

BrokerCheck Report

KERRY DEAN WILLS

CRD# 1353739

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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:

- o 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
- o 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



For additional information about the contents of this report, please refer to the User Guidance or 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)



KERRY D. WILLS

CRD# 1353739

Currently employed by and registered with the following Firm(s):

FIRST WESTERN SECURITIES, INC.

669 AIRPORT FREEWAY
SUITE 409
HURST, TX 76053
CRD# 19537

Registered with this firm since: 11/24/2009

FIRST WESTERN SECURITIES, INC.

669 AIRPORT FREEWAY #409
HURST, TX 76053
CRD# 19537

Registered with this firm since: 11/24/2009

FIRST WESTERN SECURITIES, INC.

1601 SEPULVEDA SUITE 602
MANHATTAN BEACH, CA 90266
CRD# 19537

Registered with this firm since: 11/24/2009

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
- 1 U.S. state or territory

This broker has passed:

- 0 Principal/Supervisory Exams
- 3 General Industry/Product Exams
- 2 State Securities Law Exams

Registration History

This broker was previously registered with the following securities firm(s):

MORGAN STANLEY SMITH BARNEY

CRD# 149777
EL SEGUNDO, CA
06/2009 - 12/2009

CITIGROUP GLOBAL MARKETS INC.

CRD# 7059
EL SEGUNDO, CA
07/1992 - 06/2009

DEAN WITTER REYNOLDS INC.

CRD# 7556
PURCHASE, NY
04/1985 - 07/1992

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
Criminal	1

Investment Adviser Representative Information

The information below represents the individual's record as a broker. For details on this individual's record as an investment adviser representative, visit the SEC's Investment Adviser Public Disclosure website at

<https://www.adviserinfo.sec.gov>



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 1 U.S. state or territory through his or her employer.

This broker has 1 suspended registration/license.

[For an explanation on inactive and suspended registrations, click here.](#)

Employment 1 of 1

Firm Name: **FIRST WESTERN SECURITIES, INC.**

Main Office Address: **669 AIRPORT FREEWAY #409
HURST, TX 76053**

Firm CRD#: **19537**

SRO	Category	Status	Date
FINRA	General Securities Representative	SUSPENDED	02/18/2020

U.S. State/ Territory	Category	Status	Date
California	Agent	APPROVED	11/24/2009

Branch Office Locations

FIRST WESTERN SECURITIES, INC.

1601 SEPULVEDA SUITE 602
MANHATTAN BEACH, CA 90266



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.

This individual has passed 0 principal/supervisory exams, 3 general industry/product exams, and 2 state securities law exams.

Principal/Supervisory Exams

Exam	Category	Date
No information reported.		

General Industry/Product Exams

Exam	Category	Date
Securities Industry Essentials Examination	SIE	10/01/2018
National Commodity Futures Examination	Series 3	01/31/1989
General Securities Representative Examination	Series 7	04/20/1985

State Securities Law Exams

Exam	Category	Date
Uniform Combined State Law Examination	Series 66	06/15/2012
Uniform Securities Agent State Law Examination	Series 63	06/04/1985

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/.



Registration and Employment History

Registration History

The broker previously was registered with the following firms:

Registration Dates	Firm Name	CRD#	Branch Location
06/2009 - 12/2009	MORGAN STANLEY SMITH BARNEY	149777	EL SEGUNDO, CA
07/1992 - 06/2009	CITIGROUP GLOBAL MARKETS INC.	7059	EL SEGUNDO, CA
04/1985 - 07/1992	DEAN WITTER REYNOLDS INC.	7556	PURCHASE, NY

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 Dates	Employer Name	Employer Location
11/2009 - Present	FIRST WESTERN SECURITIES, INC.	HURST, TX

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.

No information reported.



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



Criminal	0	1	0
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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: FINRA

Sanction(s) Sought:

Date Initiated: 01/27/2020

Docket/Case Number: [2017056557101](#)

Employing firm when activity occurred which led to the regulatory action: First Western Securities, Inc.

