



# RIA Services

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- RIA Registration, Setup, & Compliance
- Mergers, Acquisitions, & Lending
- Disclosure Expungement
- Enforcement Defense

# RIA Registration & Setup

AdvisorLaw offers custom setup and registration, as well as ongoing compliance services for registered investment advisor (RIA) firms. Our compliance team leverages our extensive experience in the enforcement space to fully customize your RIA, in adherence to best practices. Our registration package takes your RIA firm from concept to fully-functioning business. **We suggest at least a 60- to 90-day lead time to set up your RIA before your launch date.**



RIA firms  
manage over  
**43 million**  
clients  
nationwide

## AdvisorLaw services include:

- incorporation, including advice & business structure
- registration in primary & additional jurisdictions
- third-party vendor referrals
- platform & custodial options
- IAPD & bank account setup
- management of IAR registration
- original drafting & review of all RIA documents including:
  - Form ADV (all parts) & U4/U5 filings
  - client advisory agreement
  - solicitation agreements
  - written supervisory procedures
  - privacy policy
  - information security & cyber security policies
  - code of ethics
  - business continuity plan
  - advertising, business cards, stationery, & websites
  - conflicts of interest & outside business activity disclosures

# Private Fund Formation

More than 80% of financial advisors and investors are planning to increase their alternative investment holdings by 2025. Investors are seeking greater diversification and higher returns; many see private funds as a solution.

Our team has over 10 years of experience with private fund formation and fund structures, as well as the compliance expertise necessary to assist in ongoing adherence to applicable rules, regulations, and laws.

## Areas of private fund expertise include:

- Hedge Funds & Pooled Investment Vehicles
- Real Estate Funds
- Private Debt Funds

AdvisorLaw's extensive expertise in exempt fund formation and compliance provides general partners and fund sponsors peace of mind, from pre-launch through ongoing compliance.

## Our services include consultation for:

- Advertising & Marketing
- Partnership & Fund Structures
- Fund Formation & Offering Statement Drafting
- Contract Drafting And Negotiation
- Compliance Requirements
- Qualified Investor Regulation



Our ongoing compliance provides a custom portal and calendar to make task management and reporting easy. Through advanced technology integration, we offer efficient automation and full control.

**AdvisorLaw can help your RIA stay compliant with all current SEC and state regulations.** We have clients in all 50 states, including Washington, D.C., and Puerto Rico.



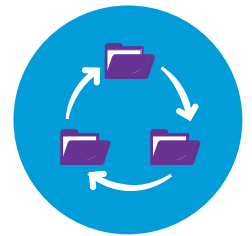
**Policy &  
Procedure Reviews**



**Customized  
Calendar**



**Ongoing Reviews  
& Updates**



**Annual  
Filings**

# Ongoing Compliance

## Standard Package

- updates to form ADV (all parts) & U4/U5 filings
- review & amend RIA documents, such as:
  - written supervisory procedures
  - privacy policy
  - client advisory/solicitation agreements
  - information/cyber security policies
  - code of ethics
  - business continuity plan
- ongoing advertising review
- review of conflicts of interest, outside business activities
- best execution support
- other-than-annual amendment filing
- ERISA disclosures
- billing review
- quarterly compliance meeting
- vendor due diligence
- data governance support
- assist with annual compliance review & risk assessment
- interactive calendar & secure compliance portal
- basic audit support
- year-round attorney access
- 24-hour call returns

## Enhanced Package

- email & social media review
- trade monitoring & review
- personal transaction reviews
- certifications

## *Additional Services*

- private fund compliance & PPM
- outsourced CCO or CFO
- onsite visits
- mock exams & full audit support
- contract drafting & review
- CFP/CFA review & defense
- regulatory inquiry responses

# Mergers, Acquisitions, & Lending

AdvisorLaw actively connects buyers and sellers of advisory practices in markets around the US. We offer a one-stop solution with attorneys experienced in completing seamless transactions.

On average, financial advisors wrap up **70% of their personal wealth** in their business.



## Practice Valuations

Clifton Allen Larson (CLA), a consensus perennial top-10 CPA firm, collaborated with AdvisorLaw in the development of our valuation tool, which is customized to value wealth management practices. Our tool utilizes more than 80 data points and models over 35 variables to help us understand your book's business structure and forecast the fair market value of your business.

In addition to book appraisal, **at no charge to the seller**, AdvisorLaw's reporting provides:

- SWOT (strengths, weaknesses, opportunities, and threats) analysis
- industry comparisons
- deal scenarios
- hypothetical tax scenarios
- etc.

## Acquisition Lending

AdvisorLaw partners with a top SBA lender that provides financing to advisors for practice acquisitions of **up to \$5 million**. This alliance allows for us to oversee all stages of the process until the loan is closed.

All loans are cash-flow based with flexible repayment terms and competitive interest rates. They are backed by the government, and there's no charge to be connected with the lender through AdvisorLaw.





