

## BrokerCheck Report

**MICHAEL GIRARD DELUCA**

CRD# 4428054

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Please be aware that fraudsters may link to BrokerCheck from phishing and similar scam websites, trying to steal your personal information or your money. Make sure you know who you're dealing with when investing, and contact FINRA with any concerns.

For more information read our [investor alert](#) on imposters.

## 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).

**MICHAEL G. DELUCA**

CRD# 4428054

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

**B FORTUNE FINANCIAL SERVICES, INC.**  
 BEAVER FALLS, PA 15010  
 CRD# 42150  
 Registered with this firm since: 04/30/2010

**IA PROSPERITY WEALTH MANAGEMENT, INC.**  
 Beaver Falls, PA 15010  
 CRD# 174328  
 Registered with this firm since: 01/06/2020

**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
- 28 U.S. states and territories

**This broker has passed:**

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

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

- IA PROSPERITY WEALTH MANAGEMENT, INC.**  
 CRD# 174328  
 SAN RAMON, CA  
 09/2017 - 12/2019
- IA HAZARD & SIEGEL ADVISORY SERVICES LLC**  
 CRD# 151462  
 DEWITT, NY  
 06/2010 - 08/2012
- IA USA FINANCIAL SECURITIES CORPORATION**  
 CRD# 103857  
 ADA, MI  
 10/2009 - 04/2010

**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
Customer Dispute	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 28 U.S. states and territories through his or her employer.**

### Employment 1 of 2

Firm Name: **FORTUNE FINANCIAL SERVICES, INC.**

Main Office Address: **3582 BRODHEAD ROAD  
SUITE 202  
MONACA, PA 15061**

Firm CRD#: **42150**

	SRO	Category	Status	Date
B	FINRA	General Securities Representative	Approved	04/30/2010
B	FINRA	Invest. Co and Variable Contracts	Approved	04/30/2010
B	FINRA	Operations Professional	Approved	09/07/2012
B	FINRA	Investment Co./Variable Contracts Prin	Approved	10/11/2012
B	FINRA	Municipal Fund	Approved	11/25/2013
B	FINRA	General Securities Principal	Approved	08/18/2020

	U.S. State/ Territory	Category	Status	Date
B	Alabama	Agent	Approved	09/23/2020
B	Arizona	Agent	Approved	01/11/2016
B	California	Agent	Approved	02/20/2024
B	Colorado	Agent	Approved	03/31/2021
B	Delaware	Agent	Approved	01/06/2021
B	District of Columbia	Agent	Approved	04/06/2021
B	Florida	Agent	Approved	01/04/2021

## Broker Qualifications



### Employment 1 of 2, continued

	U.S. State/ Territory	Category	Status	Date
B	Georgia	Agent	Approved	02/01/2024
B	Idaho	Agent	Approved	04/08/2021
B	Illinois	Agent	Approved	04/30/2010
B	Louisiana	Agent	Approved	04/06/2021
B	Maine	Agent	Approved	04/07/2021
B	Maryland	Agent	Approved	03/21/2024
B	Massachusetts	Agent	Approved	04/06/2021
B	Michigan	Agent	Approved	05/31/2017
B	Nevada	Agent	Approved	07/06/2021
B	New Jersey	Agent	Approved	09/16/2019
B	New York	Agent	Approved	06/21/2022
B	North Carolina	Agent	Approved	06/24/2016
B	Ohio	Agent	Approved	04/30/2010
B	Pennsylvania	Agent	Approved	04/30/2010
B	Rhode Island	Agent	Approved	10/15/2020
B	South Carolina	Agent	Approved	08/13/2019
B	South Dakota	Agent	Approved	11/29/2021
B	Tennessee	Agent	Approved	08/21/2020
B	Virginia	Agent	Approved	04/12/2023
B	West Virginia	Agent	Approved	01/04/2021
B	Wyoming	Agent	Approved	11/02/2020



Broker Qualifications

Employment 1 of 2, continued

Branch Office Locations

**FORTUNE FINANCIAL SERVICES, INC.**  
3605 KNAPE STREET  
BEAVER FALLS, PA 15010

**FORTUNE FINANCIAL SERVICES, INC.**  
3582 Brodhead Road  
Suite 202  
monaca, PA 15061

Employment 2 of 2

Firm Name: **PROSPERITY WEALTH MANAGEMENT, INC.**  
Main Office Address: **2333 SAN RAMON VALLEY BLVD.**  
**SUITE 200**  
**SAN RAMON, CA 94583**  
Firm CRD#: **174328**

U.S. State/ Territory	Category	Status	Date
IA Pennsylvania	Investment Adviser Representative	Approved	01/06/2020

Branch Office Locations

This individual does not have any registered Branch Office where the individual is located.



