

**STATE OF CALIFORNIA
BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
DEPARTMENT OF BUSINESS OVERSIGHT**

TO: Aleksandr Fedorovich Sushko
Smarts Choice, LLC Smarts Choice Agency LLC
Smart-s Choice

6381 Auburn Boulevard
Citrus Heights, California 95621

3900 N. Causeway Boulevard, Suite 1200
Metairie, Louisiana 70002

**DESIST AND REFRAIN ORDER
(For violations of sections 25110 and 25401 of the Corporations Code)**

The Commissioner of Business Oversight (Commissioner) finds that:

1. At all relevant times, Aleksandr Fedorovich Sushko (Sushko) was an individual licensed by the California Department of Insurance as a Life-Only Insurance Agent and as an Accident and Health Insurance Agent from August 4, 2004 to August 3, 2018. Sushko does business as Smart Amir Insurance Agency with a principal address of 6381 Auburn Boulevard, Citrus Heights, California 95621.

2. Sushko also does business as Smarts Choice, LLC, Smarts Choice Agency, LLC, and Smart-s Choice (collectively, Smart Choice), with a purported address of 3900 N. Causeway Boulevard, Suite 1200, Metairie, Louisiana 70002 and an internet address of www.smartchoice.com.

3. At all relevant times, Sushko represented that he was a “college fund expert” and an “owner” and “representative” of Smart Choice.

4. Beginning in or about January 2015, Sushko and Smart Choice offered and sold investment agreements to California investor S.K. in the amount of \$100,000.00. The terms of the investment were as follows: S.K. paid Smart Choice a capital investment of \$100,000.00 in exchange for a profit on the capital investment for 12 months. S.K. was to receive a return of 47 percent per year in interest in the amount of \$61,395.22, paid at the end of the investment term for a total of \$161,395.22. To date, S.K. has not received the capital investment principal in the amount of \$100,000.00, or profits from the investment, despite requesting the amount to be returned.

1 5. Beginning in or about January 2015, Sushko and Smart Choice offered and sold the
2 above-described securities in California in issuer transactions. The Commissioner has not issued a
3 permit or other form of qualification under the Corporate Securities Law of 1968 (Corp. Code, §
4 25000 et seq.) (CSL) authorizing Sushko or Smart Choice to offer and/or sell these securities in
5 California.

6 6. Beginning in or about January 2015, in connection with the offer and sale of these
7 securities, Sushko and Smart Choice made, or caused to be made, misrepresentations of material fact
8 or omitted to state material facts necessary in order to make the statements made, in the light of the
9 circumstances under which they were made, not misleading. Specifically, Sushko and Smart Choice
10 misrepresented that S.K. would receive a profitable return on S.K.'s investment, and receive the
11 principal amount invested at the termination of the investment in 12 months. To date, S.K. has not
12 received the capital investment amount of \$100,000.00, or profits from the investment in the amount
13 of \$61,395.22, despite requesting both amounts be returned.

14 Based on the foregoing, the Commissioner of Business Oversight finds that the investment
15 agreements offered and sold by Aleksandr Fedorvich Sushko doing business as Smarts Choice, LLC,
16 Smarts Choice Agency, and LLC, Smart-s Choice are securities subject to qualification under the
17 CSL. These investment agreements were offered and sold without being qualified or exempt, in
18 violation of Corporations Code section 25110.

19 Pursuant to Corporations Code section 25532 Aleksandr Fedorvich Sushko doing business as
20 Smarts Choice, LLC, Smarts Choice Agency, LLC, and Smart-s Choice are hereby ordered to desist
21 and refrain from the further offer or sale in California of securities, including, but not limited to
22 investment agreements, unless and until qualification has been made under said law or unless exempt.

23 Further, the Commissioner of Business Oversight is of the opinion that the securities in the
24 form of investment agreements were offered and sold in California by means of a written or oral
25 communication which included an untrue statement of material fact or omitted to state a material fact
26 necessary to make the statement made, in light of the circumstances under which they were made, not
27 misleading, in violation of section 25401 of the CSL.

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1 Pursuant to section 25532 of the CSL, Aleksandr Fedorovich Sushko doing business as Smarts
2 Choice, LLC, Smarts Choice Agency, LLC, and Smart-s Choice are hereby ordered to desist and
3 refrain from offering or selling or buying or offering to buy any security in California, including but
4 not limited to investment agreements, by means of any written or oral communication which includes
5 an untrue statement of material fact or omits to state a material fact necessary in order to make the
6 statements made, in light of circumstances under which they were made, not misleading.

7 This order is necessary, in the public interest, for the protection of investors and consistent
8 with the purposes, policies, and provisions of the Corporate Securities Law of 1968.

9 Dated: April 24, 2018

10 JAN LYNN OWEN
11 Commissioner of Business Oversight

12 By _____
13 MARY ANN SMITH
14 Deputy Commissioner
15 Enforcement Division
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