## **Practice Purchase Network (PPN)**

AdvisorLaw's PPN is a nationwide marketplace of vetted advisors looking to buy or sell their practices. Our infrastructure gives us the ability to manage all facets of the sale for both parties. Engaging AdvisorLaw allows you to efficiently navigate the practice migration process in one centralized location, eliminating the need to engage multiple firms.

Sellers obtain valuations from AdvisorLaw at no risk. We coordinate your strategy to go to market, source a buyer, assist with buyer financing, negotiate, draft contracts, and execute closing. No information will be shared without a nondisclosure agreement in place.

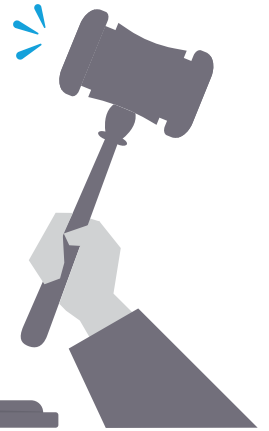
## **Transition Strategy & Noncompete Defense**

AdvisorLaw helps advisors with current or pending disclosures on their CRD records to reduce or remove the negative marks that weigh down book valuations. We also help advisors negotiate promissory notes. AdvisorLaw writes and negotiates buy-sell agreements, prepares and negotiates operating agreements and corporate bylaws, and negotiates partnership agreements.

# Disclosure Expungement

Since a landmark ruling by FINRA in 2009, financial advisors may now seek to have customer dispute or U5 termination disclosures expunged through FINRA's arbitration forum. Due to the ease and immediacy of locating negative disclosures on BrokerCheck® and the IAPD, expungement provides a considerable benefit to individual advisors.

AdvisorLaw runs **nearly half** of all advisor-initiated **expungement requests** in the *entire* industry.



