

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
OFFICE OF HEARING OFFICERS**

Department of Enforcement,

Complainant,

v.

Tavic O. Francis
CRD No. 6676717,

Respondent.

Disciplinary Proceeding
No. 2023078168101

COMPLAINT

The Department of Enforcement alleges:

SUMMARY

1. On four occasions, Respondent Tavic O. Francis failed to provide documents and information FINRA requested pursuant to FINRA Rule 8210 as part of FINRA’s investigation into Francis’s use of a corporate credit card to pay personal expenses. As a result, Francis violated FINRA Rules 8210 and 2010.

RESPONDENT AND JURISDICTION

2. Francis first registered with FINRA in October 2017 as an Investment Banking Representative through an association with member firm Goldman Sachs & Co. LLC. On March 9, 2023, Goldman Sachs filed a Uniform Termination Notice for Securities Industry Registration (Form U5) disclosing that the firm discharged Francis for his “[p]ersonal use of corporate credit card.”

3. Although Francis is no longer registered or associated with a FINRA member, he remains subject to FINRA’s jurisdiction for purposes of this proceeding, pursuant to Article V,

Section 4 of FINRA's By-Laws, because (1) the Complaint was filed within two years after March 9, 2023, which was the effective date of termination of Francis's registration with Goldman Sachs, and (2) the Complaint charges him with failing to respond to FINRA requests for information during the two-year period after the date on which he ceased to be registered or associated with a FINRA member.

FACTS

4. In March 2023, FINRA commenced an investigation after Goldman Sachs filed the Form U5 described above.

5. On June 1, 2023, FINRA staff issued a request to Francis, pursuant to FINRA Rule 8210 and for the purpose of its investigation, for the production of information and documents related to his alleged personal use of a corporate credit card.

6. The June 1, 2023 letter was sent via first class mail and certified mail to Francis's residential address of record as reflected in the Central Registration Depository (CRD), with the inclusion of "Apt" before the apartment number identified in the CRD address. Francis's response was due no later than June 15, 2022.

7. The first-class mailing was returned by the United States Postal Service (USPS) and marked "Return To Sender / Not Deliverable As Addressed / Unable to Forward." The certified mailing was likewise returned by the USPS and marked "Return To Sender / Not Deliverable As Addressed / Unable to Forward."

8. Francis neither responded to the June 1, 2023 letter nor requested an extension of time to respond.

9. On June 15, 2023, FINRA staff conducted a Lexis Nexis search for Francis. The search identified the CRD address (with the inclusion of "Apt" before the apartment number),

which is consistent with the address to which the staff sent the first request. The Lexis Nexis report also indicated 3/2021–5/2023 as the dates associated with his residence there. The Lexis Nexis report did not reveal any additional current addresses for Francis.

10. On June 16, 2023, FINRA staff sent Francis a second written request for responses to the June 1, 2023 request. The June 16, 2023 request was made pursuant to FINRA Rule 8210 and attached the June 1, 2023 request. The second request noted that “[t]o date, [FINRA has] not received the requested information nor have you requested or received an extension of time to respond. As a result of your failure to respond, you may be in violation of FINRA Rule 8210.”

11. The June 16, 2023 letter was sent via first-class and certified mail to Francis’s CRD residential address of record, again including “Apt” before the apartment number in the CRD address. Francis’s response was due no later than July 3, 2023.

12. The first-class mailing was returned by the USPS and marked “Return To Sender / Not Deliverable As Addressed / Unable to Forward.” The certified mailing also was returned by the USPS and marked “Return To Sender / Unable to Forward.”

13. Francis neither responded to the June 16, 2023 letter nor requested an extension of time to respond.

14. On August 24, 2023, FINRA staff ran a second Lexis Nexis search on Francis and did not find any additional current addresses for Francis.

15. On August 24, 2023, FINRA staff sent Francis a third written request for responses to the June 1, 2023 information request. The August 24, 2023 request was made pursuant to FINRA Rule 8210 and attached copies of the prior request letters.

