

**STATE OF ALABAMA  
ALABAMA SECURITIES COMMISSION**

IN THE MATTER OF: )

HELPING HANDS DEVELOPMENT INC. )  
DEBORAH F ESCOTT LUMPKIN )

**ADMINISTRATIVE ORDER  
NO. CD-2009-00<sup>24</sup>**

\_\_\_\_\_  
**RESPONDENTS** )

**CEASE AND DESIST ORDER**

The Alabama Securities Commission ("Commission"), having authority to administer and provide for the enforcement of all provisions of Title 8, Chapter 6, Code of Alabama 1975, the Alabama Securities Act ("Act"), upon due consideration of the subject matter hereof, and having confirmed information of the offers for sale and/or sale of securities, into, within or from the state of Alabama, has determined as follows:

**RESPONDENTS**

1. **HELPING HANDS DEVELOPMENT, INC, ("HHD")** is a purported Alabama corporation doing business as Helping Hands Inc, ("HHI"), with a commercial address of 1119 Forestdale Boulevard, Birmingham, AL 35214.

2. **DEBORAH F. ESCOTT LUMPKIN, ("LUMPKIN")** is the President of HHD, with an address of 2240 Retta Drive, Birmingham, AL 35214.

**STATEMENT OF FACTS**

3. The Commission is in receipt of information which indicates that on July 29, 2003, **RESPONDENTS**, engaged in the offer and sale of an unregistered security, to wit: an investment contract, which was issued following three separate wire transfers of funds from the Bank One account of a Michigan resident ("Investor"), to the SouthTrust Bank account of **LUMPKIN** and **HHI**. The investment contract was issued to the investor in exchange for a total of \$50,000.00.

4. On July 30, 2003, the RESPONDENTS entered into a "General Agreement" with a Michigan investor. According to the General Agreement, in exchange for the \$50,000.00, RESPONDENTS agreed to place a lien on property located at 1119 Forestdale Blvd., Birmingham, Alabama. In addition to the lien, RESPONDENTS agreed to repay the investor's funds plus 15% within 90 days of execution of the agreement, granting the investor a 10 year employment with HHD, or assigning 20% ownership interest to the investor in the Miranda Villas which was to be transferred to the Senior Villas Project upon completion.

5. LUMPKIN represented to the investor that the invested funds were to be placed in an HHD escrow account and used in the acquisition of federal funding to construct the Senior Villas Project.

6. Subpoenaed SouthTrust Bank records indicate that within 30 days of the wire transfers from the investor, LUMPKIN made eleven cash withdrawals from the HHD account totaling \$49,100.00. The SouthTrust Bank account was closed in April 2004.

7. On December 1, 2005, LUMPKIN faxed a written agreement to the investor, which outlined a "payment schedule and plan", to repay the investor the original amount of investment plus 6% interest. According to the correspondence, payments were to be made on the 20<sup>th</sup> of each month and were to commence in February 2006.

8. On or about August 8, 2006, a single payment of \$70.00 was made by LUMPKIN to the investor.

9. On July 13, 2009, a review of the registration files of the Commission, disclosed no record of registration, nor a perfected exemption from registration for the security referenced in paragraph 3 above, and which were offered and sold by RESPONDENTS in July 2003.

## CONCLUSIONS OF LAW

10. Pursuant to Section 8-6-2(10), Code of Alabama 1975, the definition of security includes an investment contract. The agreement entered into, as described herein, falls within the definition of an investment contract and is therefore a security under the statutory definition set forth in the Act.

11. Pursuant to Section 8-6-4, Code of Alabama 1975, it is unlawful for any person to offer or sell any security in this state unless it is registered or subject to a perfected exemption from registration under the Act. A review of the Alabama Securities Commission files disclosed no record of registration for the security offered and sold by RESPONDENTS, nor a perfected exemption. The offer and sale of the security, to wit: an investment contract, by LUMPKIN is a violation of the Act.

12. Pursuant to Section 8-6-2(2), Code of Alabama 1975, the definition of agent includes any individual who represents an issuer in effecting sales of securities. LUMPKIN's actions as described herein indicate that LUMPKIN acted as an agent of HHD as defined in the Act.

13. Pursuant to Section 8-6-3(a), Code of Alabama 1975, it is unlawful for any person to transact business in this state as a Dealer or Agent unless, he is registered under the Act. LUMPKIN is not registered in any capacity with the Commission and has effected a securities transaction in the state of Alabama with a Michigan resident in violation of the Act.

This Order does not prevent the Alabama Securities Commission from seeking such other administrative, civil or criminal remedies that are available to it under the Act.

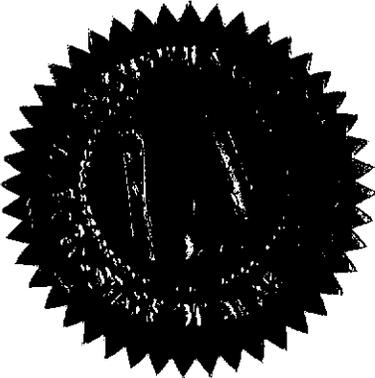
This Order is appropriate in the public interest for the protection of investors and is consistent with the purposes of the Act.

Additionally, if the allegations set forth herein are found to be true, through either administrative adjudication, failure of the RESPONDENTS to make a timely

request for hearing, or default of the respondents, it is the intention of the Commission to impose sanctions upon the RESPONDENTS. Such sanctions may include, inter alia, an administrative assessment imposed on RESPONDENTS, an additional administrative assessment for investigative costs arising from the investigation of the violation(s) described herein against RESPONDENTS, and a permanent Order to Bar RESPONDENTS from participation in any securities related industry in the state of Alabama.

**ACCORDINGLY, IT IS HEREBY ORDERED** that the RESPONDENTS immediately **CEASE AND DESIST** from further offers or sales of any security into, within or from the state of Alabama.

Entered at Montgomery, Alabama, this 1st day of SEPTEMBER, 2009.



ALABAMA SECURITIES COMMISSION  
770 Washington Avenue, Suite 570  
Montgomery, AL 36130-4700  
(334) 242-2984

BY:

A handwritten signature in black ink, appearing to read "Joseph P. Borg", is written over a horizontal line. The signature is stylized and somewhat cursive.

Joseph P. Borg  
Director