

STATE OF NEVADA
OFFICE OF THE SECRETARY OF STATE
SECURITIES DIVISION

2250 LAS VEGAS BOULEVARD NORTH, SUITE 400
NORTH LAS VEGAS, NEVADA 89030

In the Matter of:

**HOLM & CAWLEY FINANCIAL GROUP
LLC (CRD #150601); BENJAMIN
CAWLEY, an individual (CRD #5673671);
and KRIS A. HOLM, an individual (CRD
#2431395),**

Respondents.

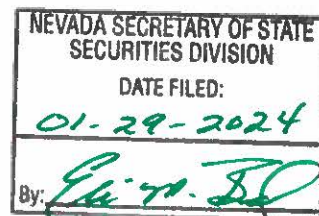
ADMINISTRATIVE CONSENT ORDER

File No. CIC23-155

**TO: Holm & Cawley Financial Group LLC
5155 S. Durango Dr. Suite #102
Las Vegas, NV 89133**

**Benjamin Cawley
5155 S. Durango Dr. Suite #102
Las Vegas, NV 89133**

**Kris A. Holm
5155 S. Durango Dr. Suite #102
Las Vegas, NV 89133**



WHEREAS, HOLM & CAWLEY FINANCIAL GROUP LLC, CRD No. 150601, is a Nevada-based investment advisory firm located at 5155 S Durango Drive, Suite #102, Las Vegas, NV 89113;

WHEREAS, BENJAMIN CAWLEY, CRD No. 5673671, (Respondent Cawley), is a Nevada-based investor adviser representative for Holm & Cawley Financial Group LLC;

WHEREAS, KRIS A. HOLM, CRD No. 2431395, (Respondent Holm), is a Nevada-based investor adviser representative for Holm & Cawley Financial Group LLC;

WHEREAS, on October 11, 2023, the Nevada Securities Division (Division), pursuant to the Administrator's authority under NRS § 90.410, commenced an inspection of Respondents to

1 determine their compliance with the Nevada Uniform Securities Act, the Investment Advisers Act of
2 1940, and the various rules and regulations promulgated thereunder;

3 **WHEREAS**, it is a violation of NAC § 90.3864(3) to fail to conduct annual reviews of
4 policies and procedures to ensure they are current, adequate and effective;

5 **WHEREAS**, it is a violation of 303 Nev. Reg. Admin. Regs. Section 10 as amended by LCB
6 File No. R018-21 (May 25, 2023) to fail to adopt and maintain policies pertaining to physical security
7 and cybersecurity;

8 **WHEREAS**, Respondents have advised the Division of their desire to resolve the above
9 failures to comply with the requirements of Nevada's Uniform Securities Act, on the terms specified
10 within this Administrative Consent Order;

11 **WHEREAS**, Respondents elect to permanently and expressly waive any right to a hearing
12 and appeal under the Act and/or to seek judicial review under the Nevada Administrative Procedure
13 Act, NRS Chapter 233B, with respect to this Order.

14 **NOW THEREFORE**, the Administrator, pursuant to the Act, hereby enters the following:

15 **ORDER**

16 Finding the following appropriate and in the public's interest, and on the basis of the
17 foregoing, Respondents consent to the entry of this Order,

18 **IT IS HEREBY ORDERED:**

- 19 1. Respondents will cease from violating the Act and will comply with said Act.
- 20 2. Respondents will pay the Nevada Secretary of State a civil penalty in the cumulative amount
21 of \$1,000.00 due upon signing of the Respondents' consent to entry of this Administrative
22 Order.
- 23 3. Respondents shall submit a check made payable to the Secretary of State in the amount of
24 \$811.15 for its fee for the inspection of Respondents' records performed under NRS §
25 90.410.
- 26 4. All amounts submitted under this section shall be remitted to:

27 **Nevada Secretary of State**
28 **c/o Stacey Roter**

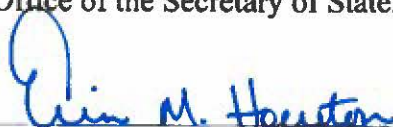
1 **2250 Las Vegas Boulevard North, Suite 400**
2 **North Las Vegas, NV 89030**

