

## BrokerCheck Report

# MARK KIPLING DURHAM

CRD# 1142920

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When communicating online or investing with any professional, make sure you know who you're dealing with. [Imposters](#) might link to sites like BrokerCheck from [phishing](#) or similar scam websites, or through [social media](#), trying to steal your personal information or your money.

Please contact FINRA with any concerns.

## About BrokerCheck®



BrokerCheck offers information on all current, and many former, registered securities brokers, and all current and former registered securities firms. FINRA strongly encourages investors to use BrokerCheck to check the background of securities brokers and brokerage firms before deciding to conduct, or continue to conduct, business with them.

- **What is included in a BrokerCheck report?**

BrokerCheck reports for individual brokers include information such as employment history, professional qualifications, disciplinary actions, criminal convictions, civil judgments and arbitration awards. BrokerCheck reports for brokerage firms include information on a firm's profile, history, and operations, as well as many of the same disclosure events mentioned above.

- Please note that the information contained in a BrokerCheck report may include pending actions or allegations that may be contested, unresolved or unproven. In the end, these actions or allegations may be resolved in favor of the broker or brokerage firm, or concluded through a negotiated settlement with no admission or finding of wrongdoing.

- **Where did this information come from?**

- The information contained in BrokerCheck comes from FINRA's Central Registration Depository, or CRD® and is a combination of:

- information FINRA and/or the Securities and Exchange Commission (SEC) require brokers and brokerage firms to submit as part of the registration and licensing process, and
- information that regulators report regarding disciplinary actions or allegations against firms or brokers.

- **How current is this information?**

- Generally, active brokerage firms and brokers are required to update their professional and disciplinary information in CRD within 30 days. Under most circumstances, information reported by brokerage firms, brokers and regulators is available in BrokerCheck the next business day.

- **What if I want to check the background of an investment adviser firm or investment adviser representative?**

- To check the background of an investment adviser firm or representative, you can search for the firm or individual in BrokerCheck. If your search is successful, click on the link provided to view the available licensing and registration information in the SEC's Investment Adviser Public Disclosure (IAPD) website at <https://www.adviserinfo.sec.gov>. In the alternative, you may search the IAPD website directly or contact your state securities regulator at <http://www.finra.org/Investors/ToolsCalculators/BrokerCheck/P455414>.

- **Are there other resources I can use to check the background of investment professionals?**

- FINRA recommends that you learn as much as possible about an investment professional before deciding to work with them. Your state securities regulator can help you research brokers and investment adviser representatives doing business in your state.

**Thank you for using FINRA BrokerCheck.**



Using this site/information means that you accept the FINRA BrokerCheck Terms and Conditions. A complete list of Terms and Conditions can be found at [brokercheck.finra.org](http://brokercheck.finra.org)



For additional information about the contents of this report, please refer to the User Guidance or [www.finra.org/brokercheck](http://www.finra.org/brokercheck). It provides a glossary of terms and a list of frequently asked questions, as well as additional resources. For more information about FINRA, visit [www.finra.org](http://www.finra.org).

**MARK K. DURHAM**

CRD# 1142920

**Currently employed by and registered with the following Firm(s):****IA LPL FINANCIAL LLC**

4131 N CENTRAL EXPY SUITE 900  
 DALLAS, TX 75204  
 CRD# 6413  
 Registered with this firm since: 06/14/1991

**B LPL FINANCIAL LLC**

4131 N CENTRAL EXPY SUITE 900  
 DALLAS, TX 75204  
 CRD# 6413  
 Registered with this firm since: 06/14/1991

**Report Summary for this Broker**

This report summary provides an overview of the broker's professional background and conduct. Additional information can be found in the detailed report.

**Broker Qualifications****This broker is registered with:**

- 1 Self-Regulatory Organization
- 18 U.S. states and territories

**This broker has passed:**

- 1 Principal/Supervisory Exam
- 2 General Industry/Product Exams
- 1 State Securities Law Exam

**Registration History****This broker was previously registered with the following securities firm(s):****B PAINEWEBBER INCORPORATED**

CRD# 8174  
 WEEHAWKEN, NJ  
 04/1988 - 06/1991

**B A. G. EDWARDS & SONS, INC.**

CRD# 4  
 05/1986 - 04/1988

**B KIDDER, PEABODY & CO. INCORPORATED**

CRD# 7613  
 08/1985 - 05/1986

**Disclosure Events**

All individuals registered to sell securities or provide investment advice are required to disclose customer complaints and arbitrations, regulatory actions, employment terminations, bankruptcy filings, and criminal or civil judicial proceedings.

