

## BrokerCheck Report

# MARK WILLIAM KAPLOWITZ

CRD# 824379

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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 W. KAPLOWITZ**

CRD# 824379

This broker is not currently registered.

**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 not currently registered.**

**This broker has passed:**

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

**Registration History**

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

**B** **HARRISON DOUGLAS, INC.**  
CRD# 16515  
AURORA, CO

03/2011 - 05/2011

**B** **ALTERNATIVE WEALTH STRATEGIES, INC.**  
CRD# 130933  
BRIDGEWATER, NJ  
12/2004 - 02/2011

**B** **THE INVESTMENT CENTER, INC.**  
CRD# 17839  
BEDMINSTER, NJ  
06/2000 - 12/2004

**Disclosure Events**

This broker has been involved in one or more disclosure events involving certain final criminal matters, regulatory actions, civil judicial proceedings, or arbitrations or civil litigations.

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

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

Type	Count
Regulatory Event	2
Customer Dispute	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), states and U.S. territories the broker is currently registered and licensed with, the category of each registration, and the date on which the registration became effective. This section also provides, for each firm with which the broker is currently employed, the address of each branch where the broker works.

This broker is not currently registered.

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

#### Principal/Supervisory Exams

Exam	Category	Date
General Securities Principal Examination	Series 24	06/05/2004
Investment Company Products/Variable Contracts Principal Examination	Series 26	10/07/2000

#### General Industry/Product Exams

Exam	Category	Date
General Securities Representative Examination	Series 7	01/02/2004
Investment Company Products/Variable Contracts Representative Examination	Series 6	09/14/1996

#### State Securities Law Exams

Exam	Category	Date
Uniform Combined State Law Examination	Series 66	03/27/2004
Uniform Securities Agent State Law Examination	Series 63	09/20/1996

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 securities firms:

Registration Dates	Firm Name	CRD#	Branch Location
B 03/2011 - 05/2011	HARRISON DOUGLAS, INC.	16515	AURORA, CO
B 12/2004 - 02/2011	ALTERNATIVE WEALTH STRATEGIES, INC.	130933	BRIDGEWATER, NJ
B 06/2000 - 12/2004	THE INVESTMENT CENTER, INC.	17839	BEDMINSTER, NJ
B 01/1999 - 06/2000	SII INVESTMENTS, INC.	2225	APPLETON, WI
B 02/1997 - 01/1999	THE INVESTMENT CENTER, INC.	17839	BEDMINSTER, NJ
B 09/1996 - 03/1997	GATEWAY FINANCIAL AGENCY CORPORATION	35864	ARCADIA, FL

## 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
06/2006 - Present	FINANCIAL PLANNING ASSOCIATES	RA		TARRYTOWN, NY, United States
07/1988 - Present	MARK KAPLOWITZ T/A STRATEGIC PLANNING &	OTHER - SOLE PROP	Y	BRIDGEWATER, NJ, United States

## Disclosure Events



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

#### 1. Disclosure events in BrokerCheck reports come from different sources:

- As mentioned at the beginning of this report, information contained in BrokerCheck comes from brokers, their employing firms, and regulators. When more than one source reports information for the same disclosure event, all versions of the event will appear in the BrokerCheck report. The different versions are separated by a solid line with the reporting source labeled.

For your convenience, below is a matrix of the number and status of regulatory 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.

	Final	On Appeal
Regulatory Event	2	0
Customer Dispute	1	N/A



## Disclosure Event Details

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 involves a final, formal proceeding initiated by a regulatory authority (e.g., a state securities agency, self-regulatory organization, federal regulator such as the Securities and Exchange Commission, foreign financial regulatory body) for a violation of investment-related rules or regulations.

#### Disclosure 1 of 2

**Reporting Source:** Regulator

**Regulatory Action Initiated By:** FINRA

**Sanction(s) Sought:** Suspension

**Date Initiated:** 02/05/2014

**Docket/Case Number:** [11-04481](#)

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

**Product Type:** No Product

**Allegations:** RESPONDENT KAPLOWITZ FAILED TO COMPLY WITH AN ARBITRATION AWARD OR SETTLEMENT AGREEMENT OR TO SATISFACTORILY RESPOND TO A FINRA REQUEST TO PROVIDE INFORMATION CONCERNING THE STATUS OF COMPLIANCE.

**Current Status:** Final

**Resolution:** LETTER

**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:** 02/05/2014

**Sanctions Ordered:** Suspension



If the regulator is the SEC, No

CFTC, or an SRO, did the action result in a finding of a willful violation or failure to supervise?

(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:** ANY CAPACITY

**Duration:** N/A

**Start Date:** 02/05/2014

**End Date:**

#### Regulator Statement

PURSUANT TO ARTICLE VI, SECTION 3 OF FINRA BY-LAWS, AND FINRA RULE 9554, RESPONDENT KAPLOWITZ IS SUSPENDED FEBRUARY 5, 2014 FOR FAILURE TO COMPLY WITH AN ARBITRATION AWARD OR SETTLEMENT AGREEMENT OR TO SATISFACTORILY RESPOND TO A FINRA REQUEST TO PROVIDE INFORMATION CONCERNING THE STATUS OF COMPLIANCE.