- 3 5. In consideration, the Division will take no further enforcement action based upon the
4 circumstances covered by this investigation and Order and close its administrative
5 investigation of the Respondents in connection with the aforementioned activities.
6 6. Nothing in this Order shall be construed as a waiver of the Division's right to investigate
7 and pursue any violations by Respondents in connection with other activity not set forth
8 herein.
9 7. Nothing in this Order is intended to limit or create for third parties any private remedies
10 against Respondents.
11 8. This Order shall be effective as of the date on which it is signed by the Administrator as set
12 forth below.

13 IT IS SO ORDERED.

14 DATED this 21st day of January, 2024.

15
16 **BY ORDER OF THE ADMINISTRATOR**
17 Office of the Secretary of State, Securities Division

18 
19 _____

20 ERIN M. HOUSTON
21 Deputy Secretary for Securities
22 Securities Administrator
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

2
3
4
5

6
7

8
9
0

2
3
4

5

6
7
8
9

9.0

1
2
3

4

FRANCISCO V. AGUILAR
Secretary of State

STATE OF NEVADA



**OFFICE OF THE
SECRETARY OF STATE**

GABRIEL DI CHIARA
Chief Deputy Secretary of State

ERIN M. HOUSTON
*Deputy Secretary of State for Securities
Securities Administrator*

January 17, 2024

Benjamin Cawley, CCO
Kris A. Holm, Managing Member
Holm & Cawley Financial Group LLC
5155 S. Durango Dr. Suite 102
Las Vegas, NV 89133

(Sent via Certified Mail and email to Benjamin Cawley & Kris A. Holm;
BEN@HOLMANDCAWLEY.COM;
KRIS@HOLMANDCAWLEY.COM)

**NEVADA
SECRETARY OF STATE**

JAN 29 2024

Re: Division File #CIC23-155

Dear Messrs. Cawley and Holm:

I am writing on behalf of the office of the Secretary of State, Nevada Securities Division (the "Division"), regarding the recent compliance examination of Holm & Cawley Financial Group LLC (the "Firm"), conducted by Alfreda Evans on October 11, 2023. In making the examination, the Division's investigator noted potential violations of the Nevada Uniform Securities Act (NRS § 90.211 et seq.) and related rules and regulations, as follows:

1. The Firm's Policies and Procedures are inadequate and missing a key Division requirement of investment advisor policies and procedures pertaining to physical security and cybersecurity.

The Division appreciates the remedial efforts you have taken to resolve this matter. However, those remedial efforts do not absolve the firm of its ongoing duty to comply with the Nevada Uniform Securities Act and related rules and regulations.

I am writing this letter to give you the opportunity to resolve this matter informally, through a proposed Administrative Consent Order (a copy of which is attached hereto) that will include the imposition of a fine and admissions of the applicable violations of Nevada securities laws. Alternatively, the Division will issue a Summary Order/Notice of Administrative Action, and you will have the opportunity to request a hearing in which you can present your position to a hearing officer. Please note that a licensee may be fined up to \$25,000.00 per violation of the Nevada Securities Act.

LAS VEGAS OFFICE
2250 Las Vegas Boulevard North, Suite 400
North Las Vegas, Nevada 89030
Telephone: (702) 486-2440
Fax: (702) 486-2452

SECURITIES DIVISION

\$1000 Revolving
\$811.15 Inspection
Fee

NO 11-6

Please respond to this letter at your earliest convenience, but no later than **January 29, 2024**.
You may contact me via email at s.sirsy@sos.nv.gov, or by phone at 702.659.4470.

Sincerely,

By: Shady Sirsy
Shady Sirsy
Chief of Enforcement

Enclosed: Administrative Consent Order

LAS VEGAS OFFICE
2250 Las Vegas Boulevard North, Suite 400
North Las Vegas, Nevada 89030
Telephone: (702) 486-2440
Fax: (702) 486-2452
Website: www.nvsos.gov