

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2015045276901**

RECEIVED

FEB 28 2015 7 MB

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

**FINRA
S.F. ENFORCEMENT OFFICE**

**RE: John Edward Olinghouse, Respondent
Former Investment Company Shares and Variable Contracts Representative
CRD No. 2160093**

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

Respondent John Edward Olinghouse entered the securities industry in July 1991, when he first became associated with a FINRA member firm. He registered with FINRA as an Investment Company and Variable Contracts Products Representative through that firm in September 1991, and he remained there through January 1994. Between March 1994 and June 2011, Olinghouse associated with two other FINRA member firms. In June 2011, Olinghouse became registered with HD Vest Investment Services, Inc. ("HD Vest"). HD Vest terminated Olinghouse's registrations in April 2015, after which he was associated with one other FINRA member until July 2015. Although Olinghouse is not currently associated with a member firm, FINRA retains jurisdiction over him pursuant to Article V, Section 4 of FINRA's By-Laws. Olinghouse has no disciplinary history.

OVERVIEW

Between November 2011 and April 2015 Olinghouse violated of FINRA Rules 4511 and 2010 by altering customer documents he then submitted to his firm, which caused the firm to have inaccurate books and records. In addition, in October 2014 Olinghouse settled a customer complaint away from his firm without notifying or obtaining the

approval of his firm in violation of FINRA Rule 2010.

FACTS AND VIOLATIVE CONDUCT

FINRA Rule 4511 requires member firms to make and preserve books and records as required under the FINRA rules, the Securities Exchange Act of 1934, and the applicable Exchange Act rules. FINRA Rule 2010 requires associated persons to observe high standards of commercial honor and just and equitable principles of trade in the conduct of their business. Falsification of a firm's books and records, such as affixing non-genuine signatures to firm documents, violates FINRA Rules 4511 and 2010. Settling or attempting to settle a customer loss or complaint without the knowledge or approval of a registered representative's employer firm also violates FINRA Rule 2010.

Between November 2011 and April 2015, Olinghouse falsified forms for numerous customers and submitted them to HD Vest. He did so in some instances by cutting customers' signatures from documents and pasting or taping the signatures onto new forms and then photocopying the forms. In other instances, Olinghouse used white-out to adjust information on forms that had already been signed by customers. By submitting falsified customer documents to his firm, Olinghouse violated FINRA Rules 4511 and 2010.

In July 2013, while Olinghouse was registered through HD Vest, Olinghouse was the subject of a civil complaint involving one of his customers. The complaint alleged, in part, that Olinghouse had rendered improper financial advice. Olinghouse, however, did not bring this complaint to the attention of HD Vest. Rather, in October 2014, Olinghouse settled the complaint by executing a settlement document and writing a check for \$5,000. By settling a customer complaint without the knowledge or approval of his firm, Olinghouse violated FINRA Rule 2010.

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

- A \$15,000 fine; and
- A suspension from association with any FINRA member firm in any capacity for one year.

The fine shall be due and payable either immediately upon reassociation with a member firm, 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 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.
- 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.

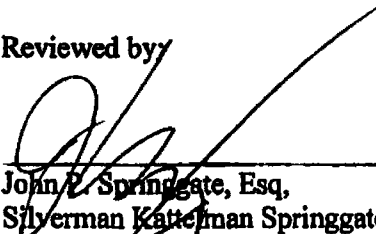
I certify that I have read and understand all of the provisions of this AWC and have been given a full opportunity to ask questions about it; that I have agreed to its provisions voluntarily; and that no offer, threat, inducement, or promise of any kind, other than the terms set forth herein and the

prospect of avoiding the issuance of a Complaint, has been made to induce me to submit it.

Feb 22, 2017
Date (mm/dd/yyyy)

John Edward Olinghouse
John Edward Olinghouse

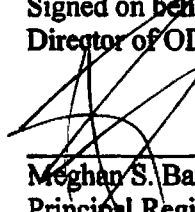
Reviewed by


John P. Springgate, Esq,
Silverman Kattelman Springgate, Chtd.
6140 Plumas St., Suite 200
Reno NV 89519
(775) 322-3223

Accepted by FINRA:

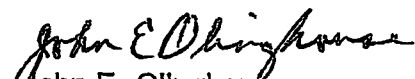
4/17/17
Date

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


Meghan S. Bailey
Principal Regional Counsel
FINRA Department of Enforcement
100 Pine Street Suite 1800
San Francisco, CA 94111
415-217-1123; 415-217-1201

CORRECTIVE ACTION STATEMENT

With regards to a statement of demonstrable corrective steps taken on page 4 Paragraph D under Other Matters; I want to state that the corrective steps taken are that I have retired from the securities business and will not be associated with any FINRA member in any capacity in the future.


John E. Ollinghouse
Feb. 22, 2017

This Corrective Action Statement is submitted by the Respondent.
It does not constitute actual or legal findings by FINRA, or its staff.