

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2012031369201**

TO: Department of Enforcement
Financial Industry Regulatory Authority ("FINRA")

RE: Anthony David Brentin, Respondent
Former Registered Representative
CRD No. 5550765

RCUD 2013MAY31PM3:05

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, Respondent Anthony David Brentin ("Respondent" or "Brentin") submits this Letter of Acceptance, Waiver and Consent ("AWC") for the purpose of proposing a settlement of the alleged rule violations described below. This AWC is submitted on the condition that, if accepted, FINRA will not bring any future actions against Respondent alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

- A. Respondent hereby accepts and consents without admitting or denying the findings, and solely for the purposes of this proceeding and any other proceeding brought by or on behalf of FINRA, or to which FINRA is a party, prior to a hearing and without an adjudication of any issue of law or fact, to the entry of the following findings by FINRA:

BACKGROUND

Anthony David Brentin entered the securities industry on July 17, 2008, when he became associated with PFS Investments, Inc. ("PFS" or the "Firm") as a Series 6 Investment Company Products/Variable Contracts Representative and Series 26 Investment Company Products/Variable Contracts Principal. PFS is a FINRA-registered firm and is the broker-dealer affiliate of Primerica, an insurance company. Brentin also was an insurance agent with Primerica. At the time that Brentin's employment with the Firm ended, he worked out of an office in the state of Washington.

Brentin's association with the Firm and Primerica ended on February 2, 2012. On February 8, 2012, PFS filed a Uniform Termination Notice for Securities Industry Registration ("Form U5") stating that it had terminated Brentin's employment after it learned from a newspaper article that Brentin had been arrested for fraud

in December 2011. Brentin has not been associated with a FINRA member firm since February 2012.

Pursuant to Article V, Section 4(a) of the FINRA By-laws, FINRA retains jurisdiction over Brentin until February 7, 2014.

RELEVANT DISCIPLINARY HISTORY

Brentin has no prior disciplinary history in the securities industry.

OVERVIEW

Brentin violated FINRA Rule 2010 by converting funds he received from SF, an acquaintance of Brentin and his wife SB. SF was not a customer of the Firm. In October 2011, SF gave Brentin \$5,000 as a donation to Brentin's campaign for an elected office. SF believed Brentin would use the money to cover certain campaign expenses. Instead, Brentin used those funds to pay personal debts he and his wife had incurred that were unrelated to his political campaign. As a result, Brentin was charged and convicted of felony theft in the state of Washington.

FACTS AND VIOLATIVE CONDUCT

SF had known Brentin and his wife for several years. In 2011, Brentin ran for a seat on the City Council in Woodland, Washington. On October 12, 2011, SF gave Brentin a \$5,000 check made payable to Brentin. SF, a senior citizen, was falsely led to believe by Brentin that she was giving him the \$5,000 as a contribution to support Brentin's City Council campaign and to cover expenses such as the cost of campaign signs. At the time, there was a pending court judgment in Cowlitz County, Washington, finding Brentin and his wife liable for approximately \$4,800 in unpaid rent and utilities for their former residence that they owed to their landlord. On or about October 13, 2011, Brentin used the \$5,000 that SF had given him to satisfy the judgment and paid his back rent and utility bills. In obtaining \$5,000 from SF, Brentin took advantage of SF, who was susceptible to being manipulated based on her age and medical condition.

On January 5, 2012, Brentin was charged with Theft in the First Degree, a felony under Revised Code of Washington ("RCW") 9A.56.030(1)(a) and RCW 9A.56.010(18)(c), in a criminal information filed with the Superior Court of Cowlitz County, Washington. The criminal charge was based on Brentin obtaining \$5,000 from SF by deceiving and taking advantage of SF, who was deemed a vulnerable person under Washington law. On March 25, 2013, Brentin

was convicted of that charge after a jury trial and sentenced on May 2, 2013 to six months incarceration .

