

1 STATE OF CALIFORNIA
2 BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
3 DEPARTMENT OF BUSINESS OVERSIGHT

4 TO: Penny Oil Speculator
182 Howard Street #4
5 San Francisco, CA 94105-1611

6 2601 Blanding Avenue, Suite C111
7 Alameda, CA 94501

8 <http://myportal.pennyoilspeculator.com>

9 **DESIST AND REFRAIN ORDER**

10 **(For violations of section 25230 of the Corporations Code)**

11 The Commissioner of Business Oversight finds that:

12 1. At all relevant times, Penny Oil Speculator maintained addresses at: 182 Howard
13 Street #4, San Francisco, California 94105-1611 and 2601 Blanding Avenue, Suite C111, Alameda,
14 California 94501. Penny Oil Speculator also operates an internet websites located at:
15 <http://myportal.pennyoilspeculator.com>. Penny Oil Speculator managed a subscription newsletter
16 that provides investment advice and stock recommendations to its subscribers.

17 2. Beginning on or about February 25, 2017, Penny Oil Speculator began providing
18 discretionary investment advice to California residents in connection with the subscription newsletter,
19 entitled the "Penny Oil Speculator."

20 3. Penny Oil Speculator offers California residents a one-year subscription for a fee of
21 \$1,950.00 or a six-month subscription for a fee of \$1,300.00 exchange for stock recommendations
22 and option trading research.

23 Under California Corporations Code Section 25230, it is unlawful to conduct business as an
24 investment adviser in this state unless the investment adviser has first applied for and secured from
25 the Commissioner of Business Oversight (Commissioner) a certificate authorizing the investment
26 adviser to do so, or unless the investment adviser is exempt. Penny Oil Speculator does not have a
27 valid investment adviser certificate issued by the Commissioner nor has been an investment adviser

28 ///

1 registered with the Securities and Exchange Commission. Penny Oil Speculator is not exempt from
2 the certification requirement of California Corporations Code Section 25230.

3 Based upon the foregoing findings, the Commissioner is of the opinion that Penny Oil
4 Speculator conducted business as an investment adviser in this state without first applying for and
5 securing from the Commissioner a certificate, then in effect, authorizing him to do so, in violation of
6 Section 25230 of the Corporate Securities Law of 1968.

7 Pursuant to Section 25532 of the Corporate Securities Law of 1968, Penny Oil Speculator is
8 hereby ordered to desist and refrain from conducting business as an investment adviser in the State of
9 California, unless and until he has first applied for and secured from the Commissioner a certificate,
10 then in effect, authorizing him to act as an investment advisor or unless exempt.

11 This Order is necessary, in the public interest, for the protection of investors and consistent
12 with the purposes, policies, and provisions of the Corporate Securities Law of 1968.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: March 20, 2017

JAN LYNN OWEN
Commissioner of Business Oversight

By: _____
MARY ANN SMITH
Deputy Commissioner
Enforcement Division