



STATE OF TENNESSEE
BEFORE THE COMMISSIONER OF COMMERCE AND INSURANCE

TENNESSEE SECURITIES DIVISION)
Petitioner,)
v.) No. 17-009
KEVIN ANDREW DAVENPORT)
Respondent.)

EX PARTE ORDER TO CEASE AND DESIST

This Order issues as the result of a Petition filed by the Tennessee Securities Division of the Department of Commerce and Insurance (“TSD”). This Order is based upon the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Tennessee Securities Act of 1980, as amended, Tenn. Code Ann. Sections 48-1-101 to 48-1-201 (2012) (“Act”), places the responsibility for the administration of the Act on the Commissioner of the Department of Commerce and Insurance (“Commissioner”). The TSD is the lawful agent through which the Commissioner discharges this responsibility. TENN. CODE ANN. Sections 48-1-112 and 48-1-115.

2. The TSD is authorized to bring this action based on a finding by the Commissioner that the action is in the public interest, necessary for the protection of investors,

and consistent with the purposes fairly intended by the policy and provisions of the Act. TENN. CODE ANN. Section 48-1-116.

3. Respondent Kevin Andrew Davenport is a sole proprietor formerly registered as an investment adviser (CRD # 175007) and investment adviser representative (CRD # 5907323) with the TSD. Respondent's principal office and place of business is reportedly located at 4935 Bull Run Rd., Ashland City, TN 37015. Respondent's mailing address is located at 2302 Willis Branch Rd., Goodlettsville, TN 37072.

4. Respondent registered with the TSD as an investment adviser on July 13, 2015. As a sole proprietor, Respondent also registered as an investment adviser representative with the TSD on July 13, 2015.

6. Respondent's registrations as both an investment adviser and an investment adviser representative terminated on December 31, 2016, because Respondent failed to renew his registrations.

7. Since December 31, 2016, Respondent has continued to engage in the securities industry as an investment adviser in Tennessee without effective registration with the TSD.

8. Since December 31, 2016, Respondent has continued to engage in the securities industry as an investment adviser representative in Tennessee without effective registration with the TSD.

9. Respondent advertises his investment advisory business in Tennessee via social media and his website, www.nashvillewealthcoach.com. This website contains false statements of material fact which include a statement that Respondent is currently registered with the TSD.

CONCLUSIONS OF LAW

10. The Commissioner finds that the TSD is authorized to bring this action based on her finding that the action is in the public interest, necessary for the protection of investors, and consistent with the purposes fairly intended by the policy and provisions of the Act pursuant to TENN. CODE ANN. Section 48-1-116(a) and (b). In addition, the Commissioner has determined that prior notice of this Cease and Desist Order is not in the public interest and would be detrimental to the protection of investors. TENN. CODE ANN. Section 48-1-116(e)(2)(A).

11. The facts as stated demonstrate that Respondent, who is not registered as either an investment adviser or an investment adviser representative in Tennessee, continues to engage in the investment advisory business in and from Tennessee in violation of TENN. CODE ANN. Section 48-1-109(c).

12. The facts as stated demonstrate that Respondent continues to advertise his investment advisory business in Tennessee via social networking websites as well as Respondent's website, which contains an untrue statement of a material fact in violation of TENN. COMP. R. & REGS. 0780-04-03-.09(1) and TENN. CODE ANN. Section 48-1-121(b)(2).

13. Respondent's continued illegal conduct provides grounds under TENN. CODE ANN. Section 48-1-116(a) and (e) for the entry of an Order to Cease and Desist all investment advisory activities from or in Tennessee, unless and until such time as Respondent is registered pursuant to the Act.

ORDER

NOW, THEREFORE, in consideration of the foregoing, it is **ORDERED** that:

1. Respondent **SHALL COMPLY** with the Act and all rules promulgated thereunder.

2. Respondent **SHALL CEASE AND DESIST** any further conduct as an investment adviser in or from Tennessee until such time as he is effectively registered with the TSD to engage in such activity.

3. Respondent **SHALL CEASE AND DESIST** any further conduct as an investment adviser representative in or from Tennessee until such time as he is effectively registered with the TSD to engage in such activity.

4. All persons in any way assisting, aiding, or helping the Respondents in any of the aforementioned violations of the Act **SHALL CEASE AND DESIST** all activities in violation of the Act.

5. This Order to Cease and Desist is not intended to prohibit any lawful conduct in which Respondents might be engaged.

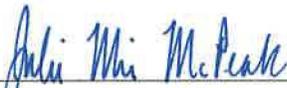
6. Entry of this Order to Cease and Desist shall not in any way restrict the TSD or the Commissioner from taking any further action with respect to these or other possible violations of the Act or rules promulgated thereunder.

7. You are advised that you have the right to a hearing as to all matters raised in this Order to Cease and Desist. If you wish to exercise your right to a hearing, please notify:

**FRANK BORGER-GILLIGAN
ASSISTANT COMMISSIONER FOR SECURITIES
STATE OF TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE
DAVY CROCKETT TOWER, 8TH FLOOR
500 JAMES ROBERSTON PARKWAY
NASHVILLE, TENNESSEE 37243**

8. Such written request must be received within thirty (30) days from the date of entry of this Order to Cease and Desist. This Order to Cease and Desist shall become a Final Order thirty (30) days from the date of its entry, unless written notification requesting a hearing is made within that thirty (30) day period.

ENTERED this 12 day of May, 2017.



Julie Mix McPeak, Commissioner

APPROVED FOR ENTRY:



Frank Borger-Gilligan
Assistant Commissioner for Securities
Department of Commerce and Insurance

ISSUANCE REQUESTED BY:



Kelsey J. Bridges (BPR # 034704)
Assistant General Counsel for Securities
Department of Commerce and Insurance
500 James Robertson Parkway
Nashville, Tennessee 37243