

STATE OF ILLINOIS
SECRETARY OF STATE
SECURITIES DEPARTMENT

IN THE MATTER OF:

Leonard Hayes,

And New Vision Construction of Illinois, Inc.,

Respondents

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) File No. 09-00225
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)

TEMPORARY ORDER OF PROHIBITION

TO RESPONDENT:

Leonard Hayes
4749 West Lincoln Highway
Suite 403
Matteson Illinois 60443

New Vision Construction of Illinois, Inc.
C/O Leonard Hayes
20550 South Cicero Avenue
Matteson Illinois 60443

Nishay K. Sanan
Attorney At Law
327 South Plymouth Court
Suite 201
Chicago Illinois 60604

On information and belief, I, Jesse White, Secretary of State for the State of Illinois, through my designated representative, who has been fully advised in the premises by the staff of the Securities Department, Office of the Secretary of State, herein find:

1. Respondent **Leonard Hayes**, ("Respondent Hayes") is an individual with a last known address of 4749 West Lincoln Highway, Suite 403, Matteson Illinois 60443.

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2. Respondent New Vision Construction of Illinois, Inc. ("Respondent New Vision") is an Illinois corporation with a current status of "dissolved," and has a last known address as 20550 South Cicero Avenue, Matteson Illinois 60443. Respondent Hayes is listed as its President and Registered Agent.
3. Respondent Hayes solicited investors on behalf of his company, Respondent New Vision.
4. Respondents told investors the investment funds were to be used for the construction of homes. Investor(s) would share in the profits of the sales of said homes.
5. One or more Illinois Investor(s) received a Promissory Note signed by Respondent Hayes on behalf of Respondent New Vision. The Promissory Note promised to pay Illinois investor(s) 50% (fifty percent) return on Illinois Investor(s) principal, every 120 days.
6. One or more Illinois Investor(s) entered into a "Contractual Agreement," or Profit Sharing Agreement, with Respondent New Vision. The Contractual Agreement was signed by Respondent Hayes on behalf of Respondent New Vision, and secured by the Promissory Note which promised Illinois Investor(s) over 50% (fifty percent) return on investment upon sale of the home(s) to be built.

FAILURE TO REGISTER SECURITIES

7. That neither Respondent Hayes nor Respondent New Vision registered the promissory note(s) or investment contract(s) with the Illinois Securities Department.
8. That the activities alleged in paragraphs three through six (3-6) constitute the offer and sale of a security as that term is defined in Section 2.1 , 2.5 and 2.5a of the Illinois Securities Act of 1953 [815 ILCS 5] (the "Act").
9. That Section 5 of the Act provides, *inter alia*, that "all securities except those set forth under Section 2a of this Act ... or those exempt ... shall be registered ... prior to their offer or sale in this State."
10. That Respondents failed to file an application with the Secretary of State to register the promissory notes(s) or investment contract(s) as required by the Act, and as a result neither the promissory note(s) nor the investment contract(s) were registered as such prior to their offer and sale in the State of Illinois.
11. That Section 12.A of the Act provides, *inter alia*, that it shall be a violation for any person to offer or sell any security except in accordance with the provisions of the Act.

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12. That Section 12.D of the Act provides, *inter alia*, that it shall be a violation for any person "to fail to file with the Secretary of State any application, report or document, required to be filed under the provisions of the Act or any rule or regulation made by the Secretary of State pursuant to the Act."
13. That by virtue of the foregoing, Respondent Hayes and Respondent New Vision violated Sections 12.A and 12.D of the Act.

FRAUD

14. Illinois Investor(s) made several demands for the return of their investment(s) with Respondents Hayes and New Vision but Illinois Investor(s) did not receive their returns, nor their principal.
15. One or more Illinois Investor received an Installment Note from Respondents Hayes and New Vision. Some payments were made to Illinois Investor(s) but the total agreed upon amount was never paid.
16. Respondents Hayes and New Vision sold securities to multiple Illinois Investors and failed to abide by the terms set forth in both the Promissory Note and the Contractual Agreement:
 - a. That the investment funds would be used for the construction of home(s) and
 - b. The Illinois Investor(s) would share in the profits of the sale(s) of the(se) home(s).