16. The August 24, 2023 request was sent via first-class mail, certified mail, and FedEx to Francis's CRD residential address of record, both with and without the inclusion of "Apt" before the apartment number in the residential CRD address. Francis's response was due no later than September 8, 2023.

17. The letters sent via first-class mail have not been returned by the USPS. The letters sent via FedEx and certified mail were returned as follows:

- a. The FedEx envelopes were both returned for the following reason: "Unable to deliver shipment, returned to shipper." No forwarding information was provided.
- b. The certified mailing sent to Francis's CRD address was returned by USPS and marked "Return To Sender / Not Deliverable as Addressed / Unable To Forward." No forwarding information was provided.
- c. The certified mailing sent to Francis's CRD address with the inclusion of "Apt" before the apartment number was returned by USPS and marked "Moved 8/30/23 UTF." No forwarding information was provided.

18. Francis neither responded to the August 24, 2023 letter nor requested an extension of time to respond.

19. On March 1, 2024, FINRA staff sent Francis a fourth written request for responses to the June 1, 2023 information request. The March 1, 2024 request was made pursuant to FINRA Rule 8210 and attached copies of the prior request letters.

20. The March 1, 2024 request was sent via first-class mail, certified mail, and FedEx to Francis's CRD residential address of record, both with and without the inclusion of "Apt"

before the apartment number in the residential CRD address. Francis's response was due no later than March 22, 2024.

21. The letters sent via first-class mail have not been returned by the USPS. The letters sent via FedEx were both returned for the following reason: "Delivery was refused by the recipient." The certified mailings also were returned to FINRA.

22. Francis neither responded to the March 1, 2024 letter nor requested an extension of time to respond.

CAUSE OF ACTION
Failure to Provide Documents and Information
(Violations of FINRA Rules 8210 and 2010)

23. The Department of Enforcement realleges and incorporates by reference all prior paragraphs.

24. FINRA Rule 8210(a)(1) states, in relevant part, that FINRA has the right to require a "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 [a FINRA] investigation[.]" FINRA Rule 8210(a)(2) states, in relevant part, that FINRA staff may "inspect and copy the books, records, and accounts of such member or person with respect to any matter involved in the investigation . . . that is in such member's or person's possession, custody, or control." FINRA Rule 8210(c) provides that "[n]o member or person shall fail to provide information or testimony . . . pursuant to this Rule." FINRA Rule 8210(d) states, in relevant part, that a notice is deemed received by a formerly registered person "by mailing or otherwise transmitting the notice to . . . the last known residential address of the person as reflected in the Central Registration Depository."

25. FINRA Rule 2010 requires persons associated with a FINRA member, in the

conduct of their business, to “observe high standards of commercial honor and just and equitable principles of trade.”

26. Conduct that violates FINRA Rule 8210 also violates FINRA Rule 2010.

27. Francis violated FINRA Rules 8210 and 2010 by failing to provide information and documents in response to FINRA staff’s June 1, 2023, June 16, 2023, August 24, 2023, and March 1, 2024 requests, each of which was issued pursuant to Rule 8210 as part of FINRA’s investigation into Francis’s use of his corporate credit card to pay for personal expenses.

28. Each of these requests was properly served on Francis pursuant to FINRA Rule 8210(d).

29. Francis’s failure to provide information and documents in response to FINRA staff’s June 1, 2023, June 16, 2023, August 24, 2023, and March 1, 2024 requests significantly impeded FINRA’s investigation and deprived it of material information regarding his alleged personal use of a corporate credit card.

RELIEF REQUESTED

WHEREFORE, the Department of Enforcement respectfully requests that the Panel:

- A. make findings of fact and conclusions of law that Francis committed the violations charged and alleged herein;
- B. order that one or more of the sanctions provided under FINRA Rule 8310(a), including monetary sanctions, be imposed; and
- C. order that Francis bears such costs of proceeding as are deemed fair and appropriate under the circumstances in accordance with FINRA Rule 8330.

FINRA DEPARTMENT OF ENFORCEMENT

Date: May 30, 2024



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