BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF SECURITIES

In the Matter of, ROBIN G. MARTIN and CUSTOMIZED INVESTMENT ADVISORY SERVICES, LLC, Respondents.	SUMMARY ORDER SUSPENDING INVESTMENT ADVISER AND INVESTMENT ADVISER REPRESENTATIVE REGISTRATIONS DFI Case No. S-240032 (LX)

I.

The Administrator of the State of Wisconsin, Department of Financial Institutions, Division of Securities ("Division"), having legal authority and jurisdiction to administer and enforce the Wisconsin Uniform Securities Law, Wis. Stats. Ch. 551 ("Ch. 551") and rules and orders promulgated thereunder, and having determined that this action is necessary and appropriate in the public interest and for the protection of investors, hereby enters this Order as follows:

II.

Division staff have presented evidence sufficient for the Administrator to make the following findings of fact and conclusions of law:

A. Findings of Fact

Respondent

1. Robin G. Martin ("Martin") (IARD# 4324428) is an adult resident of Wisconsin with a last known business address of 310 Misere Road, Forestville, Wisconsin 54213.

2. Customized Investment Advisory Services, LLC ("CIAS") (IARD# 156471) is a limited liability company organized in Wisconsin on or about January 13, 2011, with a last known business address of 310 Misere Road, Forestville, Wisconsin 54213. CIAS was registered with the Division on or about July 23, 2012 to provide investment advisory services. At all times material, Martin was the sole controlling member and in investment adviser representative of CIAS.

Conduct

3. CIAS has not filed an Annual Amendment of its Form ADV since January 4, 2013.

4. In or about June 2019, a securities examiner from the Division contacted Martin to schedule an on-site examination of CIAS on August 16, 2019. One day prior to the scheduled examination, the examiner and Martin spoke by phone and confirmed that the examination would begin at 2:00 pm.

5. The examiner arrived at the business location of CIAS at the scheduled time of 2:00 pm on August 16, 2019 and repeatedly attempted to make contact with Martin who failed to answer the door and failed to respond to subsequent attempts to make contact through further door knocks, car horns, phone calls, and an email message. The examiner remained at the property for approximately one hour prior to departing. The examiner left another voice mail message for Martin later the same day and again on the following day, August 17, 2019.

6. Martin has not communicated with the examiner since August 15, 2019, and has provided no explanation for refusing to admit the examiner to his property for the scheduled examination of CIAS.

7. Division staff is aware that Martin has communicated with at least one third party on the day following the attempted examination of CIAS on August 16, 2017.

8. On or about August 21, 2019, the Division sent Martin and CIAS a letter to Martin and CIAS' address on file with the Division. The letter again notified Martin and CIAS that they had missed the scheduled examination of CIAS on August 16, 2019, and required Martin to contact the Division by no later than Friday, August 30, 2019 to reschedule the examination. The letter concluded with a warning that if Martin and CIAS failed to respond in writing, the Division would take enforcement action, including but not limited to the immediate suspension of CIAS' investment adviser registration and Martin's investment adviser representative registration.

9. Neither Martin nor CIAS contacted the Division to reschedule the examination of CIAS on or before August 30, 2019.

B. Conclusions of Law

<u>Legal Authority and Jurisdiction</u>

The Administrator has legal authority and jurisdiction over the conduct described above, pursuant to Ch. 551 and the rules and orders promulgated thereunder.

10. CIAS is registered as an investment adviser with the Division pursuant to Wis. Stat. § 551.403.

11. Martin is registered as an investment adviser representative with the Division pursuant to Wis. Stat. § 551.404.

12. As registered investment adviser, CIAS is required pursuant to DFI-Sec 5.04(3)(b) to file on an annual basis a complete, updated Form ADV with the investment adviser registration depository (IARD) within 90 days of the end of its fiscal year.

13. As a registered investment adviser, CIAS is required pursuant to Wis. Stat. § 551.411(4), to submit to periodic audits or inspections of its books and records by the Division. An audit or inspection may be made at any time and with or without prior notice.

14. Pursuant to Wis. Stat. § 551.412(4)(r), an registrant may be disciplined under Wis. Stat. § 551.412(2) if the registrant has not complied with the conditions or limitations of a registration under Ch. 551.

