



## IAPD Report

# BARRY EVAN RUBIN

CRD# 2176696

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Please contact FINRA with any concerns.



## **IAPD Information About Representatives**

IAPD offers information on all current-and many former representatives. Investors are strongly encouraged to use IAPD to check the background of representatives before deciding to conduct, or continue to conduct, business with them.

### **What is included in a IAPD report?**

IAPD reports for individual representatives include information such as employment history, professional qualifications, disciplinary actions, criminal convictions, civil judgments and arbitration awards.

It is important to note that the information contained in an IAPD report may include pending actions or allegations that may be contested, unresolved or unproven. In the end, these actions or allegations may be resolved in favor of the representative, or concluded through a negotiated settlement with no admission or finding of wrongdoing.

### **Where did this information come from?**

The information contained in IAPD comes from the Investment Adviser Registration Depository (IARD) and FINRA's Central Registration Depository, or CRD, (see more on CRD below) and is a combination of:

- information the states require representatives and firms to submit as part of the registration and licensing process, and
- information that state regulators report regarding disciplinary actions or allegations against representatives.

### **How current is this information?**

Generally, representatives are required to update their professional and disciplinary information in IARD within 30 days.

### **Need help interpreting this report?**

For help understanding how to read this report, please consult NASAA's IAPD Tips page <http://www.nasaa.org/IAPD/IARReports.cfm>

### **What if I want to check the background of an Individual Broker or Brokerage Firm?**

To check the background of an Individual Broker or Brokerage firm, you can search for the firm or individual in IAPD. If your search is successful, click on the link provided to view the available licensing and registration information in FINRA's BrokerCheck website.

### **Are there other resources I can use to check the background of investment professionals?**

It is recommended that you learn as much as possible about an individual representative or Investment Adviser firm before deciding to work with them. Your state securities regulator can help you research individuals and certain firms doing business in your state. The contact information for state securities regulators can be found on the website of the North American Securities Administrators Association <http://www.nasaa.org>



## Report Summary

### BARRY EVAN RUBIN (CRD# 2176696)

The report summary provides an overview of the representative's professional background and conduct. The information contained in this report has been provided by the representative, investment adviser and/or securities firms, and/or securities regulators as part of the states' investment adviser registration and licensing process. The information contained in this report was last updated by the representative, a previous employing firm, or a securities regulator on **03/18/2024**.

### CURRENT EMPLOYERS

	Firm	CRD#	Registered Since
<b>B</b>	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED	CRD# 7691	11/05/1991
<b>IA</b>	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED	CRD# 7691	11/12/1991

### QUALIFICATIONS

This representative is currently registered in **6** SRO(s) and **49** jurisdiction(s).

Is this representative currently Inactive or Suspended with any regulator? **No**

**Note:** Not all jurisdictions require IAR registration or may have an exemption from registration.

Additional information including this individual's qualification examinations and professional designations is available in the Detailed Report.

### REGISTRATION HISTORY

This representative was previously registered with the following firm(s):

FIRM	CRD#	LOCATION	REGISTRATION DATES
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No information reported.

For additional registration and employment history details as reported by the individual, refer to the Registration and Employment History section of the Detailed Report.

### DISCLOSURE INFORMATION

Disclosure events include certain criminal charges and convictions, formal investigations and disciplinary actions initiated by regulators, customer disputes and arbitrations, and financial disclosures such as bankruptcies and unpaid judgments or liens.

Are there events disclosed about this representative? **Yes**

The following types of events are disclosed about this representative:

Type	Count
Customer Dispute	3



## Qualifications

### REGISTRATIONS

This section provides the SRO, states and U.S. territories in which the representative is currently registered and licensed, the category of each registration, and the date on which the registration becomes effective. This section also provides, for each firm with which the representative is currently employed, the address of each location where the representative works. This individual is currently registered with **49** jurisdiction(s) and 6 SRO(s) through his or her employer(s).

### Employment 1 of 1

Firm Name: **MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED**  
Main Address: ONE BRYANT PARK  
NEW YORK, NY 10036  
Firm ID#: 7691

Regulator	Registration	Status	Date
<b>B</b> Cboe BYX Exchange, Inc.	General Securities Representative	Approved	05/15/2014
<b>B</b> Cboe BZX Exchange, Inc.	General Securities Representative	Approved	05/15/2014
<b>B</b> Cboe Exchange, Inc.	General Securities Representative	Approved	11/05/1991
<b>B</b> FINRA	General Securities Representative	Approved	11/05/1991
<b>B</b> Nasdaq Stock Market	General Securities Representative	Approved	07/12/2006
<b>B</b> New York Stock Exchange	General Securities Representative	Approved	01/16/1992
<b>B</b> Alabama	Agent	Approved	03/31/2023
<b>B</b> Arizona	Agent	Approved	07/26/1995
<b>B</b> Arkansas	Agent	Approved	04/16/2013
<b>B</b> California	Agent	Approved	01/11/1993
<b>B</b> Colorado	Agent	Approved	11/04/1994
<b>B</b> Connecticut	Agent	Approved	12/18/1991
<b>B</b> Delaware	Agent	Approved	03/09/2007



