

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
September 4, 2008

ADMINISTRATIVE PROCEEDING
File No. 3-13159

In the Matter of

JOSEPH YURKIN,

Respondent.

**ORDER INSTITUTING ADMINISTRATIVE
PROCEEDINGS PURSUANT TO SECTION
15(b) OF THE SECURITIES EXCHANGE
ACT OF 1934 AND NOTICE OF HEARING**

I.

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted pursuant to Section 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”), against Joseph Yurkin (“Respondent” or “Yurkin”).

II.

After an investigation, the Division of Enforcement alleges that:

A. RESPONDENT

1. Respondent Yurkin, age 48, resides in Boca Raton, Florida. Yurkin was the vice president of “Investor Relations” and a telemarketer for Homeland Communications Corp. (“Homeland”), a purported wireless telecommunications company.

**B. VIOLATIONS OF THE BROKER-DEALER
REGISTRATION PROVISION**

2. From at least June 2006 through September 2007, Yurkin offered and sold Homeland’s unregistered securities to the public and received transaction-based compensation. Specifically, Yurkin solicited securities transactions on behalf of Homeland and induced investors to purchase securities in the company. Yurkin was one of Homeland’s most active telemarketers and he received at least \$345,000 in commissions that were based on the sale of Homeland’s securities. During the period that Yurkin engaged in these sales activities, he was not registered with the Commission as a broker-dealer or associated with a registered broker-dealer.

3. As a result of the conduct described above, Yurkin willfully violated Section 15(a)(1) of the Exchange Act which prohibits the using the mails or any means or

instrumentality of interstate commerce to engage in the business of effecting transactions in, or inducing or attempting to induce the purchase or sale of, securities for the accounts of others or for his own account without registering as a broker-dealer with the Commission or without associating with a broker-dealer registered with the Commission

C. ENTRY OF THE INJUNCTION

4. On November 16, 2007, a judgment was entered by consent against Yurkin, permanently enjoining him from future violations of Sections 5(a), 5(c), and 17(a) of the Securities Act of 1933 (“Securities Act”), Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, in the civil action entitled Securities and Exchange Commission v. Homeland Communications Corp., et al., Civil Action Number 07-80802-CIV-MARRA/JOHNSON (filed Sept. 5, 2007) in the United States District Court for the Southern District of Florida.

5. The Commission’s complaint alleged that from at least May 2005 through September 2007, Homeland raised at least \$1.13 million from approximately 93 investors by offering and selling unregistered securities. In connection with the Homeland offering, Yurkin and others made numerous material misrepresentations and omissions to investors through Homeland’s website, its private placement memorandum (“PPM”), and oral statements made to investors. Specifically, Yurkin and others distributed to investors Homeland’s PPM that contained, among other things, false or misleading statements about its assets and licenses, its acquisition of another company, and its future profitability, and omitted to state information about Homeland’s regulatory history. Yurkin and others also falsely told prospective investors that a public offering of Homeland’s stock was imminent and that the stock would go public at a price above the price offered to investors.

III.

In view of the allegations made by the Division of Enforcement, the Commission deems it necessary and appropriate in the public interest that public administrative proceedings be instituted to determine:

A. Whether the allegations set forth in Section II are true and, in connection therewith, to afford Respondent an opportunity to establish any defenses to such allegations;

B. Whether Respondent willfully violated section 15(a)(1) of the Exchange Act by using the mails or any means or instrumentality of interstate commerce to engage in the business of effecting transactions in, or inducing or attempting to induce the purchase or sale of, securities for the accounts of others or for his own account without registering as a broker-dealer with the Commission or without associating with a broker-dealer registered with the Commission; and

C. What, if any, remedial action is appropriate in the public interest against Respondent pursuant to Section 15(b)(6) of the Exchange Act.

IV.

IT IS ORDERED that a public hearing for the purpose of taking evidence on the questions set forth in Section III hereof shall be convened at a time and place to be fixed, and before an Administrative Law Judge to be designated by further order as provided by Rule 110 of the Commission's Rules of Practice, 17 C.F.R. § 201.110.

IT IS FURTHER ORDERED that Respondent shall file an Answer to the allegations contained in this Order within twenty (20) days after service of this Order, as provided by Rule 220 of the Commission's Rules of Practice, 17 C.F.R. § 201.220.

If Respondent fails to file the directed answer, or fails to appear at a hearing after being duly notified, the Respondent may be deemed in default and the proceedings may be determined against him upon consideration of this Order, the allegations of which may be deemed to be true as provided by Rules 155(a), 220(f), 221(f) and 310 of the Commission's Rules of Practice, 17 C.F.R. §§ 201.155(a), 201.220(f), 201.221(f) and 201.310.

This Order shall be served forthwith upon Respondent personally or by certified mail.

IT IS FURTHER ORDERED that the Administrative Law Judge shall issue an initial decision no later than 210 days from the date of service of this Order, pursuant to Rule 360(a)(2) of the Commission's Rules of Practice.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision of this matter, except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of Section 551 of the Administrative Procedure Act, it is not deemed subject to the provisions of Section 553 delaying the effective date of any final Commission action.

By the Commission.

Florence E. Harmon
Acting Secretary