15. Pursuant to Wis. Stat. § 551.412(4)(q), a registrant may be disciplined under Wis. Stat. §551.412(2) if the registrant has refused to furnish information reasonably requested by the Division's representatives.

Violations

16. Through the conduct described in ¶¶ 1-9, Martin and CIAS violated Wis. Stat. § 551.412(4)(r), Wis. Stat. § 551.411(4) and DFI-Sec 5.04(3)(b), Wis. Admin. Code by failing to make annual updates of the Form ADV.

17. Through the conduct described above in ¶¶ 1-9, Martin and CIAS violated Wis. Stat. 551.412(4)(r) and Wis. Stat. 551.511(4) by failing to submit to period audits and inspections of the investment adviser's books and records by the Division.

18. Through the conduct described above in ¶¶ 1-9, Martin and CIAS violated Wis. Stat. § 551.412(4)(q) and Wis. Stat. § 551.411(4) by failing to submit to an audit or examination of the investment adviser's books and records.

III.

In view of the above findings of fact and conclusions of law, the Administrator deems it necessary and appropriate in the public interest and for the protection of investors, and pursuant to its legal authority and jurisdiction under Ch. 551, to wit Wis. Stat. §§ 551.604 and 551.412, to issue the following orders and notices:

A. Summary Orders issued pursuant to Wis. Stat. §§ 551.604(2) and 551.412

(a) IT IS ORDERED summarily that CUSTOMIZED INVESTMENT ADVISORY SERVICES, LLC's investment adviser registration is suspended as of September 4, 2019

as result of its conduct in violation of Ch. 551; the suspension shall remain in effect until the Division's audit of the books and records of the investment adviser is deemed closed by the Division and an Annual Amendment of Form ADV is successfully submitted by CIAS to IARD.

(b) IT IS FURTHER ORDERED summarily that MARTIN's investment adviser representative registration is suspended as of September 4, 2019 as result of his conduct in violation of Ch. 551; the suspension shall remain in effect until the Division's audit of the books and records of the investment adviser is deemed closed by the Division and an Annual Amendment of Form ADV is successfully submitted by CIAS to IARD.

(c) IT IS FURTHER ORDERED summarily that all exemptions from registration set forth in Ch. 551 or successor statute that might otherwise apply to any offer of securities or investment advice by MARTIN or CUSTOMIZED INVESTMENT ADVISORY SERVICES, LLC, their agents, servants, officers, employees, successors, affiliates, and every entity and person directly or indirectly controlled or organized by or on behalf of MARTIN or CUSTOMIZED INVESTMENT ADVISORY SERVICES, LLC, are hereby revoked, pursuant to Wis. Stats. §§ 551.604(1)(b) and (2).

(d) PLEASE TAKE NOTICE that the summary orders of the Administrator are effective as of the date of issuance of this order, pursuant to Wis. Stat. § 551.412(6) and 551.604(2).

B. Service of Order

(e) IT IS FURTHER ORDERED that this order shall be sent promptly by certified mail to each party named in the order at his or her last known address or to the party's attorney of record, or shall be personally served upon the party or the party's attorney of record, pursuant to Wis. Admin. Code § DFI-Sec. 8.06. This order shall also be served upon the office of the administrator pursuant to Wis. Stat. § 551.611.

(f) PLEASE TAKE NOTICE that the date of service of this order if it is sent by certified mail is the date it is placed in the mail, which is also the issue and effective date below. If a respondent is personally served, the date of service is the date personal service is obtained.

C. Notifications

(g) PLEASE TAKE NOTICE that you have the right to request a hearing, pursuant to Wis. Stat. § 551.604(2). Every request for a hearing shall be in the form of a written petition filed with the Division, pursuant to Wis. Admin. Code § DFI-Sec. 8.01 and Wis. Stat. § 227.42. A petition for a hearing to review the order shall:

(1) Plainly admit or deny each specific allegation, finding or conclusion in the order and incorporated papers. However, if the petitioner lacks sufficient knowledge or information to permit such an admission or denial, the petition shall so state, and that statement shall have the effect of a denial; and

(2) State all affirmative defenses. Affirmative defenses not raised in the request for hearing may be deemed waived.