Are there events disclosed about this broker? **Yes**

**The following types of disclosures have been reported:**

Type	Count
Regulatory Event	1

## Broker Qualifications



### Registrations

This section provides the self-regulatory organizations (SROs) and U.S. states/territories the broker is currently registered and licensed with, the category of each license, and the date on which it became effective. This section also provides, for every brokerage firm with which the broker is currently employed, the address of each branch where the broker works.

**This individual is currently registered with 1 SRO and is licensed in 18 U.S. states and territories through his or her employer.**

### Employment 1 of 1

Firm Name: **LPL FINANCIAL LLC**

Main Office Address: **1055 LPL WAY  
FORT MILL, SC 29715**

Firm CRD#: **6413**

SRO	Category	Status	Date
<span style="color: blue;">B</span> FINRA	General Securities Representative	Approved	06/14/1991
<span style="color: blue;">B</span> FINRA	General Securities Principal	Approved	09/13/1991

U.S. State/ Territory	Category	Status	Date
<span style="color: blue;">B</span> Arizona	Agent	Approved	03/27/2014
<span style="color: blue;">B</span> California	Agent	Approved	04/12/2006
<span style="color: blue;">IA</span> California	Investment Adviser Representative	Approved	11/16/2021
<span style="color: blue;">B</span> Colorado	Agent	Approved	10/06/1995
<span style="color: blue;">B</span> Delaware	Agent	Approved	03/05/2014
<span style="color: blue;">B</span> Florida	Agent	Approved	02/28/2014
<span style="color: blue;">B</span> Idaho	Agent	Approved	02/27/2014
<span style="color: blue;">B</span> Kansas	Agent	Approved	06/26/2014
<span style="color: blue;">B</span> Louisiana	Agent	Approved	03/21/2014
<span style="color: blue;">B</span> Missouri	Agent	Approved	02/10/1998
<span style="color: blue;">B</span> Nevada	Agent	Approved	07/01/2014

## Broker Qualifications



### Employment 1 of 1, continued

U.S. State/ Territory	Category	Status	Date
B New Mexico	Agent	Approved	04/17/2006
B New York	Agent	Approved	07/01/2014
B Ohio	Agent	Approved	04/16/2014
B Oklahoma	Agent	Approved	02/22/2008
B South Carolina	Agent	Approved	05/29/2019
B Texas	Agent	Approved	06/14/1991
IA Texas	Investment Adviser Representative	Approved	06/14/1991
B Virginia	Agent	Approved	02/27/2014
B Washington	Agent	Approved	02/27/2014

### Branch Office Locations

**LPL FINANCIAL LLC**  
 4131 N CENTRAL EXPY SUITE 900  
 DALLAS, TX 75204

**LPL FINANCIAL LLC**  
 DALLAS, TX

## Broker Qualifications



### Industry Exams this Broker has Passed

This section includes all securities industry exams that the broker has passed. Under limited circumstances, a broker may attain a registration after receiving an exam waiver based on exams the broker has passed and/or qualifying work experience. Any exam waivers that the broker has received are not included below. A passed exam or exam waiver does not permit a broker to do business without an active SRO or state registration.

**This individual has passed 1 principal/supervisory exam, 2 general industry/product exams, and 1 state securities law exam.**

#### Principal/Supervisory Exams

Exam	Category	Date
<b>B</b> General Securities Principal Examination	Series 24	09/12/1991

#### General Industry/Product Exams

Exam	Category	Date
<b>B</b> Securities Industry Essentials Examination	SIE	10/01/2018
<b>B</b> General Securities Representative Examination	Series 7	06/18/1983

#### State Securities Law Exams

Exam	Category	Date
<b>B</b> Uniform Securities Agent State Law Examination	Series 63	06/28/1983

Additional information about the above exams or other exams FINRA administers to brokers and other securities professionals can be found at [www.finra.org/brokerqualifications/registeredrep/](http://www.finra.org/brokerqualifications/registeredrep/).

## Broker Qualifications



### Professional Designations

This section details that the representative has reported **0** professional designation(s).

No information reported.

# Registration and Employment History



## Registration History

The broker previously was registered with the following firms:

Registration Dates	Firm Name	CRD#	Branch Location
B 04/1988 - 06/1991	PAINEWBBER INCORPORATED	8174	WEEHAWKEN, NJ
B 05/1986 - 04/1988	A. G. EDWARDS & SONS, INC.	4	
B 08/1985 - 05/1986	KIDDER, PEABODY & CO. INCORPORATED	7613	
B 06/1983 - 08/1985	DEAN WITTER REYNOLDS INC.	7556	

## Employment History

This section provides up to 10 years of an individual broker's employment history as reported by the individual broker on the most recently filed Form U4.

