

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2014040572701**

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

RE: Barrie C. Arnold, Respondent
CRD No. 5667930

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, I submit 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 me alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

- A. I hereby accept and consent, 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

Barrie C. Arnold ("Arnold") was registered with FINRA member firm Park Avenue Securities, Inc. ("PAS") as an Investment Company Products and Variable Contracts Limited Representative from December 2009 until March 2014. Arnold is not currently registered with a FINRA member, but remains subject to FINRA jurisdiction pursuant to Article V, Section 4 of FINRA's By-Laws.

RELEVANT DISCIPLINARY HISTORY

Arnold has no disciplinary history.

OVERVIEW

In 2012, Arnold falsely certified on a firm questionnaire that he had not borrowed from any firm client when in fact he had. Separately, in 2013, Arnold accepted a \$9,000 personal loan from one of his own customers although PAS written procedures expressly prohibited registered representatives from accepting such loans and he had not sought or obtained approval from PAS. Just a few months later, Arnold again falsely certified on a firm questionnaire that he had not borrowed from any firm client. By submitting false certifications, Arnold violated FINRA Rule 2010. By borrowing from one of his customers, Arnold violated FINRA Rules 3240 and 2010.

FACTS AND VIOLATIVE CONDUCT

On November 12, 2012, Arnold submitted a completed questionnaire to PAS in which he certified that he had not borrowed "money from or len[t] money to any client or non-client." The certification was false. In contravention of PAS policy, Arnold had borrowed approximately \$10,000 in September 2012 from an individual who was a customer of the firm, although not a customer of Arnold's. By submitting the false certification, Arnold violated FINRA Rule 2010.

In August 2013, Arnold borrowed \$9,000 from another individual who was his customer and with whom he had a personal relationship. At the time, PAS procedures prohibited registered representatives from "[b]orrowing money or securities from a client," and Arnold did not seek pre-approval for the loan from PAS. Additionally, on November 13, 2013, Arnold submitted a completed questionnaire to PAS in which he certified that he had not made loans to or accepted loans from his clients. By borrowing from a customer in contravention of a firm policy and without firm pre-approval, Arnold violated FINRA Rules 3240 and 2010. By submitting the false certification, Arnold violated FINRA Rule 2010.

B. I also consent to the imposition of the following sanctions:

- A suspension from association with any FINRA member in any capacity for a period of 90 calendar days;
- A fine of \$5,000, which shall be due and payable either immediately upon reassociation with a member firm following the 90-day suspension noted above, 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.

I specifically and voluntarily waive any right to claim that I am unable to pay, now or at any time hereafter, the monetary sanction imposed in this matter.

I understand that if I am barred or suspended from associating with any FINRA member, I become 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, I 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).

The sanctions imposed herein shall be effective on a date set by FINRA staff.

II.

WAIVER OF PROCEDURAL RIGHTS

I specifically and voluntarily waive the following rights granted under FINRA's Code of Procedure:

- A. To have a Complaint issued specifying the allegations against me;
- 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, I specifically and voluntarily waive 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.

I further specifically and voluntarily waive 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.

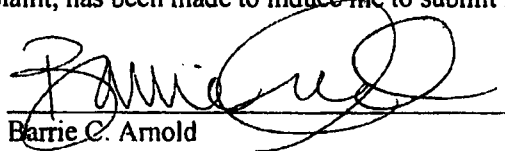
OTHER MATTERS

I understand 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 me; and
- C. If accepted:
 - 1. this AWC will become part of my permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against me;
 - 2. this AWC will be made available through FINRA's public disclosure program in response to public inquiries about my 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. I 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. I 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 my: (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.
- D. I may attach a Corrective Action Statement to this AWC that is a statement of demonstrable corrective steps taken to prevent future misconduct. I understand that I may not deny the charges or make any statement that is inconsistent with the AWC in this Statement. This Statement does not constitute factual or legal findings by FINRA, nor does it reflect the views of FINRA or its staff.

I certify that I have read and understand all of the provisions of this AWC and have been given a full opportunity to ask questions about it; that I have 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 me to submit it.

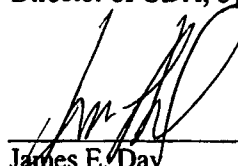
3/31/2005
Date (mm/dd/yyyy)


Barrie C. Arnold

Accepted by FINRA:

4/27/05
Date

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


James E. Day
Vice President and Chief Counsel
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