IAPD Report

Thomas Richard Delaney II

CRD# 2222130

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

Thomas Richard Delaney II (CRD# 2222130)

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 **05/28/2025**.

CURRENT EMPLOYERS

	Firm	CRD#	Registered Since
B	KESTRA INVESTMENT SERVICES, LLC	CRD# 42046	04/24/2023
IA	KESTRA ADVISORY SERVICES, LLC	CRD# 283330	04/25/2023

QUALIFICATIONS

This representative is currently registered in **1** SRO(s) and 1 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
IA	FIRST COMMAND ADVISORY SERVICES	281958	FORT WORTH, TX	12/15/2015 - 01/04/2023
B	FIRST COMMAND BROKERAGE SERVICES, INC.	3641	FORT WORTH, TX	05/18/2011 - 01/04/2023
IA	FIRST COMMAND FINANCIAL PLANNING, INC.	3641	FT WORTH, TX	06/26/2012 - 12/15/2015

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
Regulatory Event	1

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 **1** jurisdiction(s) and 1 SRO(s) through his or her employer(s).

Employment 1 of 2

Firm Name: **KESTRA INVESTMENT SERVICES, LLC**

Main Address: 5707 SOUTHWEST PARKWAY
BUILDING 2, SUITE 400
AUSTIN, TX 78735

Firm ID#: 42046

	Regulator	Registration	Status	Date
B	FINRA	Compliance Officer	Approved	04/24/2023
B	FINRA	Financial and Operations Principal	Approved	04/24/2023
B	FINRA	General Securities Principal	Approved	04/24/2023
B	FINRA	General Securities Representative	Approved	04/24/2023
B	FINRA	General Securities Sales Supervisor	Approved	04/24/2023
B	FINRA	Investment Banking Principal	Approved	04/24/2023
B	FINRA	Investment Banking Representative	Approved	04/24/2023
B	FINRA	Limited Representative-Prvt Scrts Ofrngs	Approved	04/24/2023
B	FINRA	Municipal Securities Principal	Approved	04/24/2023
B	FINRA	Municipal Securities Representative	Approved	04/24/2023
B	FINRA	Operations Professional	Approved	04/24/2023
B	FINRA	Private Securities Offerings Principal	Approved	04/24/2023
B	FINRA	Registered Options Principal	Approved	04/24/2023

Qualifications

	Regulator	Registration	Status	Date
B	Texas	Agent	Approved	04/25/2023

Branch Office Locations

NFP ADVISOR SERVICES, LLC
5707 SOUTHWEST PARKWAY
BUILDING 2, SUITE 400
AUSTIN, TX 78735

NFP ADVISOR SERVICES, LLC
Austin, TX

Employment 2 of 2

Firm Name: **KESTRA ADVISORY SERVICES, LLC**

Main Address: 5707 SOUTHWEST PARKWAY
BUILDING 2, SUITE 400
AUSTIN, TX 78735

Firm ID#: 283330

	Regulator	Registration	Status	Date
IA	Texas	Investment Adviser Representative	Approved	04/25/2023

Branch Office Locations

KESTRA ADVISORY SERVICES, LLC
5707 SOUTHWEST PARKWAY
BUILDING 2, SUITE 400
AUSTIN, TX 78735

KESTRA ADVISORY SERVICES, LLC
Austin, TX

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 8 principal/supervisory exams, 6 general industry/product exams, and 2 state securities law exams.

Principal/Supervisory Exams

	Exam	Category	Date
B	General Securities Sales Supervisor - General Module Examination (S10)	Series 10	01/02/2023
B	General Securities Sales Supervisor - Options Module Examination (S9)	Series 9	01/02/2023
B	Compliance Officer Examination (S14)	Series 14	11/05/2008
B	Financial and Operations Principal Examination (S27)	Series 27	04/30/2004
B	Municipal Securities Principal Examination (S53)	Series 53	06/28/2001
B	Registered Options Principal Examination (S4)	Series 4	10/04/1996
B	General Securities Principal Examination (S24)	Series 24	08/13/1996
B	General Securities Sales Supervisor Examination (Options Module & General Module) (S8)	Series 8	03/17/1995

General Industry/Product Exams

	Exam	Category	Date
B	Municipal Securities Representative Examination (S52TO)	Series 52TO	04/24/2023
B	Limited Representative-Private Securities Offerings (S82TO)	Series 82TO	04/24/2023
B	Investment Banking Registered Representative Examination (S79TO)	Series 79TO	01/02/2023
B	Operations Professional Examination (S99TO)	Series 99TO	01/02/2023
B	Securities Industry Essentials Examination (SIE)	SIE	10/01/2018

Qualifications

PASSED INDUSTRY EXAMS

General Industry/Product Exams

	Exam	Category	Date
B	General Securities Representative Examination (S7)	Series 7	05/11/1992

State Securities Law Exams

	Exam	Category	Date
IA B	Uniform Combined State Law Examination (S66)	Series 66	08/24/2006
B	Uniform Securities Agent State Law Examination (S63)	Series 63	05/15/1992

PROFESSIONAL DESIGNATIONS

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

No information reported.

