letter by August 31, 2007. Respondent did not reply.

3) On October 5, 2007, Complainant left a telephone voice message and sent Respondent an email requesting a written response to the examination letter. On October 8, Respondent replied to the email and claimed to have sent a response on August 5, 2007 and had also accepted a position at Waddell & Reed, Inc. as an investment adviser. The Department did not receive the requested response. On October 9, 2007 Complainant

again requested, via email, that Respondent fax the response and clarify intended business activities as an investment adviser representative of Waddell & Reed, Inc. A response to the to Complainant's October 9, 2007 email was never received.

4) On November 5, 2007, Complainant sent a certified letter requesting a written response to the examination letter which required that deficiencies be corrected, or the Complainant would recommend revocation of Respondent's investment adviser registration. Complainant did not receive a response from the Respondent.

FINDINGS OF FACT

5) Respondent failed to provide information as requested by the Department and as required under the Investment Advisers Act of 1940 and the Idaho Uniform Securities Act (2004) and Rules pursuant to each Act. Based on the examination findings the Respondent is in violation of the Investment Advisers Act of 1940 and the Idaho Uniform Securities Act (2004) and rules pursuant to each Act. The Respondent failed to answer deficiencies that were found during the examination.

6) Respondent failed to comply with Rule 206(4)-7 of the Investment Advisers Act of 1940 which requires the investment adviser adopt and implement written policies and procedures and Rule 105.04 of the Idaho Uniform Securities Act (2004) which requires that an investment adviser establish and maintain and enforce written procedures in order to transact business as an investment adviser. Based on the examination findings the Respondent is in violation of Rule 206(4)-7 of the Investment Advisers Act of 1940 and the Idaho Uniform Securities Act (2004) and rules pursuant to each Act. The Respondent failed to answer the deficiency found during the examination.

7) Respondent failed to comply with Rule 93 of the Idaho Uniform Securities Act (2004) which requires compliance with the Investment Advisers Act of 1940. Respondent is in violation of the Investment Advisers Act of 1940 and therefore in violation of the Idaho Uniform Securities Act (2004).

8) Respondent failed to provide a written code of ethics as required under Rule 204A-1 of the Investment Advisers Act of 1940. Based on the examination findings the Respondent is in violation of Rule 204A-1 of the Investment Advisers Act of 1940 and the Idaho Uniform Securities Act (2004) and rules pursuant to the Act. The Respondent failed to answer the deficiency found in the exam.

9) Respondent failed to comply with Section 204A of the Investment Advisers Act of 1940 and Rule 104.42 of the Idaho Uniform Securities Act (2004) which requires an investment adviser to develop and implement certain disclosures and procedures concerning privacy. Based on the examination findings the Respondent is in violation § 204A of the Investment Advisers Act of 1940 and the Idaho Uniform Securities Act (2004) and rules pursuant to the Act. The Respondent failed to answer deficiency found in the exam.

VIOLATIONS

Failure to Comply - Count 1

10) Respondent failed to provide information as requested by the Department and required under the Investment Advisers Act of 1940 and the Idaho Uniform Securities Act (2004) and Rules pursuant to each Act. Idaho Code § 30-14-412(d)(2) provides grounds that the Director may by Order revoke the registration of an investment adviser if such person has willfully violated or willfully failed to comply with the Idaho Uniform Securities Act (2004).

11) Rule 93 of the Idaho Uniform Securities Act (2004) requires compliance with the Investment Advisers Act of 1940. Respondent failed to comply with the Investment Advisers Act of 1940 and therefore violated the Idaho Uniform Securities Act (2004).

12) Respondent failed to comply with Rule 206(4)-7 of the Investment Advisers Act of 1940 which requires the investment adviser adopt and implement written policies and procedures and Rule 105.04 of the Idaho Uniform Securities Act (2004) which requires that an investment adviser establish and maintain written Compliance Procedures and Practices in order to transact business as an investment adviser. Idaho Code § 30-14-412(d)(2) provides grounds that the Director may by Order revoke the registration of an investment adviser if such person has willfully violated or willfully failed to comply with the Idaho Uniform Securities Act (2004).

13) Respondent failed to provide a written code of ethics as required under Rule 204A-1 of the Investment Advisers Act of 1940. Idaho Code § 30-14-412(d)(2) provides grounds that the Director may by Order revoke the registration of an investment adviser if such person has willfully violated or willfully failed to comply with the Idaho Uniform Securities Act (2004).

14) Respondent failed to comply with § 204A of the Investment Advisers Act of 1940 which requires an investment adviser to develop certain disclosures and procedures on privacy. Respondent failed to comply with Rule 104.42 of the Idaho Uniform Securities Act (2004). Idaho Code § 30-14-412(d)(2) provides grounds that the Director may by Order revoke the registration of an investment adviser if such person has willfully violated or willfully failed to comply with the Idaho Uniform Securities Act (2004).

REMEDIES

15) Respondent agrees to comply with all the provisions of the Idaho Uniform Securities Act (2004) and Rules promulgated thereunder in the future.

16) Respondent admits to the respective violations contained in this Order.


17) Respondent agrees to withdraw her securities registration as an investment adviser in the State of Idaho as of the date of this order.

18) Respondent agrees to remit a fine of \$750 within thirty (30) days of the date of this Order.

19) Respondent acknowledges and agrees that the violations contained herein may be used by Complainant against Respondent in subsequent proceedings in the event that Respondent violates the Idaho Uniform Securities Act (2004) at any time in the future.

DONE AND DATED at Boise, Idaho this 28 day of December, 2007.


TRECIA D. RODGERS


MARILYN T. CHASTAIN
Bureau Chief, Securities Bureau
Department of Finance
State of Idaho

IT IS SO ORDERED This 16th day of January, 2008.
~~December, 2007~~

A handwritten signature in black ink, appearing to read "Gavin M. GEE", written over a horizontal line. The signature is stylized and includes a long horizontal stroke extending to the right.

GAVIN M. GEE
Director of Finance