**Please note that the broker is required to provide this information only while registered with FINRA or a national securities exchange and the information is not updated via Form U4 after the broker ceases to be registered. Therefore, an employment end date of "Present" may not reflect the broker's current employment status.**

Employment	Employer Name	Position	Investment Related	Employer Location
06/1991 - Present	LPL FINANCIAL LLC	FINANCIAL ADVISOR	Y	DALLAS, TX, United States

## Other Business Activities

This section includes information, if any, as provided by the broker regarding other business activities the broker is currently engaged in either as a proprietor, partner, officer, director, employee, trustee, agent or otherwise. This section does not include non-investment related activity that is exclusively charitable, civic, religious or fraternal and is recognized as tax exempt.

- (1) 12/15/2006: No Business Name - DBA for LPL Business (entity for LPL business) - TEXAS INVESTMENT AND RETIREMENT ASSOCIATES - INV REL - At Reported Business Location(s)
- (2) 12/01/2008: No Business Name - Non-Variable Insurance - INV REL - At Reported Business Location(s) - Infrequent fixed insurance sales - 2% Time Spent
- (3) 02/22/2022 - No Business Name - Investment Related - Durango, CO 81301 - Real Estate Rental - Start Date - 12/31/2021- 2 Hours Per Month/ 0 Hours During Securities Trading.

## Disclosure Events



### What you should know about reported disclosure events:

1. All individuals registered to sell securities or provide investment advice are required to disclose customer complaints and arbitrations, regulatory actions, employment terminations, bankruptcy filings, and criminal or civil judicial proceedings.
2. **Certain thresholds must be met before an event is reported to CRD, for example:**
  - o A law enforcement agency must file formal charges before a broker is required to disclose a particular criminal event.
  - o A customer dispute must involve allegations that a broker engaged in activity that violates certain rules or conduct governing the industry and that the activity resulted in damages of at least \$5,000.
  - o
3. **Disclosure events in BrokerCheck reports come from different sources:**
  - o As mentioned at the beginning of this report, information contained in BrokerCheck comes from brokers, brokerage firms and regulators. When more than one of these sources reports information for the same disclosure event, all versions of the event will appear in the BrokerCheck report. The different versions will be separated by a solid line with the reporting source labeled.
  - o
4. **There are different statuses and dispositions for disclosure events:**
  - o A disclosure event may have a status of *pending*, *on appeal*, or *final*.
    - A "pending" event involves allegations that have not been proven or formally adjudicated.
    - An event that is "on appeal" involves allegations that have been adjudicated but are currently being appealed.
    - A "final" event has been concluded and its resolution is not subject to change.
  - o A final event generally has a disposition of *adjudicated*, *settled* or *otherwise resolved*.
    - An "adjudicated" matter includes a disposition by (1) a court of law in a criminal or civil matter, or (2) an administrative panel in an action brought by a regulator that is contested by the party charged with some alleged wrongdoing.
    - A "settled" matter generally involves an agreement by the parties to resolve the matter. Please note that brokers and brokerage firms may choose to settle customer disputes or regulatory matters for business or other reasons.
    - A "resolved" matter usually involves no payment to the customer and no finding of wrongdoing on the part of the individual broker. Such matters generally involve customer disputes.

For your convenience, below is a matrix of the number and status of disclosure events involving this broker. Further information regarding these events can be found in the subsequent pages of this report. You also may wish to contact the broker to obtain further information regarding these events.

	Pending	Final	On Appeal
Regulatory Event	0	1	0



## Disclosure Event Details

When evaluating this information, please keep in mind that a disclosure event may be pending or involve allegations that are contested and have not been resolved or proven. The matter may, in the end, be withdrawn, dismissed, resolved in favor of the broker, or concluded through a negotiated settlement for certain business reasons (e.g., to maintain customer relationships or to limit the litigation costs associated with disputing the allegations) with no admission or finding of wrongdoing.

This report provides the information exactly as it was reported to CRD and therefore some of the specific data fields contained in the report may be blank if the information was not provided to CRD.

### Regulatory - Final

This type of disclosure event may involve (1) a final, formal proceeding initiated by a regulatory authority (e.g., a state securities agency, self-regulatory organization, federal regulatory such as the Securities and Exchange Commission, foreign financial regulatory body) for a violation of investment-related rules or regulations; or (2) a revocation or suspension of a broker's authority to act as an attorney, accountant, or federal contractor.