## 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 3 principal/supervisory exams, 4 general industry/product exams, and 2 state securities law exams.**

### Principal/Supervisory Exams

Exam	Category	Date
<b>B</b> General Securities Principal Examination	Series 24	08/18/2020
<b>B</b> Municipal Fund Securities Principal Examination	Series 51	11/25/2013
<b>B</b> Investment Company Products/Variable Contracts Principal Examination	Series 26	10/10/2012

### General Industry/Product Exams

Exam	Category	Date
<b>B</b> Operations Professional Examination	Series 99TO	01/02/2023
<b>B</b> Securities Industry Essentials Examination	SIE	10/01/2018
<b>B</b> General Securities Representative Examination	Series 7	01/22/2008
<b>B</b> Investment Company Products/Variable Contracts Representative Examination	Series 6	08/13/2001

### State Securities Law Exams

Exam	Category	Date
<b>B IA</b> Uniform Combined State Law Examination	Series 66	09/29/2009
<b>B</b> Uniform Securities Agent State Law Examination	Series 63	08/31/2001

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>IA</b> 09/2017 - 12/2019	PROSPERITY WEALTH MANAGEMENT, INC.	174328	Beaver Falls, PA
<b>IA</b> 06/2010 - 08/2012	HAZARD & SIEGEL ADVISORY SERVICES LLC	151462	DEWITT, NY
<b>IA</b> 10/2009 - 04/2010	USA FINANCIAL SECURITIES CORPORATION	103857	BEAVER FALLS, PA
<b>B</b> 10/2002 - 04/2010	USA FINANCIAL SECURITIES CORPORATION	103857	BEAVER FALLS, PA
<b>B</b> 08/2001 - 11/2002	WOODBURY FINANCIAL SERVICES, INC.	421	OAKDALE, MN

### 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
09/2017 - Present	Prosperity Wealth Management, Inc.	Investment Adviser Representative	Y	San Ramon, CA, United States
04/2010 - Present	FORTUNE FINANCIAL SERVICES, INC.	REGISTERED REPRESENTATIVE	Y	NEW BRIGHTON, PA, 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.) REPRESENTATIVE IS SELLING FIXED INSURANCE & ANNUITIES THRU EXECUTIVE BROKERAGE SERVICES \_\_\_/\_\_\_ 2.) IS WORKING AS A COMPLIANCE OFFICER FOR FORTUNE FINANCIAL SERVICES, INC \_\_\_/\_\_\_ 3.)OFFICER OF THE CORP FOR GABAUER ENTERPRISES, INC. [RUNS ACCOUNTING OF LIFE & FIXED ANNUITY COMMISSIONS FOR BOOK KEEPING PURPOSES]\_\_\_/\_\_\_ 4.)Wife has opened Real Estate Solutions of Western PA, LLC. Properties purchased will be for the purpose of passive rental income \_\_\_/\_\_\_ 5.)Rep is an IAR with Prosperity Wealth Management

# Registration and Employment History

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## 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:**
  - A law enforcement agency must file formal charges before a broker is required to disclose a particular criminal event.
  - 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.
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3. **Disclosure events in BrokerCheck reports come from different sources:**
  - 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.
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4. **There are different statuses and dispositions for disclosure events:**
  - 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.
  - 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
Customer Dispute	0	1	N/A



## 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:** 12/06/2022

**Docket/Case Number:** [2020065435402](#)

**Employing firm when activity occurred which led to the regulatory action:** Fortune Financial Services, Inc.

**Product Type:** No Product

**Allegations:** Without admitting or denying the findings, DeLuca consented to the sanctions and to the entry of findings that he failed to reasonably supervise variable annuity exchanges and surrenders recommended by a representative because he failed to reasonably respond to red flags that many of the representative's exchange applications contained material misrepresentations. The findings stated that DeLuca's responsibilities included reviewing and approving variable annuity exchanges that did not disclose the imposition of a surrender charge. The applications contained information about the purchase date, surrender period, and amount of the exchange that contradicted the representative's claims that there would be no surrender charge. DeLuca also was aware that during the surrender period, investors were permitted to withdraw only a specified percentage of the



contract amount. However, in one case, the exchange application revealed that a customer was seeking to exchange 64 percent of the contract value during the surrender period, when the free withdrawal percentage was capped at 10 percent of the contract value. DeLuca failed to question or investigate the representative's representation on the application that the customer would not incur a surrender charge. DeLuca also failed to compare the information on the exchange documents with other available external information sources such as the original applications, the surrender fee schedules, or the customers' most recent account statements, and thereby failed to detect that the representative misrepresented that the customer would not have to pay a surrender charge. In total, these transactions caused customers to incur surrender charges totaling \$71,386.94.