FINRA Rule 2010 states that "a member in the conduct of its business, shall observe high standards of commercial honor and just and equitable principles of trade." It is well-established that the conversion of funds by a person subject to FINRA's jurisdiction, even if it occurs outside the scope of such person's employment with a member firm, constitutes a violation of FINRA Rule 2010.

Brentin violated FINRA Rule 2010 by converting \$5,000 he obtained from SF and using those funds for a purpose that SF did not authorize and for his personal benefit.

- B. Respondent also consents to the imposition of the following sanction:

A bar from association with any FINRA-registered firm in all capacities.

The sanctions imposed herein shall be effective on a date set by FINRA staff. Pursuant to FINRA Rule 8313(e), a bar or expulsion shall become effective upon approval or acceptance of this AWC.

Respondent understands that if he is barred or suspended from associating with any FINRA member, he becomes subject to a statutory disqualification as that term is defined in Article III, Section 4 of FINRA's By-Laws, incorporating Section 3(a)(39) of the Securities Exchange Act of 1934. Accordingly, Respondent may not be associated with any FINRA member in any capacity, including clerical or ministerial functions, during the period of the bar or suspension (see FINRA Rules 8310 and 8311).

II.

WAIVER OF PROCEDURAL RIGHTS

Respondent specifically and voluntarily waives the following rights granted under FINRA's Code of Procedure:

- A. To have a Complaint issued specifying the allegations against him;
- B. To be notified of the Complaint and have the opportunity to answer the allegations in writing;
- C. To defend against the allegations in a disciplinary hearing before a hearing panel, to have a written record of the hearing made and to have a written decision issued; and

- D. To appeal any such decision to the National Adjudicatory Council ("NAC") and then to the U.S. Securities and Exchange Commission and a U.S. Court of Appeals.

Further, Respondent specifically and voluntarily waives any right to claim bias or prejudgment of the General Counsel, the NAC, or any member of the NAC, in connection with such person's or body's participation in discussions regarding the terms and conditions of this AWC, or other consideration of this AWC, including acceptance or rejection of this AWC.

Respondent further specifically and voluntarily waives any right to claim that a person violated the ex parte prohibitions of FINRA Rule 9143 or the separation of functions prohibitions of FINRA Rule 9144, in connection with such person's or body's participation in discussions regarding the terms and conditions of this AWC, or other consideration of this AWC, including its acceptance or rejection.

III.

OTHER MATTERS

Respondent understands that:

- A. Submission of this AWC is voluntary and will not resolve this matter unless and until it has been reviewed and accepted by the NAC, a Review Subcommittee of the NAC, or the Office of Disciplinary Affairs ("ODA"), pursuant to FINRA Rule 9216;
- B. If this AWC is not accepted, its submission will not be used as evidence to prove any of the allegations against Respondent; and
- C. If accepted:
 - 1. this AWC will become part of Respondent's permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against him;
 - 2. this AWC will be made available through FINRA's public disclosure program in response to public inquiries about Respondent's disciplinary record;
 - 3. FINRA may make a public announcement concerning this agreement and the subject matter thereof in accordance with FINRA Rule 8313; and
 - 4. Respondent may not take any action or make or permit to be made any public statement, including in regulatory filings or otherwise, denying, directly or indirectly, any finding in this AWC or create the impression that the AWC is without factual basis. Respondent may not take any

position in any proceeding brought by or on behalf of FINRA, or to which FINRA is a party, that is inconsistent with any part of this AWC. Nothing in this provision affects Respondent's (i) testimonial obligations; or (ii) right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party.

* * * * *

Respondent certifies that he has read and understands all of the provisions of this AWC and has been given a full opportunity to ask questions about it; that he has agreed to its provisions voluntarily; and that no offer, threat, inducement, or promise of any kind, other than the terms set forth herein and the prospect of avoiding the issuance of a Complaint, has been made to induce him to submit it.

27 May 2013
Date


Respondent

Accepted by FINRA:

6/10/13
Date

Signed on behalf of the
Director of ODA, by delegated authority


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