Only professional designations listed in Question 8 of the Form U4 will appear in this section if the appropriate box is checked and verified by the issuing organization at the time of the filing. Learn more about eligible designations at IARD and NASAA.

Registration & Employment History

PREVIOUSLY REGISTERED WITH THE FOLLOWING FIRMS

This representative held registrations with the following firms:

	Registration Dates	Firm Name	ID#	Branch Location
IA	12/15/2015 - 01/04/2023	FIRST COMMAND ADVISORY SERVICES	CRD# 281958	FORT WORTH, TX
B	05/18/2011 - 01/04/2023	FIRST COMMAND BROKERAGE SERVICES, INC.	CRD# 3641	FORT WORTH, TX
IA	06/26/2012 - 12/15/2015	FIRST COMMAND FINANCIAL PLANNING, INC.	CRD# 3641	FT WORTH, TX
B	05/17/2007 - 05/03/2011	PENSON FINANCIAL SERVICES, INC.	CRD# 25866	DALLAS, TX
B	02/20/2002 - 05/01/2007	BRECEK & YOUNG ADVISORS, INC.	CRD# 40395	FOLSOM, CA
B	11/01/2001 - 02/19/2002	WEB STREET SECURITIES, INC.	CRD# 37733	DEERFIELD, IL
B	08/30/1995 - 02/19/2002	E*TRADE SECURITIES, INCORPORATED	CRD# 29106	JERSEY CITY, NJ
B	03/21/1994 - 08/14/1995	WATERHOUSE SECURITIES, INC.	CRD# 7870	OMAHA, NE
B	05/14/1992 - 07/27/1992	CHATFIELD DEAN & CO., INC.	CRD# 14714	GREENWOOD VILLAGE

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
04/2023 - Present	KESTRA ADVISORY SERVICES, LLC	Head of Compliance Services	Y	Austin, TX, United States
04/2023 - Present	KESTRA INVESTMENT SERVICES, LLC	Head of Compliance Services	Y	Austin, TX, United States
02/2023 - Present	PETER ELISH INVESTMENTS SECURITIES	Compliance Consultant	Y	Fort Worth, TX, United States
01/2022 - Present	BOSTON UNIVERSITY	Research Assistant, Facilitator	N	Boston, MA, United States
12/2015 - 12/2022	FIRST COMMAND ADVISORY SERVICES	SVP Regulatory Risk and Controls CCO	Y	FORT WORTH, TX, United States
05/2011 - 12/2022	FIRST COMMAND FINANCIAL SERVICES, INC.	SVP Regulatory Risk and Controls CCO	Y	FT. WORTH, TX, United States

Registration & Employment History

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.

(1)DELANEY VENTURES LLC, SINGLE MEMBER
6705 ZERMATT CT.
COLLEYVILLE, TEXAS 76034
817-766-7117

DELANEY VENTURES LLC'S PURPOSE IS TO PURCHASE RESIDENTIAL REAL ESTATE FOR INVESTMENT PURPOSES. THE SOURCE OF REVENUES WOULD BE A COMBINATION OF THE COLLECTION OF RENTAL INCOME AND/OR REALIZED GAINS FROM THE SALE OF THE PROPERTY. EXPENSES OF THE LLC, ASIDE FROM GENERAL AND ADMINISTRATIVE EXPENSES OF THE LLC, WOULD BE RELATED TO PROPERTY IMPROVEMENTS/REPAIRS OR REAL ESTATE COSTS ASSOCIATED WITH THE PURCHASE OF A PROPERTY. THE BUSINESS IS EXPECTED TO GENERATE LESS THAN 5% OF MY TOTAL INCOME AND WILL TAKE LESS THAN 5% OF MY TIME. FILE PERIODIC TAX DOCUMENTATION RELATED TO THE LLC, PURCHASE PROPERTIES, AND COLLECT RENTS.

