

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2017053851501**

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

RE: James M. Hursty ("Hursty")
Investment Company Products/Variable Contracts Representative
CRD No. 5106938

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, I, Respondent, James M. Hursty 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

Hursty entered the securities industry on March 13, 2006 through his association with a FINRA-registered Firm as an Investment Company Products/Variable Contracts Representative ("IR"). He maintained that registration until August 2008 when he voluntarily terminated his registration with that Firm. In October 2008, he started to work for Citizens Bank, N.A. ("the Bank") as a Licensed Banker. On November 10, 2015, he became registered with FINRA again as an IR through his association with the FINRA-registered Firm, Citizens Securities, Inc. (BD No. 39550) ("Citizens Securities" or the "Firm"), which was an affiliate of the Bank. Hursty worked for the Firm in Rocky Hill, CT.

The Firm terminated Hursty's association in March 2017. On April 7, 2017, the Firm filed a Uniform Termination Notice for Securities Industry Registration ("Form U5") regarding Hursty. The Form U5 disclosed that Hursty was "Terminated by Affiliated Bank Citizen's Bank, N.A. for signing client's name to the bank's touchpad without the client present. Not investment related."

Hursty is not currently associated with a FINRA-regulated broker-dealer. Pursuant to Article V, Section 4 of the FINRA By-Laws, FINRA retains jurisdiction over Hursty.

RELEVANT DISCIPLINARY HISTORY

Hursty has no relevant disciplinary history with the SEC, FINRA, any other self-regulatory organization or any state securities regulator.

FACTS AND VIOLATIVE CONDUCT

FINRA Rule 8210(a)(1) provides,

“[f]or the purpose of an investigation, complaint, examination, or proceeding authorized by the FINRA By-Laws or rules...FINRA staff shall have the right to...require a person associated with a member... to provide information orally, in writing, or electronically...with respect to any matter involved in the investigation, complaint, examination, or proceeding.”

FINRA Rule 2010 requires that associated persons, in the conduct of their business, observe high standards of commercial honor and just and equitable principles of trade. A failure to comply with FINRA Rule 8210 is a violation of FINRA Rule 2010.

FINRA commenced an investigation in April 2017 into allegations that Hursty forged a customer's signature on a credit card pre-approval application in the Bank's electronic system.

On April 28, 2017, FINRA sent to Hursty a request for information and documents pursuant to FINRA Rule 8210, with a response date of May 12, 2017. On May 8, 2017, Hursty, through his counsel, requested an extension to respond. Pursuant to this request, FINRA extended the response date to May 26, 2017. Hursty did not provide any documents or information to FINRA in response to the April 28 request.

As stated in his counsel's email to FINRA staff on May 26, 2017, and by this agreement, Hursty acknowledges that he received FINRA's 8210 request for information and documents and will not produce the information requested. By refusing to produce information and documents as requested pursuant to FINRA Rule 8210, Hursty violated FINRA Rules 8210 and 2010.

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

- A bar from associating 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.

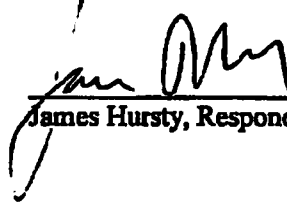
OTHER MATTERS

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, James Hursty, 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.

06/22/2017
Date (mm/dd/yyyy)


James Hursty, Respondent

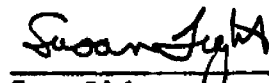
Reviewed by:


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Accepted by FINRA:

July 17, 2017
Date

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


Susan Light
Senior Vice President and Chief Counsel
FINRA Department of Enforcement
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