## Qualifications

	Regulator	Registration	Status	Date
B	District of Columbia	Agent	Approved	09/26/1997
B	Florida	Agent	Approved	11/12/1991
IA	Florida	Investment Adviser Representative	Approved	11/12/1991
B	Georgia	Agent	Approved	01/11/1993
B	Hawaii	Agent	Approved	11/20/2018
B	Idaho	Agent	Approved	02/27/2015
B	Illinois	Agent	Approved	10/23/1992
B	Indiana	Agent	Approved	09/22/2015
B	Iowa	Agent	Approved	04/04/2023
B	Kansas	Agent	Approved	03/31/2023
B	Kentucky	Agent	Approved	06/26/1996
B	Louisiana	Agent	Approved	03/31/2023
B	Maine	Agent	Approved	05/06/1997
B	Maryland	Agent	Approved	01/11/1993
B	Massachusetts	Agent	Approved	07/06/1994
B	Michigan	Agent	Approved	06/26/1996
B	Minnesota	Agent	Approved	04/20/2005
B	Mississippi	Agent	Approved	03/20/2014
B	Missouri	Agent	Approved	11/09/1995



## Qualifications

Regulator	Registration	Status	Date
<b>B</b> Nevada	Agent	Approved	07/03/1995
<b>B</b> New Hampshire	Agent	Approved	05/05/2000
<b>B</b> New Jersey	Agent	Approved	01/22/1993
<b>B</b> New Mexico	Agent	Approved	09/22/2015
<b>B</b> New York	Agent	Approved	09/15/1992
<b>B</b> North Carolina	Agent	Approved	01/21/1992
<b>B</b> Ohio	Agent	Approved	10/20/1995
<b>B</b> Oklahoma	Agent	Approved	08/17/2016
<b>B</b> Oregon	Agent	Approved	11/17/2008
<b>B</b> Pennsylvania	Agent	Approved	01/06/1994
<b>B</b> Puerto Rico	Agent	Approved	04/09/2024
<b>B</b> Rhode Island	Agent	Approved	03/19/2013
<b>B</b> South Carolina	Agent	Approved	09/22/1994
<b>B</b> South Dakota	Agent	Approved	04/12/2023
<b>B</b> Tennessee	Agent	Approved	01/20/2006
<b>B</b> Texas	Agent	Approved	04/15/1994
<b>IA</b> Texas	Investment Adviser Representative	Restricted Approval	04/15/1994
<b>B</b> Utah	Agent	Approved	01/15/2013



### Qualifications

Regulator	Registration	Status	Date
<b>B</b> Vermont	Agent	Approved	07/06/1995
<b>B</b> Virgin Islands	Agent	Approved	01/07/2021
<b>B</b> Virginia	Agent	Approved	01/11/1993
<b>B</b> Washington	Agent	Approved	07/29/2011
<b>B</b> West Virginia	Agent	Approved	06/30/2010
<b>B</b> Wisconsin	Agent	Approved	01/20/1993
<b>B</b> Wyoming	Agent	Approved	04/03/2013

### Branch Office Locations

**MERRILL LYNCH, PIERCE, FENNER & SMITH  
INCORPORATED**  
601 E Atlantic Ave  
DELRAY BEACH, FL 33483



## Qualifications

### PASSED INDUSTRY EXAMS

This section includes all industry exams that the representative has passed. Under limited circumstances, a representative may attain registration after receiving an exam waiver based on a combination of exams the representative has passed and qualifying work experience. Likewise a new exam requirement may be grandfathered based on a representative's specific qualifying work experience. Exam waivers and grandfathering are not included below.

**This individual has passed 0 principal/supervisory exams, 2 general industry/product exams, and 2 state securities law exams.**

#### Principal/Supervisory Exams

Exam	Category	Date
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No information reported.

#### General Industry/Product Exams

Exam	Category	Date
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<b>B</b> Securities Industry Essentials Examination (SIE)	SIE	10/01/2018
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<b>B</b> General Securities Representative Examination (S7)	Series 7	11/04/1991
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#### State Securities Law Exams

Exam	Category	Date
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<b>IA</b> Uniform Investment Adviser Law Examination (S65)	Series 65	07/03/1995
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<b>B</b> Uniform Securities Agent State Law Examination (S63)	Series 63	11/08/1991
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### PROFESSIONAL DESIGNATIONS

This section details that the representative has reported **0** professional designation(s).