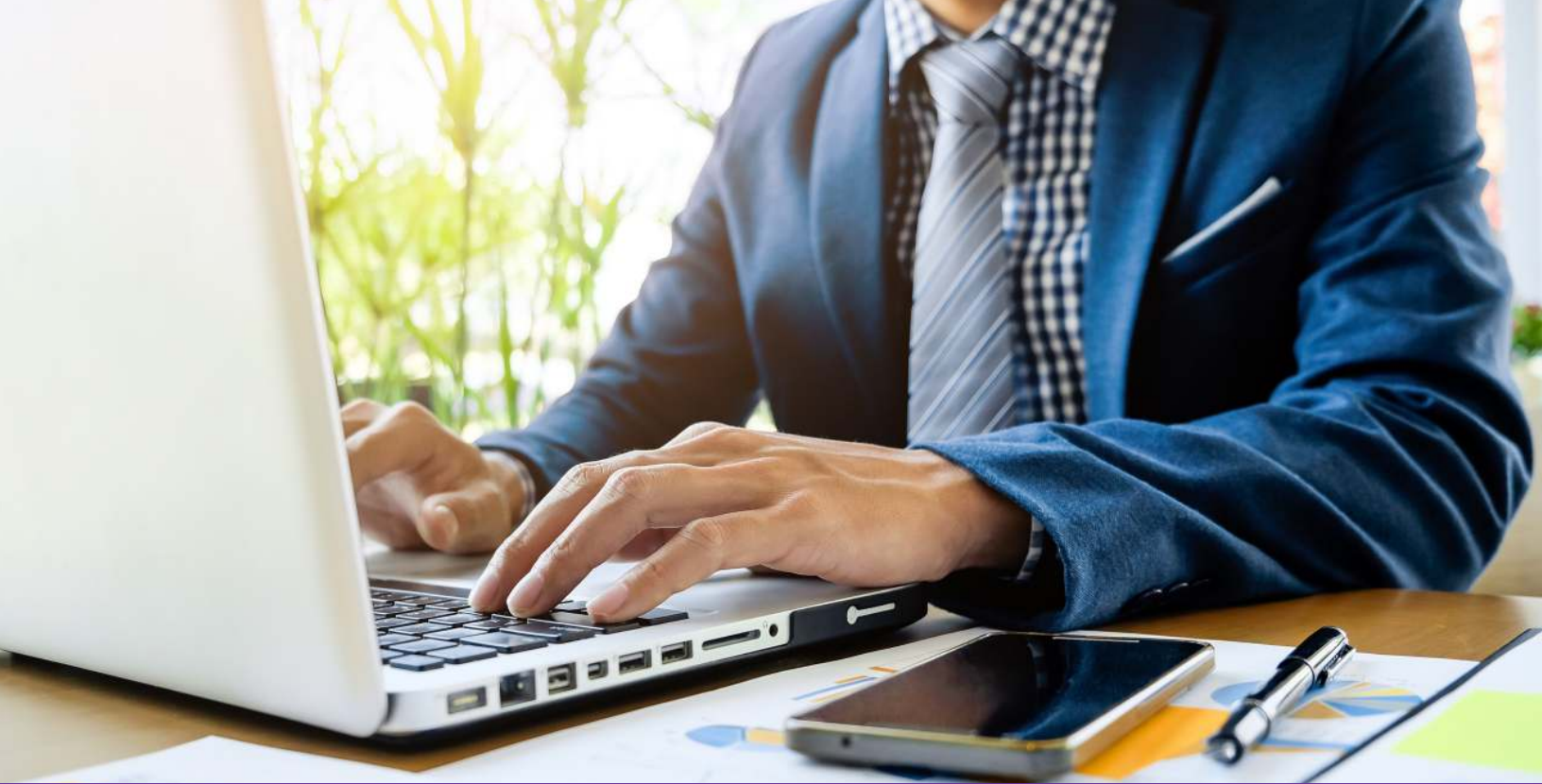
## Customer Disputes

To achieve expungement of a customer dispute disclosure, the advisor must prove that the disclosure meets at least one of the following criteria:

- A. the claim, allegation, or information is factually impossible or clearly erroneous;
- B. the registered person was not involved in the alleged investment-related, sales-practice violation, forgery, theft, misappropriation, or conversion of funds; or
- C. the claim, allegation, or information is false.

An award issued in the advisor's favor recommends expungement and directs the advisor to obtain civil court confirmation. Upon obtaining a court order directing FINRA to permanently remove any and all references to the customer dispute from the CRD, IAPD, and BrokerCheck®, the expungement process is completed.





## Form U5 Terminations

To expunge a U5 termination disclosure, the advisor must demonstrate that the disclosure is inaccurate, misleading, or defamatory in nature or that it harms the advisor more than it helps the investing public. When an arbitrator recommends expungement, the termination type is changed to “voluntary,” and the allegations no longer appear on BrokerCheck® or the IAPD.

## Criminal Disclosures

AdvisorLaw provides the strongest state-court representation available for those seeking expungement of criminal disclosures. Rules vary widely between states, and not all states offer the ability to expunge old offenses. However, advisors may qualify to have any record of past criminal offenses sealed or destroyed and subsequently removed from the CRD, BrokerCheck®, and the IAPD.

A negative  
**U5 termination**  
can significantly



impact an advisor's  
**reputation &  
ability to find work**  
in the industry

# Disclosure Expungement

## Tax Lien Resolution

Advisors with tax debt disclosures — sometimes the worst disclosures from an optics standpoint — face higher scrutiny and threatened job security. Even though such disclosures can often result from medical or family situations beyond the advisor's control, investors are generally unforgiving when it comes to massive tax debts.

Whether you're on a payment plan, or you require assistance with resolving debt already incurred, AdvisorLaw can help. We have proven strategies for both resolving back taxes and expunging existing lien disclosures from advisors' BrokerCheck®, CRD, and IAPD records.

## Inflammatory Web Postings

A search of any advisor's name on the internet can result in links to websites highlighting allegations against that advisor. Those attorneys who republish negative and often inflammatory disclosure information obtained from BrokerCheck do so in order to encourage additional frivolous investor claims. AdvisorLaw implements proven methods to eliminate incendiary statements that alarm current and potential clients.

## Clearing Your Name

Why are we the best choice? AdvisorLaw has a robust regulatory defense and expungement practice. **AdvisorsLaw is currently advisors' firm of choice for 20% of all arbitration cases that pass through FINRA.**

Advisors are  
**5x more likely**  
to receive a new dispute



when they **have an existing disclosure** on their record

# Enforcement Defense

All financial industry enforcement investigations start with a simple inquiry and can end in disclosures, suspensions, fines, and even a bar from the financial services industry.

Due to the stakes involved, it is vitally important to respond promptly, consistently, and with a high degree of precision. An advisor should be represented by counsel at every point in the process.

## SEC Investigations

There are two levels of SEC investigations. The first is an informal investigation, called a Matter Under Inquiry (“MUI”). The second is a formal investigation which grants SEC staff the ability to issue subpoenas and administer oaths.

**Most SEC investigations are triggered by one or more of the following:**

- unregistered securities offerings
- failure to supervise
- accounting deficiencies
- broker-dealer sales practices
- insider trading
- misleading or fraudulent disclosures

## Wells Notice

Receiving a Wells Notice means that Enforcement intends to bring a formal claim against you. A list of alleged violations will be compiled, and Enforcement will begin building its case.



## **SEC Enforcement Actions**

The consequences of SEC investigations can range from small sanctions, to large fines, to asset freezes. They can even be as severe as referrals of criminal matters to the United States Attorney's Office and a permanent bar from the industry altogether.

## **AdvisorLaw Defense**

It is absolutely imperative to realize that each step of the process positions Enforcement to build the strongest case possible. Admissions at any point on the timeline have the potential to upend a future settlement or negotiation — at the cost of an advisor's career.

There is no point in your career when AdvisorLaw protecting your livelihood is more valuable than when you are subject to an investigation by FINRA, the SEC, the state, or a licensing entity, such as the CFP Board.



# AdvisorLaw®

PROTECTING YOUR LIVELIHOOD

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For a complimentary consultation,  
contact us today!

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