Such failure worked as a fraud or deceit

17. Section 12.F of the Act provides that it shall be a violation of the provisions of this Act for any person to engage in any transaction, practice or course of business in connection with the sale or purchase of securities which works or tends to work a fraud or deceit upon the purchaser or seller thereof.
18. Respondent Hayes and Respondent New Vision obtained money from Illinois Investors through the sale of said Promissory Note(s) and Contractual Agreement by means of untrue statements of material fact(s). Respondents promised to use investment funds for the construction of homes. Investment funds were not used for their stated purpose.
19. Section 12.G of the Act provides that it shall be a violation of the provisions of this Act for any person to obtain money or property through the sale of securities by means of any untrue statement of a material fact or any omission to state a

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material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.

20. Respondent Hayes and Respondent New Vision solicited investors and held themselves out as Builders in search of funds for the construction of home(s). Respondents Hayes and Respondent New Vision did not use the investment funds from Illinois Investors for their stated purpose.
21. Section 12.I of the Act provides that it shall be a violation of the provisions of this Act for any person to employ any device, scheme or artifice to defraud in connection with the sale or purchase of any security, directly or indirectly.
22. By virtue of the foregoing, Respondent Hayes and Respondent New Vision violated Sections 12.F, 12.G and 12.I of the Act.

PROHIBITION

23. Section 11.F(2) of the Act provides, *inter alia*, that the Secretary of State may temporarily prohibit or suspend the offer or sale of securities by any person, and temporarily prohibit or suspend the registration of an investment adviser representative or registered representative without notice and prior hearing, if the Secretary of State shall deem it necessary to prevent an imminent violation of the Act or to prevent losses to investors that will occur as a result of prior violations of the Act.
24. The entry of this **Temporary Order** prohibiting **Respondent Hayes and Respondent New Vision**, from offering or selling securities in the State of Illinois is in the public interest and for the protection of the investing public and is consistent with the purposes intended by the provisions of the Act.
25. The aforementioned findings are based upon credible evidence.

NOW THEREFORE IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 11.F of the Act,

Respondent Hayes and Respondent New Vision are **TEMPORARILY PROHIBITED** from offering or selling securities in or from this State of Illinois.

NOTICE is hereby given that **Respondent Hayes and Respondent New Vision** may request a hearing on this matter by transmitting such request in writing to:

Lisa Michelle Kaplan
Enforcement Attorney
Illinois Securities Department

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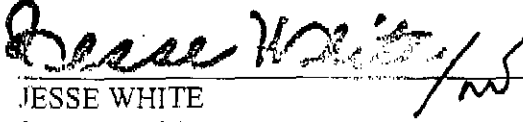
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Office of the Secretary of State
69 West Washington Street, Suite 1220
Chicago, Illinois 60602

Such request must be made within thirty (30) calendar days of the date of entry of the **Temporary Order of Prohibition**. Upon receipt of a request for hearing, a hearing will be scheduled as soon as reasonably practicable. A request for hearing will not stop the effectiveness of this Temporary Order of Prohibition and Suspension.

FAILURE OF ANY RESPONDENT TO REQUEST A HEARING WITHIN THIRTY (30) CALANDAR DAYS AFTER ENTRY OF THIS TEMPORARY ORDER OF PROHIBITION AND SUSPENSION SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED HEREIN AND SHALL CONSTITUTE SUFFICIENT BASIS TO MAKE THIS TEMPORARY ORDER OF PROHIBITION AND SUSPENSION FINAL.

Dated this 28th day of October, 2010.



JESSE WHITE
Secretary of State
State of Illinois

Attorney for the Secretary of State:

Lisa Michelle Kaplan
Enforcement Attorney
Illinois Securities Department
Office of the Secretary of State
69 West Washington Street, Suite 1220
Chicago, Illinois 60602
312-793-2960