

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 80343 / March 30, 2017

INVESTMENT ADVISERS ACT OF 1940
Release No. 4675 / March 30, 2017

ADMINISTRATIVE PROCEEDING
File No. 3-17823

In the Matter of

THOMAS H. CANIFORD,

Respondent.

**ORDER MAKING FINDINGS AND
IMPOSING REMEDIAL SANCTIONS
PURSUANT TO SECTION 15(b) OF THE
SECURITIES EXCHANGE ACT OF 1934
AND SECTION 203(f) OF THE
INVESTMENT ADVISERS ACT OF 1940**

I.

On February 2, 2017, the Securities and Exchange Commission (“Commission”) instituted proceedings against Thomas H. Caniford (“Caniford” or “Respondent”) pursuant to Section 15(b) of the Securities Exchange Act of 1934 (the “Exchange Act”) and Section 203(f) of the Investment Advisers Act of 1940 (the “Advisers Act”).

II.

Caniford has submitted an Offer of Settlement (the “Offer”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, Respondent admits the Commission’s jurisdiction over him and the subject matter of these proceedings, and the findings contained in paragraph III.2. below, and consents to the entry of this Order Making Findings and Imposing Remedial Sanctions Pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940 (“Order”), as set forth below.

III.

On the basis of this Order and Respondent’s Offer, the Commission finds that:

1. Caniford is 58 years old and is currently incarcerated at Richland Correctional Institution in Mansfield, Ohio. From March 2008 until March 2015, when he was terminated,

Caniford was a registered representative and advisory representative of Firm A, a dually registered broker-dealer and investment adviser. From 1982 through 1999, Caniford was a registered representative of multiple broker-dealers registered with the Commission. From 1999 through 2008, he was a registered and advisory representative of three dually registered firms.

2. On March 11, 2016, Caniford pleaded guilty to a 135 count indictment before the Stark County (Ohio) Court of Common Pleas in *State of Ohio v. Thomas Howard Caniford*, Case No. 2015CR1243. Caniford pleaded guilty to:

- a. 11 counts of prohibited securities acts in the first degree, 15 counts of prohibited securities acts in the second degree, 27 counts of prohibited securities acts in the third degree, and 19 counts of prohibited securities acts in the fourth degree in violation of Ohio Revised Code Section 1707.44(J);
- b. one count of unregistered sale of a security in the second degree, two counts of unregistered sale of a security in the third degree, and 15 counts of unregistered sale of a security in the fourth degree in violation of Ohio Revised Code Section 1707.44(C)(1);
- c. one count of fraudulent sale of a security in the second degree, two counts of fraudulent sale of a security in the third degree, and 16 counts of fraudulent sale of a security in the fourth degree in violation of Ohio Revised Code Section 1707.44(G);
- d. three counts of theft from an elderly person or disabled adult in the third degree and three counts of theft from an elderly person or disabled adult in the fourth degree in violation of Ohio Revised Code Section 2913.02(A)(2) and/or (A)(3);
- e. 9 counts of grand theft in the fourth degree in violation of Ohio Revised Code Section 2913.02(A)(2) and/or (A)(3); and
- f. 11 counts of theft in the fifth degree in violation of Ohio Revised Code Section 2913.02(A)(2) and/or (A)(3).

Caniford was sentenced to a prison term of 12 years, followed by post-release control.

3. The indictment to which Caniford pleaded guilty alleged, *inter alia*, that Caniford made, issued, or published materially false statements or advertisements concerning securities, or caused materially false statements or advertisements concerning securities to be made, issued, or published, between 2010 and 2014, knowingly sold unregistered securities that were not exempt from registration under the Ohio Code between 2009 and 2014, committed theft from elderly persons or disabled adults between 2009 and 2013, committed securities fraud by engaging in illegal, fraudulent, or prohibited acts in connection with the sale of securities between 2009 and 2014, committed grand theft between 2008 and 2014, and committed theft between 2009 and 2013.

IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondent Caniford's Offer.

Accordingly, it is hereby ORDERED pursuant to Section 15(b)(6) of the Exchange Act, and Section 203(f) of the Advisers Act, that Respondent Caniford be, and hereby is barred from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization; and

Pursuant to Section 15(b)(6) of the Exchange Act Respondent Caniford be, and hereby is barred from participating in any offering of a penny stock, including: acting as a promoter, finder, consultant, agent or other person who engages in activities with a broker, dealer or issuer for purposes of the issuance or trading in any penny stock, or inducing or attempting to induce the purchase or sale of any penny stock.

Any reapplication for association by the Respondent will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, the satisfaction of any or all of the following: (a) any disgorgement ordered against the Respondent, whether or not the Commission has fully or partially waived payment of such disgorgement; (b) any arbitration award related to the conduct that served as the basis for the Commission order; (c) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order; and (d) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

For the Commission, by its Secretary, pursuant to delegated authority.

Brent J. Fields
Secretary