

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2016047630701**

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

RE: Eric Kunis, Respondent
General Securities Representative
CRD No. 2361728

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, I, Eric Kunis, 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

Kunis first became registered as a General Securities Representative ("GSR") in 1993. In 1996, Kunis became registered with FINRA as a General Securities Principal ("GSP"). From 2002 through 2018, Kunis was registered with FINRA in these capacities through Maxim Group LLC (BD No. 120708) ("Maxim" or the "Firm"). Kunis is currently registered with FINRA in these capacities through another member firm.

RELEVANT DISCIPLINARY HISTORY

Kunis has no prior disciplinary history with the Securities and Exchange Commission, FINRA, any self-regulatory organization, or any state securities regulator.

OVERVIEW

Between February 2012 and January 2017 (the "Relevant Period"), Kunis engaged in an unsuitable pattern of short-term trading of Unit Investment Trusts ("UITs") in connection with 11 customer accounts. Based on the foregoing, Kunis violated NASD Rule 2310 (for conduct prior to July 9, 2012), FINRA Rule 2111 (for conduct on or after July 9, 2012) and FINRA Rule 2010.

FACTS AND VIOLATIVE CONDUCT

FINRA Rule 2111 and its predecessor, NASD Rule 2310, require that a registered representative have a reasonable basis to believe that a recommended transaction or investment strategy involving a security or securities is suitable for the customer. Kunis violated NASD Rule 2310 and FINRA Rule 2111 when he engaged in an unsuitable pattern of short-term trading in UITs in the accounts of 11 customers.

UITs are investment companies that offer shares of a fixed portfolio of securities in a one-time public offering, and terminate on a specified maturity date. As such, they are not designed to be used as trading vehicles. In addition, UITs typically carry significant upfront charges, and as with mutual funds that carry front-end sales charges, short-term trading of UITs is generally improper.

During the Relevant Period, in connection with 11 customer accounts, Kunis repeatedly recommended that his customers purchase UITs and then sell these products well before their maturity dates. The majority of the UITs that Kunis recommended had maturity dates of approximately 24 months and carried sales charges ranging from 1.95% to 3.95%. Nevertheless, Kunis repeatedly recommended that his customers sell their UIT positions less than a year after purchase. Indeed, the average holding period for UITs recommended by Kunis in these customer accounts was 161 days.

Kunis's recommendations caused his customers to incur unnecessary sales charges, and were unsuitable in view of the frequency and cost of the transactions.

By virtue of the foregoing, Kunis violated NASD Rule 2310 (for conduct prior to July 9, 2012), FINRA Rule 2111 (for conduct on or after July 9, 2012) and FINRA Rule 2010.

- B. Kunis also consents to the imposition of the following sanctions:
- A suspension from association with any FINRA member firm in any and all capacities for two months;
 - A \$2,500 fine; and

- Restitution to the customers listed on attachment A in the amount of \$2,189.78, plus interest.

I agree to pay the monetary sanctions upon notice that this AWC has been accepted and that such payments are due and payable. I have submitted an Election of Payment form showing the method by which I propose to pay the fine imposed.

Restitution is ordered to be paid to the customer listed on Attachment A hereto in the total amount of \$2,189.78, plus interest at the rate set forth in Section 6621(a)(2) of the Internal Revenue Code, 26 U.S.C. 6621(a)(2), from January 30, 2017, until the date this AWC is accepted by the NAC.

Kunis shall submit satisfactory proof of payment of restitution or of reasonable and documented efforts undertaken to effect restitution. Such proof shall be submitted to Reema Abdelhamid, Department of Enforcement, Brookfield Place, 200 Liberty Street, New York, New York 10281, reema.abdelhamid@finra.org, either by letter that identifies Kunis and Matter No. 20160476307 and includes a copy of the check, money order or other method of payment or by e-mail, with pdf copies of the payment documentation, to EnforcementNotice@FINRA.org. This proof shall be provided to the FINRA staff member listed above no later than 120 days after acceptance of the AWC.

If for any reason Kunis cannot locate any customer identified in Attachment A after reasonable and documented efforts within 120 days from the date the AWC is accepted, or such additional period agreed to by a FINRA staff member in writing, Kunis shall forward any undistributed restitution and interest to the appropriate escheat, unclaimed property or abandoned property fund for the state in which the customer is last known to have resided. Kunis shall provide satisfactory proof of such action to the FINRA staff member identified above and in the manner described above, within 14 days of forwarding the undistributed restitution and interest to the appropriate state authority.

Kunis has specifically and voluntarily waived any right to claim an inability to pay at any time hereafter the monetary sanctions imposed in this matter.

The imposition of a restitution order or any other monetary sanction herein, and the timing of such ordered payments, does not preclude customers from pursuing their own actions to obtain restitution or other remedies.

Kunis 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, Kunis 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

Kunis 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, Kunis specifically and voluntarily waives 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.

Kunis 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

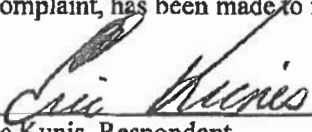
Kunis understands that:

- 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;

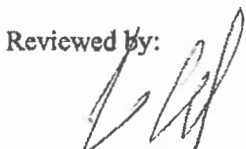
- B. If this AWC is not accepted, its submission will not be used as evidence to prove any of the allegations against him; and
- C. If accepted:
1. this AWC will become part of Kunis's permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against him;
 2. this AWC will be made available through FINRA's public disclosure program in 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. Kunis 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. Kunis 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 Kunis'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.
- D. Kunis may attach a Corrective Action Statement to this AWC that is a statement of demonstrable corrective steps taken to prevent future misconduct. Kunis understands that he 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.

Kunis 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.

10/9/2018
Date (mm/dd/yyyy)


Eric Kunis, Respondent

Reviewed by:

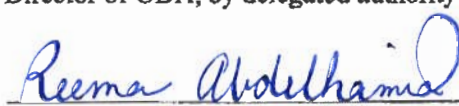


James Siegel
Counsel for Respondent
Maxim Group LLC
Chrysler Building
405 Lexington Avenue
2nd Floor
New York, NY 10174
(212) 895-3508

Accepted by FINRA:

10/19/18
Date

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



Reema Abdelhamid
Senior Counsel
FINRA Department of Enforcement
Brookfield Place, 11th Floor
New York, NY 10281
Tel: 646-315-7411
E-Fax: 301-407-4699

ATTACHMENT A
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
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Customer Initials	Restitution
EJ, AJ	\$2,189.78