

TRAVIS J. ILES
SECURITIES COMMISSIONER



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IN THE MATTER OF §
GRACO COMMERCIAL CAPITAL, LLC; § Order No. ENF-21-CDO-1850
AND RAYMOND V. GRANT §

Graco Commercial Capital, LLC

Service by certified mail, return receipt requested, to 917 12th Street, #104, Greeley, Colorado 80631

Raymond V. Grant

Service by certified mail, return receipt requested, to 917 12th Street, #104, Greeley, Colorado 80631

EMERGENCY CEASE AND DESIST ORDER

This is your OFFICIAL NOTICE of the issuance by the Securities Commissioner of the State of Texas ("**Securities Commissioner**") of an EMERGENCY CEASE AND DESIST ORDER pursuant to Section 23-2 of The Securities Act, Tex. Rev. Civ. Stat. Ann. arts. 581-1-581-45 (the "**Securities Act**").

The Enforcement Division of the Texas State Securities Board ("**Enforcement Division**") has presented evidence sufficient for the Securities Commissioner to find:

FINDINGS OF FACT

1. Graco Commercial Capital, LLC ("**Respondent Graco Commercial**") is an entity that can be served at its last known address of 917 12th Street, #104, Greeley, Colorado 80631.
2. Raymond V. Grant ("**Respondent Grant**") serves as the control person of Respondent Graco Commercial, and he can be served at his last known address of 917 12th Street, #104, Greeley, Colorado 80631.

OVERVIEW

3. The Enforcement Division investigated Respondent Grant and determined he was violating the registration and disclosure requirements set forth in the Securities Act.

4. The Enforcement Division corresponded with Respondent Grant and afforded him the opportunity to voluntarily stop violating the Securities Act and become compliant with the law.
5. Respondent Grant agreed to comply with the law and promised he would cease violating the Securities Act.
6. However, Respondent Grant is continuing to illegally and fraudulently offer securities, and he is threatening immediate and irreparable harm to Texas residents.

THE BANK LEVERAGED FOREX TRADING PROGRAM

7. Respondent Grant and Respondent Graco Commercial ("**Respondents**") are publicly soliciting investments in a bank leveraged foreign currency exchange ("**forex**") trading program by sending unsolicited email to a Texas resident.
8. Respondents represent the bank leveraged forex trading program is structured as follows:
 - A. Investors deposit a minimum of \$250,000.00 into an account at Wells Fargo Bank, N.A.;
 - B. Wells Fargo Bank, N.A., places a block on the funds and creates a line of credit worth nine times the deposited amount;
 - C. The line of credit is then used by an unidentified trader to trade forex; and
 - D. Investors receive a guaranteed 25% per month rate of return, however the actual rate of return is estimated at 100% per month.
9. Respondents claim to not know the identity of the person or persons who will be trading in forex on behalf of investors.
10. Respondents represent that only after a prospective investor provides proof of funds will they be forwarded on to the person or persons who will be trading on their behalf.
11. Despite the Respondents' claims that they do not know the identity of the person or persons behind the bank leveraged forex trading program, Respondents are touting the bank leveraged forex trading program as one of the few investments that is "100% safe."

THE WARNING AND INITIAL REQUEST TO CEASE AND DESIST

12. On or about March 31, 2021, the Enforcement Division warned Respondent Grant that he may have been offering securities in Texas via Craigslist advertisements without complying with the registration and disclosure requirements set forth in the Securities Act.

13. The Enforcement Division therefore requested Respondent Grant immediately cease and desist from offering in Texas unless and until Respondent Grant was compliant with the Securities Act.
14. Although Respondent Grant acknowledged the applicability of the Securities Act and agreed to comply, Respondent Grant continued to offer investments in Texas in violation of the Securities Act.

REGISTRATION VIOLATIONS

15. The investments in the bank leveraged forex trading program have not been registered by qualification, notification, or coordination at any time material hereto, and no permit has been granted for their sale in Texas.
16. Respondents have not been registered with the Securities Commissioner as dealers or agents at any time material hereto.

FRAUD AND THE UNDISCLOSED RISKS ASSOCIATED WITH FOREX

17. In connection with the offer of investments in the bank leveraged forex trading program, Respondents are promising profitability while intentionally failing to disclose material facts, including the following risks associated with forex trading:
 - A. Fluctuations in a country's interest rates may lead to fluctuations in a currency's value, thereby negatively impacting the ability to close a trade for a profit;
 - B. Fluctuations in the foreign exchange rate between the time of placing a trade and the time of closing a trade may negatively impact the price of a forex contract;
 - C. A system or technical failure in a platform for executing trades may negatively impact the ability to close a trade for a profit;
 - D. Leveraging transactions on margin, once called, may lead to substantial losses in excess of initial investments; and
 - E. The fees associated with trading foreign currencies.

