

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
OFFICE OF HEARING OFFICERS**

Department of Enforcement,

Complainant,

v.

Brandon R. Carter (CRD No. 5678495),

Respondent.

Disciplinary Proceeding
No. 2012032932101

Hearing Officer: Andrew H. Perkins

**ORDER ACCEPTING OFFER OF
SETTLEMENT**

Date: April 3, 2014

INTRODUCTION

Disciplinary Proceeding No. 2012032932101 was filed on December 30, 2013, by the Department of Enforcement of the Financial Industry Regulatory Authority (FINRA) (Complainant). Respondent Brandon R. Carter submitted an Offer of Settlement (Offer) to Complainant dated April 2, 2014. Pursuant to FINRA Rule 9270(e), the Complainant and the National Adjudicatory Council (NAC), a Review Subcommittee of the NAC, or the Office of Disciplinary Affairs (ODA) have accepted the uncontested Offer. Accordingly, this Order now is issued pursuant to FINRA Rule 9270(e)(3). The findings, conclusions and sanctions set forth in this Order are those stated in the Offer as accepted by the Complainant and approved by the NAC.

Under the terms of the Offer, Respondent has consented, without admitting or denying the allegations of the Complaint 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, to the entry of

findings and violations consistent with the allegations of the Complaint, and to the imposition of the sanctions set forth below, and fully understands that this Order will become part of Respondent's permanent disciplinary record and may be considered in any future actions brought by FINRA.

BACKGROUND

In April 2010, Brandon Carter entered the securities industry as an Investment Company Products/Variable Annuity Contracts Representative, with Chase Investment Services Corp. ("CISC" or "the Firm"). He worked as a registered personal banker at CISC and its affiliate Chase Bank. He remained in that capacity until his voluntary resignation in March 2012. Between March and August 2012, Carter worked for registered firm Citigroup Global Markets, Inc. ("Citi") and its banking affiliate. He was terminated on August 6, 2012, by Citi and its banking affiliate. The Form U5 filed by Citi in connection with his termination stated that he had been terminated for "violating internal bank policy regarding inappropriate viewing of accounts and other issues. Not securities related." Although Carter is not currently associated with a registered firm, he remains subject to FINRA's jurisdiction for purposes of this proceeding, pursuant to Article V, Section 4 of FINRA's By-Laws, because (1) the Complaint was filed within two years after the effective date of termination of Carter's registration with a FINRA registered firm and (2) the Complaint charges him with misconduct committed while he was registered or associated with a FINRA member.

FINDINGS AND CONCLUSIONS

It has been determined that the Offer be accepted and that findings be made as follows:

SUMMARY

On March 3, 2012, while working as a registered personal banker at CISC, Brandon Carter falsely reported the debit cards for three bank customers were lost. He then requested “replacement” debit cards and improperly created new personal identification “PIN” numbers for each of the cards. Carter engaged in these activities without the customers’ knowledge. On March 7 and 8, 2012, the new debit cards requested by Carter without customer authorization were used by individuals other than the customers to withdraw \$4,000 from the accounts through ATMs. Carter’s conduct in falsely reporting the debit cards as lost and in requesting “replacement” cards and creating PIN numbers for the cards without authorization from the customers violated FINRA Rule 2010.

Violation of FINRA Rule 2010: Dishonest Activity Involving Customer Debit Cards

1. On March 3, 2012, Carter’s last day of work at Chase Bank and CISC, he submitted requests for “replacement” debit cards for the accounts of three Chase Bank customers—AL, RC and SK—without the customers’ approval or knowledge.
2. For each request, Carter falsely noted in Chase Bank’s system that each customer had lost his or her existing debit card.
3. Carter then created a new PIN number for each card.
4. Carter directed that the replacement debit cards be sent, via UPS, directly to the branch office where he worked rather than to the customers’ mailing addresses on file at Chase Bank.

5. Carter engaged in each of these activities without the knowledge of the customers for the cards.

6. Carter resigned from Chase Bank at the end of the work day on March 3.

7. On the morning of March 7, 2012, the replacement debit cards arrived at Carter's former branch office.

8. On March 7 and 8, 2012, the replacement debit cards were used by persons other than the customers, and without the customers' knowledge or consent, to access the customers' accounts and to withdraw \$4,000 from the accounts through various ATM machines located throughout New York.

9. As set forth above, by falsely reporting the debit cards as lost and by requesting "replacement" cards and creating PIN numbers for the cards without authorization from the customers, Carter violated FINRA Rule 2010.

* * *

Based on the foregoing, Respondent violated FINRA Rule 2010.

Based on these considerations, the sanctions hereby imposed by the acceptance of the Offer are in the public interest, are sufficiently remedial to deter Respondent from any future misconduct, and represent a proper discharge by FINRA, of its regulatory responsibility under the Securities Exchange Act of 1934.

SANCTIONS

It is ordered that Respondent be

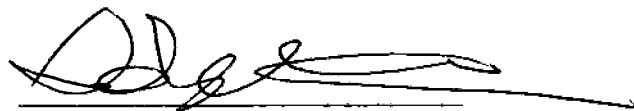
Barred from associating with any FINRA member.

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 Order.

SO ORDERED.

FINRA

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

A handwritten signature in black ink, appearing to read 'Roberta Vassallo', is written over a horizontal line.

Roberta Vassallo

Counsel

✓ FINRA Department of Enforcement

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