(h) PLEASE TAKE FURTHER NOTICE that you may file your written petition:

(1) By mailing the written petition to:

Division of Securities
Wisconsin Department of Financial Institutions
P.O. Box 1768
Madison, WI 53701-1768

(2) By delivering the written petition in person to:

Division of Securities
Wisconsin Department of Financial Institutions
4822 Madison Yards Way, North Tower, 4th Floor
Madison, Wisconsin 53705

(3) By faxing the written petition to 608-264-7979

(i) PLEASE TAKE FURTHER NOTICE that the petition for hearing must be filed with the Division. Pursuant to Wis. Stat. § 551.102(8), "filing" means "receipt." Therefore, a petition is not "filed" with the Division until it is actually "received" by the Division. If the Division does not receive your written petition before midnight on the 30th day after the date of service of this order, your right to a hearing will be waived and the Summary Order shall become final by operation of law.

(j) PLEASE TAKE FURTHER NOTICE that if you do not request a hearing and none is ordered by the Administrator within 30 days after the date of service of this order, the findings of fact, conclusions of law, and summary orders and proposed final orders, including the imposition of a civil penalty and requirement for payment of restitution and interest sought in a statement in the order, become final by operation of law, pursuant to Wis. Stat. § 551.604(2).

(k) PLEASE TAKE FURTHER NOTICE that, within 15 days after the Division's receipt of a written request for a hearing from you, the matter will be scheduled for a hearing or other public administrative proceedings, pursuant to Wis. Stats. §§ 551.604(2) and (3).

(l) PLEASE TAKE FURTHER NOTICE that any willful violation of an Order by the Division under Ch. 551 is a criminal offense punishable under the provisions of Wis. Stat. § 551.508.

EXECUTED at Madison, Wisconsin this 4th day of September, 2019.

Leslie M. Van Buskirk

Leslie M. Van Buskirk
Administrator

Division of Securities
State of Wisconsin Department of Financial Institutions
4822 Madison Yards Way, 4th Floor
Madison, WI 53701

State of Wisconsin

Department of Financial Institutions

Tony Evers, **Governor** | Kathy Blumenfeld, **Secretary**

AFFIDAVIT OF SERVICE
AND COMPLIANCE WITH WIS. STAT. § 551.611

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

I, KATHERINE CLEMENTI, first being duly sworn, depose and state:

1. I am employed with the State of Wisconsin, Department of Financial Institutions, Division of Securities.

2. On the date of this Affidavit and in the course of regularly conducted activity, I have caused to be served by certified mail upon Respondent Robin G. Martin at his last known business address of 310 Misere Road, Forestville, Wisconsin 54213:

   i. A copy of the signed Summary Order Suspending Investment Adviser and Investment Adviser Representative Registrations, DFI Case No. S-240032 (EX); and

   ii. A copy of this Affidavit of Service.

3. In compliance with Wis. Stat. §§ 227.48, 551.611, and 891.46; and Wis. Admin. Code. §§ DFI-Sec 8.06 and 8.07, I have also caused to be served copies of those same documents upon the Administrator for the Division of Securities.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Katherine Clementi
KATHERINE CLEMENTI

State of Wisconsin
Department of Financial Institutions
Division of Securities

Subscribed and sworn to before me

This 4th day of September, 2019.

Lindsay Fedler
Notary Public, State of Wisconsin

(Notary Seal)

LINDSAY FEDLER
NOTARY PUBLIC
STATE OF WISCONSIN

My commission is permanent.

Division of Securities
Mail: PO Box 1768 Madison, WI 53701-1768
Courier: 4822 Madison Yards Way, Madison, WI 53705
Voice: (608) 261-9555 Fax: (608) 264-7979 Web: www.wdfi.org

State of Wisconsin

Department of Financial Institutions

Tony Evers, **Governor** | Kathy Blumenfeld, **Secretary**

AFFIDAVIT OF SERVICE
AND COMPLIANCE WITH WIS. STAT. § 551.611

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Katherine Clementi
KATHERINE CLEMENTI

State of Wisconsin
Department of Financial Institutions
Division of Securities

Subscribed and sworn to before me

This 4th day of September, 2019.

Lindsay Fedler

Notary Public, State of Wisconsin

My commission is permanent.

(Notary Seal)

LINDSAY FEDLER
NOTARY
PUBLIC
STATE OF WISCONSIN