

**NASD  
OFFICE OF HEARING OFFICERS**

DEPARTMENT OF ENFORCEMENT,

Complainant,

v.

JOEY N. PEREZ  
(CRD No. 4739449),

Respondent.

DISCIPLINARY PROCEEDING  
NO. 2006005690401

**COMPLAINT**

The Department of Enforcement alleges:

1. Respondent Joey N. Perez ("Perez") entered the securities industry in November 2003, in an unregistered capacity. He was later registered with Chase Investment Services Corp. ("Chase") as an Investment Company and Variable Contracts Products Representative in December 2005. Perez was employed by Chase until May 2006. Perez is not currently registered with an NASD member; however, he remains subject to the jurisdiction of the NASD pursuant to Article V, Section 4 of the NASD Bylaws until May 26, 2008.

**FIRST CAUSE OF ACTION**

**NASD Conduct Rule 2110**

**(Unauthorized Issuance Of Debit Card)**

2. The Department realleges and incorporates by reference paragraph 1 above.
3. On or about March 16, 2005, customer A.P. obtained a debit card from the Houston, Texas, Greenpoint branch office of Chase's bank affiliate ("Chase Bank"). Respondent

Perez was the bank service representative who serviced customer A.P. and issued him the debit card.

4. A second debit card was issued that same day by Respondent Perez. This debit card was issued in the name of A.P.'s wife ("A.M.") without A.P.'s or A.M.'s knowledge or authorization. Instead of giving the debit card to customer A.P. or A.M., Respondent Perez maintained possession of it.
5. Later, Respondent Perez gave A.M.'s debit card to an acquaintance who was unrelated to A.M. A.M.'s debit card was subsequently used on numerous occasions in Texas and Oklahoma, during the period from November 2005 through February 2006. The use of A.M.'s debit card resulted in unauthorized aggregate withdrawals of \$13,744.
6. Such acts, practices and conduct described above constitute a violation of NASD Conduct Rule 2110 by Respondent Perez.

## **SECOND CAUSE OF ACTION**

### **NASD Conduct Rule 2110 and NASD Procedural Rule 8210 (Failure to Respond to NASD Requests for Information)**

7. The Department realleges and incorporates by reference paragraphs 1 through 6 above.
8. During the course of NASD's investigation of Respondent Perez' conduct, NASD attempted to obtain a written statement from Perez. On July 10, 2006, NASD sent a letter to Respondent Perez via first class mail addressed to his CRD address. The July 10, 2006 letter requested that Respondent Perez provide a written response regarding the issuance of the unauthorized debit card. This request was made pursuant to Rule 8210 and Perez'

response was due by July 24, 2006. The July 10, 2006 letter was not returned to the NASD. Respondent Perez did not respond to the request by the July 24, 2006, deadline.

9. On July 27, 2006, NASD sent a second letter to Respondent Perez via both first class and certified mail to his CRD address. The July 27, 2006 letter once again requested that Respondent Perez provide a written response regarding the issuance of the unauthorized debit card, among other things. This request was made pursuant to NASD Rule 8210 and Perez' response was due by August 10, 2006. The July 27, 2006 letter, sent by first class mail, was returned to the NASD marked "attempted not known." However, a receipt for the July 27, 2006 letter, sent by certified mail, was returned showing that it was delivered. Respondent Perez did not respond to the request by the August 10, 2006, deadline.
10. On August 17, 2006, NASD sent a third letter to Respondent Perez via first class and certified mail to his CRD address. The August 17, 2006 letter once again requested that Respondent Perez provide a written response regarding the issuance of the unauthorized debit card, among other things. This request was also made pursuant to Rule 8210 and Perez' response was due by August 31, 2006. The August 17, 2006 letter, sent by first class mail, was not returned to NASD. However, the August 17, 2006 letter, sent by certified mail, was returned to NASD marked "attempted not known." Respondent Perez did not respond to the request by the August 31, 2006, deadline.
11. Such acts, practices and conduct described above constitute separate and distinct violations of NASD Conduct Rule 2110 and NASD Procedural Rule 8210 by Respondent Perez.

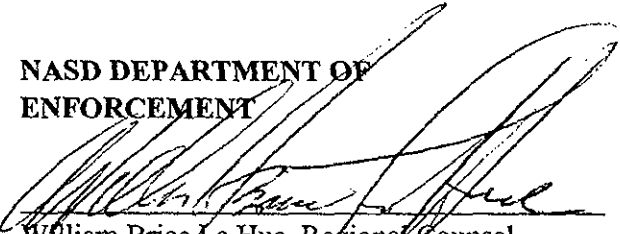
## PRAYER

WHEREFORE, the Department respectfully requests that the Panel:

- A. make findings of fact and conclusions of law that the respondent committed the violations charged and alleged herein.
- B. order that one or more of the sanctions provided under NASD Rule 8310(a), including monetary sanctions, be imposed.
- C. order that the Respondent bear such costs of proceeding as are deemed fair and appropriate under the circumstances in accordance with NASD Rule 8330.

Date: 4/30/2007

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