No information reported.



## Registration & Employment History

### PREVIOUSLY REGISTERED WITH THE FOLLOWING FIRMS

This representative held registrations with the following firms:

No information reported.

### EMPLOYMENT HISTORY

Below is the representative's employment history for up to the last 10 years.

Employment Dates	Employer Name	Position	Investment Related	Employer Location
12/2009 - Present	BANK OF AMERICA,NA	FINANCIAL ADVISOR	Y	DELRAY BEACH, FL, United States
09/1991 - Present	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED	NOT PROVIDED	Y	DELRAY BEACH, FL, United States

### OTHER BUSINESS ACTIVITIES

This section includes information, if any, as provided by the representative regarding other business activities the representative is currently engaged in either as a proprietor, partner, officer, director, employee, trustee, agent, or otherwise. This section does not include non-investment related activity that is exclusively charitable, civic, religious, or fraternal and is recognized as tax exempt.

No information reported.



## Disclosure Summary

### Disclosure Information

#### What you should know about reported disclosure events:

##### (1) Certain thresholds must be met before an event is reported to IARD, for example:

- A law enforcement agency must file formal charges before an Investment Adviser Representative is required to report a particular criminal event.;
- A customer dispute must involve allegations that an Investment Adviser Representative engaged in activity that violates certain rules or conduct governing the industry and that the activity resulted in damages of at least \$5,000.

##### (2) Disclosure events in IAPD reports come from different sources:

As mentioned in the "About IAPD" section on page 1 of this report, information contained in IAPD comes from Investment Adviser Representatives, firms and regulators. When more than one of these sources reports information for the same disclosure event, all versions of the event will appear in the IAPD report. The different versions will be separated by a solid line with the reporting source labeled.

##### (3) There are different statuses and dispositions for disclosure events:

- A disclosure event may have a status of *pending*, *on appeal*, or *final*.
  - A "pending" disclosure event involves allegations that have not been proven or formally adjudicated.
  - A disclosure event that is "on appeal" involves allegations that have been adjudicated but are currently being appealed.
  - A "final" disclosure event has been concluded and its resolution is not subject to change.
- A final disclosure event generally has a disposition of *adjudicated*, *settled* or *otherwise resolved*.
  - An "adjudicated" matter includes a disposition by (1) a court of law in a criminal or civil matter, or (2) an administrative panel in an action brought by a regulator that is contested by the party charged with some alleged wrongdoing.
  - A "settled" matter generally represents a disposition wherein the parties involved in a dispute reach an agreement to resolve the matter. Please note that Investment Adviser Representatives and firms may choose to settle customer disputes or regulatory matters for business or other reasons.
  - A "resolved" matter usually includes a disposition wherein no payment is made to the customer or there is no finding of wrongdoing on the part of the Investment Adviser Representative. Such matters generally involve customer disputes.

##### (4) You may wish to contact the Investment Adviser Representatives to obtain further information regarding any of the disclosure events contained in this IAPD report.



## DISCLOSURE EVENT DETAILS

When evaluating this information, please keep in mind that some items may involve pending actions or allegations that may be contested and have not been resolved or proven. The event may, in the end, be withdrawn, dismissed, resolved in favor of the Investment Adviser Representative, or concluded through a negotiated settlement with no admission or finding of wrongdoing.

This report provides the information exactly as it was reported to the Investment Adviser Registration Depository. Some of the specific data fields contained in the report may be blank if the information was not provided.

The following types of events are disclosed about this representative:

Type	Count
Customer Dispute	3

### Customer Dispute

This section provides information regarding a customer dispute that was reported to the Investment Adviser Registration Depository (IARD) by the Investment Adviser Representative (IAR), an investment adviser and/or securities firm, and/or a securities regulator. The event may include a consumer-initiated, investment-related complaint, arbitration proceeding or civil suit that contains allegations of sales practice violations against the individual.

The customer dispute may be pending or may have resulted in a civil judgment, arbitration award, monetary settlement, closure without action, withdrawal, dismissal, denial, or other outcome.

#### Disclosure 1 of 3

<b>Reporting Source:</b>	Individual
<b>Employing firm when activities occurred which led to the complaint:</b>	Merrill Lynch, Pierce, Fenner & Smith Incorporated
<b>Allegations:</b>	The beneficiaries allege that the Trustee failed to pay insurance premiums resulting in a policy lapse.
<b>Product Type:</b>	Insurance
<b>Alleged Damages:</b>	\$0.00
<b>Alleged Damages Amount Explanation (if amount not exact):</b>	Damages are not specified.