Product Type: No Product

Allegations: Without admitting or denying the findings, Wills consented to the sanctions and to the entry of findings that he borrowed \$150,000 from a 90 year old customer in violation of his member firm's procedures. The findings stated that at the time of the loan, the customer maintained accounts at the firm, and Wills was the broker of record assigned to the customer's account. The loan was memorialized with a promissory note that provided for a ten year term and a two percent interest rate. Wills never disclosed the loan to his firm or otherwise sought an exemption from the firm's procedures prohibiting the acceptance of a loan from a firm customer. Wills made one annual payment on the loan but the customer never cashed the check. The customer passed away six months later, leaving a trust document that



provided for loan forgiveness. The findings also stated that Wills accepted a gift of approximately \$19,500 in luxury travel from the customer. Wills did not disclose the travel gifts on the firm's gifts and gratuities logs, despite the requirement that he do so, in violation of the firm's procedures.

Current Status:	Final
Resolution:	Acceptance, Waiver & Consent(AWC)
Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?	No
Resolution Date:	01/27/2020
Sanctions Ordered:	Civil and Administrative Penalty(ies)/Fine(s) Suspension
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?	No
(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?	



(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?

Sanction 1 of 1

Sanction Type:	Suspension
Capacities Affected:	All Capacities
Duration:	six months
Start Date:	02/18/2020
End Date:	08/17/2020



Monetary Sanction 1 of 1

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

Total Amount: \$10,000.00

Portion Levied against individual: \$10,000.00

Payment Plan:

Is Payment Plan Current:

Date Paid by individual:

Was any portion of penalty waived? No

Amount Waived:

Reporting Source: Broker

Regulatory Action Initiated By: FINRA

Sanction(s) Sought:

Date Initiated: 01/27/2020

Docket/Case Number: [2017056557101](#)

Employing firm when activity occurred which led to the regulatory action: First Western Securities, Inc.

Product Type: No Product

Allegations: In May 2012 Mr. Wills allegedly borrowed \$150,000 from a 90-year old customer in violation of FINRA Rules 3240 and 2010. Mr. Wills accepted a gift of approx. \$19,500 in luxury travel and did not disclose it. This was in violation of the firm's policies and procedures. Mr. Wills signed an Acceptance and Consent and neither admitted nor denied these findings.

Current Status: Final

Resolution: Acceptance, Waiver & Consent(AWC)



Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct? No

Resolution Date: 01/27/2020

Sanctions Ordered: Civil and Administrative Penalty(ies)/Fine(s)
Suspension

Sanction 1 of 1

Sanction Type: Suspension

Capacities Affected: All Capacities

Duration: Six months

Start Date: 02/18/2020

End Date: 08/17/2020

Monetary Sanction 1 of 1

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

Total Amount: \$10,000.00

Portion Levied against individual: \$10,000.00

Payment Plan:

Is Payment Plan Current:

Date Paid by individual:

Was any portion of penalty waived? No

Amount Waived:



Criminal - Final Disposition

This type of disclosure event involves a criminal charge against the broker that has resulted in a conviction, acquittal, dismissal, or plea. The criminal matter may pertain to any felony or certain misdemeanor offenses, including bribery, perjury, forgery, counterfeiting, extortion, fraud, and wrongful taking of property.

Disclosure 1 of 1

Reporting Source:	Broker
If charge(s) were brought against an organization over which broker exercised control:	
Organization Name:	
Investment Related Business:	No
Broker's Position:	
Formal Charges were brought in:	State Court
Name of Court:	U.S. DISTRICT COURT OF EASTERN CALIFORNIA
Location of Court:	FRESNO, CALIFORNIA
Docket/Case #:	6:03-MJ-00088-HGB-1
Charge Date:	06/06/2003
Charge(s) 1 of 1	
Formal Charge(s)/Description:	36CFR2.30(A)(1)OBTAINING OR EXERCISING UNLAWFUL POSSESSION OVER THE PROPERTY OF ANOTHER.
No of Counts:	1
Felony or Misdemeanor:	Misdemeanor
Plea for each charge:	NO PLEA. CHARGE DISMISSED.
Disposition of charge:	Dismissed
Current Status:	Final
Status Date:	09/09/2003
Disposition Date:	09/09/2003
Sentence/Penalty:	DISMISSED

End of Report



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