DECEIT AND THE UNDISCLOSED BUSINESS INFORMATION

18. Respondents are touting the bank leveraged forex trading program as "100% safe" while generating a 100% per month rate of return. These statements are materially misleading or otherwise likely to deceive the public in light of the following undisclosed information:
 - A. The identities of the individuals behind the bank leveraged forex trading program;
 - B. The experience, business repute, and qualifications of the individuals behind the bank leveraged forex trading program;

- C. The assets, liabilities, or other financial information for the individuals behind the bank leveraged forex trading program, demonstrating their ability to pay a guaranteed fixed rate of return regardless of the profitability of the underlying forex trading; and
- D. Investment deposits in excess of \$250,000.00 are not insured by the Federal Deposit Insurance Corporation, the agency that provides deposit insurance in the United States.

DECEIT AND THE CLAIM REGARDING AFFILIATION WITH THE BBB

- 19. Respondents are representing that the Better Business Bureau ("**BBB**") is a professional association with which they are affiliated. This statement is materially misleading or otherwise likely to deceive the public in light of the fact that not only is Respondent Graco Commercial not an accredited business with the BBB, but no businesses owned by Respondent Grant are BBB accredited.

FRAUD AND THE UNDISCLOSED HISTORY OF RESPONDENT GRANT

- 20. In connection with the offer of investments in the bank leveraged forex trading program, Respondents are intentionally failing to disclose the following material facts about Respondent Grant:
 - A. On or about March 31, 2021, the Enforcement Division requested Respondent Grant immediately cease and desist from offering in Texas unless and until Respondent Grant was compliant with the Securities Act. Although Respondent Grant acknowledged the applicability of the Securities Act and agreed to comply, Respondent Grant continued to offer investments in Texas in violation of the Securities Act.
 - B. On or about August 24, 2010, Respondent Grant filed for Chapter 7 bankruptcy, Case 10-31537-HRT, in the United States Bankruptcy Court for the District of Colorado. On or about December 13, 2010, discharge was granted to Respondent Grant.

CONCLUSIONS OF LAW

- 1. The investments in the bank leveraged forex trading program are securities as the term is defined by Section 4.A of the Securities Act.
- 2. Respondents are violating Section 7 of the Securities Act by offering securities for sale in Texas at a time when the securities are not registered with the Securities Commissioner.
- 3. Respondents are violating Section 12 of the Securities Act by offering securities for sale in Texas without being registered pursuant to the provisions of Section 12 of the Securities Act.
- 4. Respondents are engaging in fraud in connection with the offer for sale of securities.

5. Respondents have made an offer containing statements that are materially misleading or otherwise likely to deceive the public.
6. Respondents' conduct, acts, and practices threaten immediate and irreparable public harm.
7. The forgoing violations constitute bases for the issuance of an Emergency Cease and Desist Order pursuant to Section 23-2 of the Securities Act.

ORDER

1. It is therefore ORDERED Respondents immediately CEASE AND DESIST from offering for sale any security in Texas until the security is registered with the Securities Commissioner or is offered pursuant to an exemption from registration under the Securities Act.
2. It is further ORDERED Respondents immediately CEASE AND DESIST from acting as securities dealers or agents in Texas until Respondents are registered with the Securities Commissioner or are acting pursuant to an exemption from registration under the Securities Act.
3. It is further ORDERED Respondents immediately CEASE AND DESIST from engaging in any fraud in connection with the offer for sale of any security in Texas.
4. It is further ORDERED Respondents immediately CEASE AND DESIST from offering securities in Texas through an offer containing a statement that is materially misleading or otherwise likely to deceive the public.

NOTICE

Pursuant to Section 23-2 of the Texas Securities Act, you may request a hearing before the 31st day after the date you were served with this Order. The request for a hearing must be in writing, directed to the Securities Commissioner, and state the grounds for the request to set aside or modify the Order. Failure to request a hearing will result in the Order becoming final and non-appealable.

You are advised under Section 29.D of the Texas Securities Act that any knowing violation of an order issued by the Securities Commissioner under the authority of Section 23-2 of the Texas Securities Act is a criminal offense punishable by a fine of not more than \$10,000, or imprisonment in the penitentiary for two to ten years, or by both such fine and imprisonment.

SIGNED AND ENTERED by the Securities Commissioner this 17th day of September, 2021.



TRAVIS J. ILES
Securities Commissioner