#### Disclosure 1 of 1

**Reporting Source:** Regulator

**Regulatory Action Initiated By:** NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

**Sanction(s) Sought:** Other: N/A

**Date Initiated:** 08/10/1992

**Docket/Case Number:** C06920022

**Employing firm when activity occurred which led to the regulatory action:**

**Product Type:** Other: UNKNOWN TYPE OF SECURITY

**Allegations:** VIOLATIONS OF ARTICLE III, SECTIONS 1, 18 AND 27 OF THE RULES OF FAIR PRACTICE IN THAT RESPONDENT DURHAM INDUCED PUBLIC CUSTOMERS TO PURCHASE SECURITIES BY MEANS OF MANIPULATIVE, DECEPTIVE OR OTHER FRAUDULENT DEVICES.

**Current Status:** Final

**Resolution:** Decision & Order of Offer of Settlement



<b>Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?</b>	Yes
<b>Resolution Date:</b>	04/19/1994
<b>Sanctions Ordered:</b>	Censure Civil and Administrative Penalty(ies)/Fine(s) Suspension
<b>If the regulator is the SEC, CFTC, or an SRO, did the action result in a finding of a willful violation or failure to supervise?</b>	No
<b>(1) willfully violated any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any of such Acts, or any of the rules of the Municipal Securities Rulemaking Board, or to have been unable to comply with any provision of such Act, rule or regulation?</b>	



**(2) willfully aided, abetted, counseled, commanded, induced, or procured the violation by any person of any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any of such Acts, or any of the rules of the Municipal Securities Rulemaking Board? or**

**(3) failed reasonably to supervise another person subject to your supervision, with a view to preventing the violation by such person of any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any such Acts, or any of the rules of the Municipal Securities Rulemaking Board?**

**Regulator Statement**

WITHOUT ADMITTING OR DENYING THE ALLEGATIONS, DURHAM CONSENTED TO THE DESCRIBED SANCTIONS AND TO THE ENTRY OF FINDINGS, THEREFORE, HE IS CENSURED, FINED \$5,000 AND SUSPENDED FROM ASSOCIATION WITH ANY NASD MEMBER IN ANY CAPACITY FOR FIVE DAYS. THE SUSPENSION WILL COMMENCE WITH THE OPENING OF BUSINESS JUNE 20, 1994 AND WILL CONCLUDE JUNE 24, 1994.

**Reporting Source:**

Broker



<b>Regulatory Action Initiated By:</b>	NASD DISTRICT NUMBER 6
<b>Sanction(s) Sought:</b>	Censure Other: CENSURED, FINED \$5,000 AND SUSPENDED FROM ASSOCIATION WITH ANY NASD MEMBER IN ANY CAPACITY FOR FIVE DAYS. THE SUSPENSION Unknown
<b>Date Initiated:</b>	08/10/1992
<b>Docket/Case Number:</b>	C06920022
<b>Employing firm when activity occurred which led to the regulatory action:</b>	PAINEWBBER INCORPORATED
<b>Product Type:</b>	No Product
<b>Allegations:</b>	MISREPRESENTATION AND UNSUITABILITY OF KEMPER INTERMEDIATE GOVERNMENT TRUST
<b>Current Status:</b>	Final
<b>Resolution:</b>	Consent
<b>Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?</b>	Yes
<b>Resolution Date:</b>	04/19/1994
<b>Sanctions Ordered:</b>	Censure Suspension
<b>Sanction 1 of 1</b>	
<b>Sanction Type:</b>	Suspension
<b>Capacities Affected:</b>	SUSPENDED FROM ASSOCIATION WITH ANY NASD MEMBER IN ANY CAPACITY FOR FIVE DAYS.
<b>Duration:</b>	5 Days
<b>Start Date:</b>	06/20/1994
<b>End Date:</b>	06/24/1994
<b>Monetary Sanction 1 of 1</b>	



**Monetary Related Sanction:** Civil and Administrative Penalty(ies)/Fine(s)

**Total Amount:** \$5,000.00

**Portion Levied against individual:** \$5,000.00

**Payment Plan:** N/A

**Is Payment Plan Current:** Yes

**Date Paid by individual:** 04/19/1994

**Was any portion of penalty waived?** No

**Amount Waived:**

**Broker Statement**

I did not admit to the above allegations, but under the advice of counsel, I consented to the sanctions due to escalating legal costs, business disruption, and the inherent uncertainty of continued litigation. I settled solely as a matter of convenience, with the objective of bringing the long and arduous matter to a close. Although the sanctions were imposed in 1994, the alleged activity occurred in 1988.

In a later hearing, a public arbitrator recommended expungement of the disclosure which had spawned the action. After a thorough review and consideration of the evidence, the arbitrator made the following affirmative finding of fact: "the claim, allegation or information is false" regarding the disclosure event. The occurrence was subsequently expunged from my record. Despite this finding, the regulatory action initiated remains on my BrokerCheck Report.

## End of Report



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