<b>Current Status:</b>	Final
<b>Resolution:</b>	Acceptance, Waiver & Consent(AWC)
<b>Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?</b>	No
<b>Resolution Date:</b>	12/06/2022
<b>Sanctions Ordered:</b>	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



**(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**

<b>Sanction Type:</b>	Suspension
<b>Capacities Affected:</b>	any principal capacity
<b>Duration:</b>	15 business days
<b>Start Date:</b>	01/03/2023
<b>End Date:</b>	01/24/2023

#### **Monetary Sanction 1 of 1**

<b>Monetary Related Sanction:</b>	Civil and Administrative Penalty(ies)/Fine(s)
<b>Total Amount:</b>	\$5,000.00
<b>Portion Levied against individual:</b>	\$5,000.00
<b>Payment Plan:</b>	
<b>Is Payment Plan Current:</b>	
<b>Date Paid by individual:</b>	12/28/2022
<b>Was any portion of penalty waived?</b>	No

**Amount Waived:**



<b>Reporting Source:</b>	Broker
<b>Regulatory Action Initiated By:</b>	FINRA
<b>Sanction(s) Sought:</b>	Civil and Administrative Penalty(ies)/Fine(s) Suspension
<b>Date Initiated:</b>	11/03/2022
<b>Docket/Case Number:</b>	<a href="#">2020065435402</a>
<b>Employing firm when activity occurred which led to the regulatory action:</b>	Fortune Financial Services, Inc
<b>Product Type:</b>	Annuity-Variable
<b>Allegations:</b>	FINRA claims DeLuca failed to supervise the activities in regards to the review and approval of variable annuity transactions of another Fortune Financial representative in violation of FINRA Rules 3110,2330, and 2010.
<b>Current Status:</b>	Final
<b>Resolution:</b>	Acceptance, Waiver & Consent(AWC)
<b>Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?</b>	No
<b>Resolution Date:</b>	12/06/2022
<b>Sanctions Ordered:</b>	Civil and Administrative Penalty(ies)/Fine(s) Suspension
<b>Sanction 1 of 1</b>	
<b>Sanction Type:</b>	Suspension
<b>Capacities Affected:</b>	General Securities Principal only. Can continue to act as a Registered Representative
<b>Duration:</b>	15 business days
<b>Start Date:</b>	01/03/2023
<b>End Date:</b>	01/24/2023





**Monetary Sanction 1 of 1**

<b>Monetary Related Sanction:</b>	Civil and Administrative Penalty(ies)/Fine(s)
<b>Total Amount:</b>	\$5,000.00
<b>Portion Levied against individual:</b>	\$5,000.00
<b>Payment Plan:</b>	check in the full amount
<b>Is Payment Plan Current:</b>	Yes
<b>Date Paid by individual:</b>	
<b>Was any portion of penalty waived?</b>	No
<b>Amount Waived:</b>	



## Customer Dispute - Closed-No Action / Withdrawn / Dismissed / Denied

This type of disclosure event involves (1) a consumer-initiated, investment-related arbitration or civil suit containing allegations of sales practice violations against the individual broker that was dismissed, withdrawn, or denied; or (2) a consumer-initiated, investment-related written complaint containing allegations that the broker engaged in sales practice violations resulting in compensatory damages of at least \$5,000, forgery, theft, or misappropriation, or conversion of funds or securities, which was closed without action, withdrawn, or denied.

### Disclosure 1 of 1

**Reporting Source:** Broker

**Employing firm when activities occurred which led to the complaint:** USA FINANCIAL SECURITIES

**Allegations:** THE EIA IN QUESTION WAS NOT SOLD THROUGH USA FINANCIAL SECURITIES, NOR WAS USA FINANCIAL SECURITIES REQUIRED TO SUPERVISE THESE SALES IN 2003 WHEN THE PRODUCT WAS SOLD. [CUSTOMER] CLAIMS THE EIA WAS UNSUITABLE, HOWEVER, MIDLAND NATIONAL INSURANCE COMPANY RESOLVED THE MATTER WITH NO FINDINGS AGAINST MR. DELUCA.

**Product Type:** Annuity(ies) - Fixed

**Alleged Damages:** \$33,000.00

### Customer Complaint Information

**Date Complaint Received:** 05/12/2006

**Complaint Pending?** No

**Status:** Closed/No Action

**Status Date:** 05/30/2006

**Settlement Amount:**

**Individual Contribution Amount:**

## End of Report



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