### Arbitration Information

<b>Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):</b>	FINRA
<b>Docket/Case #:</b>	20-02188
<b>Date Notice/Process Served:</b>	07/20/2020
<b>Arbitration Pending?</b>	No
<b>Disposition:</b>	Settled
<b>Disposition Date:</b>	03/09/2021
<b>Monetary Compensation Amount:</b>	\$250,000.00



**Individual Contribution Amount:** \$0.00

**Broker Statement** Mr. Rubin denies the allegations in the statement of claim. This was a dispute among family members concerning the lapse of a Life Insurance Policy. This matter was settled for business reasons to avoid the expense and uncertainty of litigation. Mr. Rubin did not contribute to the settlement. All claims were dismissed with prejudice in State Court action.

**Disclosure 2 of 3**

**Reporting Source:** Regulator

**Employing firm when activities occurred which led to the complaint:** Merrill Lynch, Pierce, Fenner & Smith Incorporated

**Allegations:** Rubin was named in a customer complaint that asserted the following cause of action: unauthorized transactions.

**Product Type:** Equity Listed (Common & Preferred Stock)

**Alleged Damages:** \$23,846.00

**Arbitration Information**

**Arbitration/Reparation Claim filed with and Docket/Case No.:** [FINRA - CASE #17-02723](#)

**Date Notice/Process Served:** 10/06/2017

**Arbitration Pending?** No

**Disposition:** Award

**Disposition Date:** 02/21/2018

**Disposition Detail:** Rubin is liable for and shall pay to Claimant the sum of \$13,264 in compensatory damages and \$425 to reimburse Claimant for the filing fee previously paid to FINRA Office of Dispute Resolution.

**Reporting Source:** Individual

**Employing firm when activities occurred which led to the complaint:** Merrill Lynch, Pierce, Fenner & Smith Incorporated

**Allegations:** The Customer alleges failure to follow instructions and unauthorized trading from October 2015 to December 2015.

**Product Type:** Equity Listed (Common & Preferred Stock)

**Alleged Damages:** \$23,846.00

**Is this an oral complaint?** No

**Is this a written complaint?** Yes

**Is this an arbitration/CFTC reparation or civil litigation?** No

**Customer Complaint Information**

**Date Complaint Received:** 07/10/2017



<b>Complaint Pending?</b>	No
<b>Status:</b>	Evolved into Arbitration/CFTC reparation (the individual is a named party)
<b>Status Date:</b>	10/20/2017
<b>Settlement Amount:</b>	
<b>Individual Contribution Amount:</b>	
<b>Arbitration Information</b>	
<b>Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):</b>	FINRA
<b>Docket/Case #:</b>	<a href="#">17-02723</a>
<b>Date Notice/Process Served:</b>	10/20/2017
<b>Arbitration Pending?</b>	No
<b>Disposition:</b>	Award to Customer
<b>Disposition Date:</b>	02/21/2018
<b>Monetary Compensation Amount:</b>	\$13,264.00
<b>Individual Contribution Amount:</b>	\$0.00
<b>Broker Statement</b>	<p>FINRA AWARD. The Financial Adviser denied all of the client's allegations. The client's account was enrolled in an investment advisory program in which the Financial Adviser had the authorization to place discretionary trades.</p> <p>The matter involved a disagreement over the appropriate method for harvesting losses for tax purposes in a fee-based discretionary account. The FA was not asked to contribute toward payment of the Award</p>
<b>Disclosure 3 of 3</b>	
<b>Reporting Source:</b>	Individual
<b>Employing firm when activities occurred which led to the complaint:</b>	Merrill Lynch, Pierce, Fenner & Smith Incorporated
<b>Allegations:</b>	The Customer alleges unsuitable investment recommendations in March 2014.
<b>Product Type:</b>	Mutual Fund
<b>Alleged Damages:</b>	\$0.00
<b>Alleged Damages Amount Explanation (if amount not exact):</b>	damages are unspecified
<b>Is this an oral complaint?</b>	No
<b>Is this a written complaint?</b>	Yes
<b>Is this an arbitration/CFTC reparation or civil litigation?</b>	No

**Customer Complaint Information**



<b>Date Complaint Received:</b>	04/27/2017
<b>Complaint Pending?</b>	No
<b>Status:</b>	Denied
<b>Status Date:</b>	06/26/2017
<b>Settlement Amount:</b>	
<b>Individual Contribution Amount:</b>	
<b>Broker Statement</b>	This was a discretionary account and Mr. Rubin denies the allegations and believes the transaction was suitable.



## End of Report

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