#### Disclosure 2 of 2

**Reporting Source:** Regulator

**Regulatory Action Initiated By:** FINRA

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

**Date Initiated:** 10/31/2012

**Docket/Case Number:** [2010021843501](#)



**Employing firm when activity occurred which led to the regulatory action:** ALTERNATIVE WEALTH STRATEGIES, INC.

**Product Type:** Other: PRIVATELY PLACED SECURITIES

**Allegations:** NASD RULES 2110, 2310, INTERPRETATIVE MATERIAL 2310-2: KAPLOWITZ RECOMMENDED PRIVATELY PLACED SECURITIES WITHOUT HAVING REASONABLE GROUNDS FOR BELIEVING THAT SUCH TRANSACTIONS WERE SUITABLE FOR A CUSTOMER IN VIEW OF THE CUSTOMER'S FINANCIAL SITUATION, INVESTMENT OBJECTIVES AND NEEDS. GIVEN THE RISK OF PRINCIPAL LOSS ASSOCIATED WITH THE RECOMMENDED INVESTMENTS, KAPLOWITZ OVERCONCENTRATED THE CUSTOMER'S LIQUID ASSETS IN THE PRIVATELY PLACED SECURITIES. KAPLOWITZ FAILED TO UNDERSTAND THE RISKS ASSOCIATED WITH INVESTING IN THOSE SECURITIES. THE CUSTOMER LOST AT LEAST \$225,000 OF HIS PRINCIPAL INVESTMENT IN THE SECURITIES.

**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?**

**Resolution Date:** 10/31/2012

**Sanctions Ordered:** Civil and Administrative Penalty(ies)/Fine(s)  
Restitution  
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?**



**(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:** ANY CAPACITY

**Duration:** THREE MONTHS

**Start Date:** 11/19/2012

**End Date:** 02/18/2013

**Monetary Sanction 1 of 2**

**Monetary Related Sanction:** Restitution

**Total Amount:** \$200,000.00

**Portion Levied against individual:** \$200,000.00

**Payment Plan:**

**Is Payment Plan Current:**

**Date Paid by individual:**

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

**Amount Waived:**

**Monetary Sanction 2 of 2**



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

**Total Amount:** \$25,000.00

**Portion Levied against individual:** \$25,000.00

**Payment Plan:**

**Is Payment Plan Current:**

**Date Paid by individual:**

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

**Amount Waived:**

**Regulator Statement**

WITHOUT ADMITTING OR DENYING THE FINDINGS, KAPLOWITZ CONSENTED TO THE DESCRIBED SANCTIONS AND TO THE ENTRY OF FINDINGS; THEREFORE HE IS FINED \$25,000, SUSPENDED FROM ASSOCIATION WITH ANY FINRA MEMBER IN ANY CAPACITY FOR THREE MONTHS, AND ORDERED TO DISGORGE ILL-GOTTEN GAINS AND PAY PARTIAL RESTITUTION TO A CUSTOMER IN THE TOTAL AMOUNT OF \$200,000, PLUS INTEREST. THE FINE AND RESTITUTION SHALL BE DUE AND PAYABLE EITHER IMMEDIATELY UPON REASSOCIATION WITH A MEMBER FIRM FOLLOWING THE THREE MONTH SUSPENSION, OR PRIOR TO ANY APPLICATION OR REQUEST FOR RELIEF FROM ANY STATUTORY DISQUALIFICATION RESULTING FROM THIS OR ANY OTHER EVENT OR PROCEEDING, WHICHEVER IS EARLIER. THE SUSPENSION IS IN EFFECT NOVEMBER 19, 2012 THROUGH FEBRUARY 18, 2013.



## Customer Dispute - Award / Judgment

This type of disclosure event involves a final, consumer-initiated, investment-related arbitration or civil suit containing allegations of sales practice violations against the named broker that resulted in an arbitration award or civil judgment for the customer.

### Disclosure 1 of 1

**Reporting Source:** Regulator  
**Employing firm when activities occurred which led to the complaint:** ALTERNATIVE WEALTH STRATEGIES, INC.

**Allegations:** FRAUDULENT INDUCEMENT; MATERIAL MISREPRESENTATIONS; SUITABILITY; FAILURE TO DISCLOSE MATERIAL FACTS; BREACH OF FIDUCIARY DUTY; VIOLATION OF SECURITIES EXCHANGE ACT OF 1934

**Product Type:** Other: VARIOUS PRIVATE PLACEMENTS

**Alleged Damages:** \$397,755.92

### Arbitration Information

**Arbitration/Reparation Claim filed with and Docket/Case No.:** [FINRA - CASE #11-04481](#)

**Date Notice/Process Served:** 11/30/2011

**Arbitration Pending?** No

**Disposition:** Award

**Disposition Date:** 11/06/2013

**Disposition Detail:** KAPLOWITZ IS JOINTLY AND SEVERALLY LIABLE FOR AND SHALL PAY CLAIMANT COMPENSATORY DAMAGES OF \$135,000. THE ARBITRATION PANEL FINDS THAT \$68,426.74 REPRESENTS THE LOSS ATTRIBUTABLE TO ONE NOTE, \$29,793.34 REPRESENTS THE LOSS ATTRIBUTABLE TO THE OTHER NOTE, AND \$36,779.92 REPRESENTS THE LOSS ATTRIBUTABLE TO THE REMAINING INVESTMENTS.

**Regulator Statement** The Award has not been paid.

## End of Report



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