

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-19972

<p>In the Matter of</p> <p>Benaiah Holdings Group, Inc.,</p> <p>Respondent.</p>
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DIVISION OF ENFORCEMENT’S MOTION FOR
DEFAULT AND BRIEF IN SUPPORT

The Division of Enforcement (“Division”), by counsel, pursuant to Commission Rules of Practice Rules 154(a) and 155(a)(2), respectfully moves the Securities and Exchange Commission (“Commission”) for an order entering a default against Benaiah Holdings Group, Inc. (CIK No. 0001625639) (“Benaiah” or “Respondent”) in this proceeding and ordering the revocation of the registration of each class of Respondent’s securities registered pursuant to Section 12 of the Securities Exchange Act of 1934 (“Exchange Act”).

Argument

On September 10, 2020, the Commission issued an Order Instituting Proceedings (“OIP”) against Respondent, which has securities registered with the Commission under Section 12(g) of the Exchange Act. The OIP alleges the Respondent is delinquent in filing its mandated periodic reports. Because Respondent failed to answer or otherwise respond to the OIP, the Division now seeks entry of an order finding Respondent to be in default in this proceeding.

Commission Rule of Practice 220(b) states that where an answer is required to be filed by rule or order, the respondent “shall do so within 20 days after service upon the respondent of the order instituting proceedings” unless a different period is provided by rule or order. Here, the OIP requires “an Answer [to be filed] to the allegations contained in this Order within ten (10) days after service of this Order.” OIP at IV. Commission Rule of Practice 160(a) provides that Saturdays, Sundays and Federal legal holidays are to be counted as part of the 10 day period, and Commission Rule of Practice 160(b) extends that time by three days if service is made by mail.

The Declaration of Victor Tabak to Assist Secretary with Record of Service (attached hereto as Exhibit A) (“Tabak Declaration”) establishes that on September 12, 2020, service upon Benaiah of the OIP, along with a letter from the Commission’s Secretary, and a letter from the Division offering discovery pursuant to Rule of Practice 230 (collectively the “Service Documents”), was attempted by Priority Mail Express delivery at the address provided in Benaiah’s last EDGAR filing with the Commission, in accordance with Commission Rule of Practice 141(a)(2)(ii). Benaiah’s answer to the OIP was due by September 25, 2020. However, Benaiah has neither filed an answer nor made any other response to the OIP in this proceeding.

Respondent is delinquent in its filings with the Commission and has been delinquent for over two years. In addition, Respondent’s failure to answer supports revocation of the registration of each class of Respondent’s securities. Accordingly, the Division moves for an order, pursuant to Rule 155(a)(2), finding Benaiah to be in default in this proceeding and ordering that the registration of each class of its securities registered pursuant to Exchange Act Section 12 be revoked.

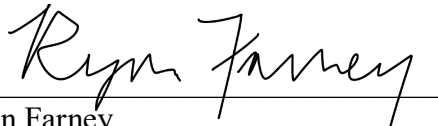
Conclusion

For the reasons set forth above, the Division respectfully requests that the Commission:

1) grant the Division's Motion; 2) enter an order of default against Benaiah; and 3) revoke the registration of each class of Benaiah's securities registered pursuant to Section 12 of the Exchange Act.

Dated: March 19, 2021

Respectfully submitted,



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COUNSEL FOR
DIVISION OF ENFORCEMENT

CERTIFICATE OF SERVICE

I hereby certify that the Division of Enforcement's Motion for Default and Brief in Support was filed with the Securities and Exchange Commission, Office of the Secretary, 100 F Street NE, Washington, DC 20549-2557, and that a true and correct copy of the foregoing has been served on this 19th day of March, 2021, on the following persons entitled to notice:

By UPS:
Benaiah Holdings Group, Inc.
2015 Ayrley Town Blvd.
Charlotte NC 28272



Ryan Farney

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DECLARATION OF VICTOR TABAK
TO ASSIST SECRETARY WITH RECORD OF SERVICE

VICTOR TABAK, pursuant to 28 U.S.C. § 1746, declares:

1. I am a Senior Counsel with the Division of Enforcement (“Division”) of the Securities and Exchange Commission, and co-counsel for the Division in the captioned administrative proceeding. I am submitting this Declaration to assist the Secretary in maintaining a record of service on the respondent in the captioned proceeding pursuant to Rule 141(a)(3).
2. The Office of the Secretary provided me with the U.S. Priority Mail Express tracking number for the copy of the Order Instituting Proceedings (“OIP”) mailed by the Secretary to the respondent in this proceeding. I input the tracking number into the U.S. Postal Service’s (“USPS’s”) package tracking system on its Internet website located at www.usps.com, and printed out the tracking confirmation in order to obtain confirmation of the delivery or attempted delivery of the OIP on the respondent. A true copy of the tracking confirmation for the respondent is attached as Exhibit 1, hereto. Rule

141(a)(2)(ii) provides that service on a corporation or entity may be obtained by confirmation of attempted delivery on the most recent address shown on the entity's most recent filing with the Commission.

3. The Secretary mailed the OIP to respondent Benaiah Holdings Group, Inc., CIK 0001625639 ("Benaiah"), via Priority Mail Express, Tracking No. EJ435622823US, to the address shown on its most recent EDGAR filing at 2015 Ayrley Town Blvd., Charlotte, NC 28272. This address is taken from Benaiah's last filing with the Commission, which was a Form 10-12G filed with the Commission on March 13, 2018. The USPS tracking system confirms that delivery was attempted on September 12, 2020, however the package was undeliverable as addressed. *See Exhibit 1 at page 2.*

I declare under penalty of perjury that the foregoing is true and correct.
Executed on December 30, 2020.



Victor Tabak

Track Another Package +

Tracking Number: EJ435622823US

[Remove X](#)

Your item was delivered at 10:47 am on September 18, 2020 in WASHINGTON, DC 20549 to SEC 20549 R26. The item was signed for by J MORLEN.

Delivered

September 18, 2020 at 10 47 am
Delivered
WASHINGTON, DC 20549

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Proof of Delivery



Tracking History



September 18, 2020, 10:47 am

Delivered

WASHINGTON, DC 20549

Your item was delivered at 10:47 am on September 18, 2020 in WASHINGTON, DC 20549 to SEC 20549 R26. The item was signed for by J MORLEN.

September 18, 2020, 10:28 am

Out for Delivery

WASHINGTON, DC 20018

September 18, 2020, 10:17 am

Arrived at Post Office
WASHINGTON, DC 20018

September 18, 2020, 8:05 am

Arrived at USPS Regional Facility
WASHINGTON DC V STREET DISTRIBUTION CENTER

September 17, 2020, 8:30 pm

Departed USPS Regional Facility
CHARLOTTE NC DISTRIBUTION CENTER

September 12, 2020, 10:57 am

Insufficient Address
CHARLOTTE, NC 28273

September 12, 2020, 10:13 am

Arrived at Post Office
CHARLOTTE, NC 28278

September 12, 2020, 7:39 am

Arrived at USPS Regional Facility
CHARLOTTE NC DISTRIBUTION CENTER

September 11, 2020, 10:51 pm

Departed USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

September 11, 2020, 7:55 pm

Arrived at USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

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