

DENISE VOIGT CRAWFORD  
SECURITIES COMMISSIONER

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DEPUTY SECURITIES COMMISSIONER

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## Texas State Securities Board

208 E. 10th Street, 5th Floor  
Austin, Texas 78701-2407  
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IN THE MATTER OF  
MARC RANDALL HALL

§  
§

Order No. ENF-04-CDO-1565

TO: Marc Randall Hall  
8025 FM 620 North, Apt. 1613  
Austin, Texas 78726

### AGREED CEASE AND DESIST ORDER

Be it remembered that Marc Randall Hall ("Respondent") appeared before the Securities Commissioner of the State of Texas ("Securities Commissioner") and consented to the entry of this Order and the Findings of Fact and Conclusions of Law contained herein.

#### FINDINGS OF FACT

1. Respondent has waived (a) Respondent's right to notice and hearing in this matter; (b) Respondent's right to appear and present evidence in this matter; (c) Respondent's right to appeal this Order; and (d) all other procedural rights granted to Respondent by The Securities Act, TEX. REV. CIV. STAT. ANN. art. 581-1 et seq. (Vernon 1964 & Supp. 2004) ("Texas Securities Act"), and the Administrative Procedure Act, TEX. GOV'T CODE ANN. §2001.001 et seq. (Vernon Supp. 2004) ("Administrative Procedure Act").
2. Respondent maintains a last known address at 8025 FM 620 North, Apt. 1613, Austin, Texas 78726.
3. From on or about May, 2004, Respondent engaged in the offer for sale of an investment program whereby Respondent would use investor funds to finance Respondent's home building company, Marc Randall Homes, which would purchase land and then build houses on such land to sell to the public. Respondent would provide a 10% return to investors and then allocate profits 51% to investors and 49% to builder, or alternatively pay investors "12% + 2pts" ("Builder Investment Program"). Respondent solicited Texas investors through advertisements in the *Austin American-Statesman* newspaper.
4. The Builder Investment Program has not been registered by qualification, notification or coordination and no permit has been granted for its sale in Texas.

5. Respondent has not been registered with the Securities Commissioner as a dealer or agent at any time material hereto.

#### CONCLUSIONS OF LAW

1. The above-described Builder Investment Program is a "security" as that term is defined by Section 4.A of the Texas Securities Act.
2. Respondent has violated Section 7 of the Texas Securities Act by offering securities for sale in Texas at a time when the securities are not registered with the Securities Commissioner.
3. Respondent has violated Section 12 of the Texas Securities Act by offering securities for sale in Texas without being registered pursuant to the provisions of Section 12 of the Texas Securities Act.
4. The foregoing violations constitute bases for the issuance of an Agreed Cease and Desist Order pursuant to Section 23.A of the Texas Securities Act.

#### ORDER

1. It is therefore ORDERED that Respondent immediately CEASE AND DESIST from offering for sale any security in Texas until the security is registered with the Securities Commissioner or is offered for sale pursuant to an exemption from registration under the Texas Securities Act.
2. It is further ORDERED that Respondent immediately CEASE AND DESIST from acting as a securities dealer or agent in Texas until Respondent is registered with the Securities Commissioner or is acting pursuant to an exemption from registration under the Texas Securities Act.

SIGNED AND ENTERED by the Securities Commissioner this 6<sup>th</sup> day of July, 2004.

  
DENISE VOIGT CRAWFORD  
Securities Commissioner

RESPONDENT:

*Marc Randall Hall*

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Marc Randall Hall

Approved as to Form:

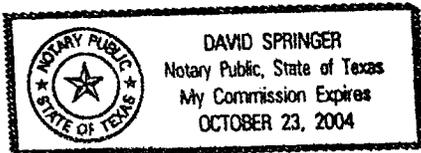
*Rhonda Rogers, Assistant Director, for*  
John R. Morgan  
Director  
Enforcement Division

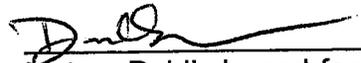
*Rhonda Rogers, Assistant Director, for*  
James Zier  
Attorney  
Enforcement Division

**ACKNOWLEDGMENT**

On the 30 day of June, 2004, Marc Randall Hall ("Respondent") personally appeared before me, executed the foregoing Order and acknowledged that:

1. Respondent read the foregoing Order;
2. Respondent has been fully advised of his rights under the Texas Securities Act and the Administrative Procedure Act;
3. Respondent knowingly and voluntarily consents to the entry of the foregoing Order and the Findings of Fact and Conclusions of Law contained therein; and,
4. Respondent, by consenting to the entry of the foregoing Order, has knowingly and voluntarily waived his rights as set forth therein.



  
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Notary Public in and for  
The State of Texas

My commission expires on: 10-23-04