

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2014040607802**

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

RE: Mia Carol Higen, Respondent
General Securities Representative
CRD No. 5113610

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, I, Mia Carol Higen ("Higen"), 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

Higen entered the securities industry in February 2006, when she became employed by Ameriprise Financial Services, Inc. (the "Firm"), a FINRA regulated broker-dealer, in a non-registered capacity. In February 2007, she became registered with the Firm as a Series 7 General Securities Representative.

In a Uniform Termination Notice for Securities Industry Registration ("Form U5") dated August 14, 2014, the Firm reported that it had terminated Higen's employment effective August 8, 2014 because she "entered a guilty plea" to "a misdemeanor charge of theft by unlawful taking under \$500."

Higen is not currently associated with a FINRA regulated broker-dealer. Pursuant to Article V, Section 4 of FINRA's By-Laws, Higen remains subject to FINRA's jurisdiction until August 12, 2016.

RELEVANT DISCIPLINARY HISTORY

Higen has no disciplinary history in the securities industry.

OVERVIEW

In 2013, while associated with the Firm, Higen converted approximately \$240.00 in funds belonging to a non-profit organization for which she served as President and Treasurer. Thus, Higen violated FINRA Rule 2010. Additionally, Higen violated FINRA Rules 8210 and 2010 by failing to timely respond to FINRA Rule 8210 requests for documents and information.

FACTS AND VIOLATIVE CONDUCT

Conversion

FINRA Rule 2010 requires associated persons to observe “high standards of commercial honor and just and equitable principles of trade.” Conversion is an intentional and unauthorized taking of and or exercise of ownership over property by one who neither owns the property nor is entitled to possess it, and violates FINRA Rule 2010.

Beginning in February 2010, while associated with the Firm, Higen served as the President and Treasurer of a non-profit youth basketball organization, which was approved by the Firm as an outside business activity. In her capacity as President and Treasurer of the organization, Higen was the sole signatory on the organization’s checking account. In 2013, while associated with the Firm, Higen took approximately \$240.00 from the organization’s checking account to purchase items that were for her own personal use.

In March 2014, Higen was criminally charged with misdemeanor theft by unlawful taking for putting the organization’s funds to her own personal use. In July 2014, Higen pleaded guilty to the theft charge. As part of her sentence, Higen was ordered to pay \$240.00 in restitution to the organization.

Higen violated FINRA Rule 2010 by converting approximately \$240.00 in funds belonging to the non-profit organization for her own personal use.

Failure to Timely Respond to FINRA Rule 8210 Requests

FINRA Rule 8210 “require[s] a member, or person associated with a member, or any other person subject to FINRA’s jurisdiction to provide information orally, in writing, or electronically ... with respect to any matter involved in the investigation, complaint, examination, or proceeding.” The failure to timely respond to FINRA requests for information violates FINRA Rule 8210 and 2010.

Higen failed to timely respond to a FINRA request for documents and information sent pursuant to FINRA Rule 8210. On July 9, 2014, FINRA sent via electronic mail a Rule 8210 request to Higen’s counsel seeking, among other

things, copies of court filings and a statement from Higen concerning the criminal charges. The July 9, 2014 Rule 8210 letter, which Higen's counsel received, requested Higen's response on or before July 16, 2014. Higen failed to respond to the Rule 8210 request within the prescribed time period.

FINRA sent Higen's counsel a second Rule 8210 request via electronic mail dated July 21, 2014, which attached a copy of the prior Rule 8210 request. The July 21, 2014 Rule 8210 letter, which Higen's counsel received, requested Higen's response on or before July 28, 2014. Higen failed to respond to the second Rule 8210 request within the prescribed time period.

On November 14, 2014, having received no response from Higen and pursuant to FINRA Rule 9552, FINRA sent via certified and first-class mail a Notice of Suspension to Higen at her address listed in the Central Registration Depository. The Notice of Suspension notified Higen that her registration with FINRA would be suspended on December 8, 2014. Higen responded, through counsel, to FINRA's Rule 8210 request on December 4, 2014, four days before her suspension would have taken effect, but nearly five months after the date requested in FINRA's July 9, 2014 letter.

Higen's failure to timely comply with FINRA's Rule 8210 requests violated FINRA Rules 8210 and 2010.

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

A bar from association with any FINRA member in any capacity.

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. A bar or expulsion shall become effective upon approval or acceptance of this AWC.

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 Chief Legal Officer, 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 accordance with FINRA Rule 8313;

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.

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.

02-08-2016
Date (mm/dd/yyyy)

Mia Carol Higen
Mia Carol Higen, Respondent

Accepted by FINRA:

2/10/16
Date

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

Richard Chin
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