

NASD OFFICE OF HEARING OFFICERS

DEPARTMENT OF ENFORCEMENT,

Complainant,

v.

TODD W. SENS

**Investment Company and Variable
Contracts Products Representative
(CRD No. 2558107)**

Respondent.

Disciplinary Proceeding No. 20060050165-01

Hearing Officer - ____

COMPLAINT

The Department of Enforcement alleges:

JURISDICTION

1. From December 1, 1997 through April 13, 2006, Respondent Todd W. Sens was associated with NASD member Princor Financial Services Corporation and was registered with NASD as an investment company/variable contract products representative.
2. This Complaint is being filed within two years of Sens' termination from association with an NASD member. Accordingly, NASD retains jurisdiction over Sens pursuant to Article V, Section 4 of NASD's By-Laws.

FIRST CAUSE OF ACTION

Conversion of Customer Funds Intended for the Purchase of Non-Securities Products NASD Conduct Rule 2110

3. Between September 2004 and October 2005, Sens received four checks from customer W.K. totaling \$3,528.60. W.K. intended that these funds be used to pay life insurance premiums. Details of the checks are as follows:

Date of Check	Amount of Check
September 28, 2004	\$900.60
March 24, 2005	\$438.00
July 19, 2005	\$1,314.00
October 13, 2005	\$876.00
Total	\$3,528.60

4. Sens did not follow W.K.'s instructions and use these funds to pay life insurance premiums. Instead, Sens cashed the September 28, 2004 and July 19, 2005 checks; and deposited the March 24, 2005 and October 13, 2005 checks into his business checking account. Sens then used these funds for his personal benefit.

5. By converting customer funds intended for the purchase of non-securities products, Sens violated NASD Conduct Rule 2110.

SECOND CAUSE OF ACTION

Failure to Respond to Requests for Information NASD Procedural Rule 8210 and NASD Conduct Rule 2110

6. On July 25, 2006, NASD staff sent Sens a written request for information, citing NASD Procedural Rule 8210, seeking material and relevant information regarding his alleged misconduct while he was associated with Princor (First Request). NASD staff sent the First

Request by certified mail, return receipt requested, and first class mail to Sens' last known residential address, as listed in the Central Registration Depository (CRD address).

7. The receipt for the certified mailing of the First Request was returned, bearing the signature of "Todd W. Sens." The first class mailing of the First Request was not returned.

8. Accordingly, NASD staff completed service of the First Request upon Sens in accordance with NASD Procedural Rule 8210.

9. Sens' response to the First Request was due by August 8, 2006. Sens did not respond to the First Request.

10. On August 14, 2006, NASD staff sent Sens a second request for information, citing NASD Procedural Rule 8210, seeking material and relevant information regarding his alleged misconduct while he was associated with Princor (Second Request). NASD staff sent the Second Request by certified mail, return receipt requested, and first class mail to Sens' CRD address.

11. The receipt for the certified mailing of the Second Request was returned, bearing the signature of "Todd W. Sens." The first class mailing of the Second Request was not returned.

12. Accordingly, NASD staff completed service of the Second Request upon Sens in accordance with NASD Procedural Rule 8210.

13. Sens' response to the Second Request was due by August 28, 2006. Sens did not respond to the Second Request.

14. On September 26, 2006, NASD staff sent Sens a third request for information, citing NASD Procedural Rule 8210, seeking material and relevant information regarding his alleged misconduct while he was associated with Princor (Third Request). NASD staff sent the

Third Request by certified mail, return receipt requested, and first class mail to Sens' CRD address.

15. The certified mailing of the Third Request was returned, marked "unclaimed." The first class mailing of the Third Request was not returned.

16. Accordingly, NASD staff completed service of the Third Request upon Sens in accordance with NASD Procedural Rule 8210.

17. Sens' response to the Third Request was due by October 10, 2006. Sens did not respond to the Third Request.

18. Through this conduct, Sens violated NASD Procedural Rule 8210 and NASD Conduct Rule 2110.

PRAYER

WHEREFORE, Enforcement respectfully requests that the Panel:

A. order that one or more of the sanctions provided under NASD Procedural Rule 8310(a), including monetary sanctions, be imposed against Sens and

B. order that Sens bear such costs of proceeding as are deemed fair and appropriate under the circumstances, in accordance with NASD Procedural Rule 8330.

NASD Department of Enforcement

Date: April 13, 2007


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