

ADMINISTRATIVE PROCEEDING

File No. 3-17319

SEC Charges Former Registered Representative with Misappropriating Investor Funds From Pooled Oil and Gas Investments

June 28, 2016 – The Securities and Exchange Commission today announced fraud charges against a former registered representative, Jan E. Helen, for allegedly misappropriating investor funds from two oil and gas pooled investment vehicles that he managed, Janco Energy Partners II, LLC (“JEP II”) and Janco Energy Partners III, LLC (“JEP III”).

The SEC’s Enforcement Division alleges that from approximately November 2012 through the present, Helen has been the sole owner and control person of Janco Properties, LLC, which is the manager and investment adviser to JEP II and JEP III. Pursuant to their offering documents, JEP II and JEP III were formed to invest in working interests in oil and gas exploration. According to the SEC’s order, however, from approximately March 2013 through June 2014, Helen misappropriated investor funds by taking at least \$165,200 in unauthorized and undisclosed personal loans from JEP II and JEP III. Among other things, the Enforcement Division alleges that Helen began misappropriating investor funds from JEP III less than a week after it received its first investor contribution. Helen’s alleged scheme was uncovered during the summer of 2014, during a regulatory review of Helen’s then-broker-dealer, Janco Partners, Inc.

Based upon this conduct, the SEC’s Enforcement Division alleges that Helen willfully violated Section 17(a) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder with respect to JEP III, and, in the alternative, willfully aided and abetted and caused JEP III’s violations of Section 10(b) of the Exchange Act and Rule 10b-5(b) thereunder, and that Helen willfully violated Section 206(4) of the Investment Advisers Act of 1940 and Rule 206(4)-8 thereunder with respect to JEP II and JEP III. The matter will be scheduled for a public hearing before an administrative law judge, who will prepare an initial decision stating what, if any, remedial actions are appropriate.

The investigation was conducted by Marc D. Ricchiute and Tracy W. Bowen and supervised by Kurt L. Gottschall in the Denver Regional Office. The Enforcement Division’s litigation will be led by Mr. Ricchiute and Danielle R. Voorhees. The SEC appreciates the assistance of the Financial Industry Regulatory Authority.

See also: [Order](#)