THERE IS NO COMPENSATION FOR PERFORMING AS A SINGLE MEMBER IN THE LLC. ALL PROFITS WILL BE DEPLOYED INTO THE LLC. MY IRA IS THE 100% OWNER OF THE LLC. THE PERCENTAGE OF ANNUAL INCOME WILL BE: 5%

(2)Name of the other business: Boston University
; Whether the business is investment-related: No
; Address of the other business: One Silber Way Boston, MA 02215
; Nature of the other business: Employment
; Your position, title, or relationship with the other business: Research Assistant, Facilitator
; The start date of your relationship: 1/27/2022
; The approximate number of hours/month you devote to the other business: 21 to 40
; The number of hours you devote to the other business during securities trading hours: None
; Briefly describe your duties relating to the other business: Provide research support to BU faculty and facilitate online courses

(3) The name of the other business; Peter Elish Investments
whether the business is investment-related; Yes
the address of the other business; 5049 EDWARDS RANCH ROAD, STE 400, FORT WORTH, TX 76109 UNITED STATES
the nature of the other business; broker-dealer
your position; compliance consultant
title, or relationship with the other business; consultant
the start date of your relationship; 2/2023
the approximate number of hours/month you devote to the other business; 16-20 hrs.
the number of hours you devote to the other business during securities trading hours; 0-1
and briefly describe your duties relating to the other business; Provide compliance consulting / guidance related to FINRA CMA application and the development of the overall compliance program.

DELANEY VENTURES LLC
POSITION: sole member NATURE: Real Estate INVESTMENT RELATED: Yes NUMBER OF HOURS: 2 SECURITIES TRADING HOURS: 0 START DATE: 06/01/2012
ADDRESS: 6705 Zermatt Ct., Colleyville TX 76034, United States
DESCRIPTION: I collect rent and provide property management services as needed.

PETER ELISH INVESTMENT SECURITIES
POSITION: Consultant NATURE: Consulting INVESTMENT RELATED: Yes NUMBER OF HOURS: 32 SECURITIES TRADING HOURS: 1 START DATE: 02/01/2023

Registration & Employment History

OTHER BUSINESS ACTIVITIES

ADDRESS: 5049 Edwards Ranch Road, Ste 400, Fort Worth TX 76109, United States
DESCRIPTION: (1) Work with Leadership and provide advice related to pending FINRA CMA application;
(2) Coordinate with outside compliance firm (Compliers) with respect to their services provided;
(3) Assist leadership with the design of the compliance program going forward -- which will include the installation of the appropriate compliance resources.

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*.
  - o A "pending" disclosure event involves allegations that have not been proven or formally adjudicated.
  - o A disclosure event that is "on appeal" involves allegations that have been adjudicated but are currently being appealed.
  - o 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*.
  - o 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.
  - o 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.
  - o 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
Regulatory Event	1

Regulatory Event

This disclosure event may include a final, formal proceeding initiated by a regulatory authority (e.g., a state securities agency, a federal regulator such as the Securities and Exchange Commission or the Commodities Futures Trading Commission, or a foreign financial regulatory body) for a violation of investment-related rules or regulations. This disclosure event may also include a revocation or suspension of an Investment Adviser Representative's authority to act as an attorney, accountant or federal contractor.

Disclosure 1 of 1

Reporting Source:	Regulator
Regulatory Action Initiated By:	UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Sanction(s) Sought:	Cease and Desist
Date Initiated:	05/19/2014
Docket/Case Number:	3-15873
Employing firm when activity occurred which led to the regulatory action:	PENSON FINANCIAL SERVICES, INC.
Product Type:	Other: UNSPECIFIED SECURITIES
Allegations:	SEC ADMIN RELEASE 34-72185, INVESTMENT COMPANY ACT OF 1940 RELEASE 31048, MAY 19, 2014: THE SECURITIES AND EXCHANGE COMMISSION ("COMMISSION") DEEMS IT APPROPRIATE AND IN THE PUBLIC INTEREST THAT PUBLIC ADMINISTRATIVE AND CEASE-AND-DESIST PROCEEDINGS BE, AND HEREBY ARE, INSTITUTED PURSUANT TO SECTIONS 15(B) AND 21C OF THE SECURITIES EXCHANGE ACT OF 1934 ("EXCHANGE ACT"), AND SECTION 9(B) OF THE INVESTMENT COMPANY ACT OF 1940 ("INVESTMENT COMPANY ACT") AGAINST THOMAS R. DELANEY II ("DELANEY") AND ANOTHER INDIVIDUAL. A REGISTERED BROKER-DEALER, AS A PARTICIPANT OF A REGISTERED CLEARING AGENCY, HAD STRICT OBLIGATIONS UNDER RULES 204T AND 204 OF REGULATION SHO, 17 C.F.R. 242.204 ("RULE 204T/204") TO PURCHASE OR BORROW SUFFICIENT SHARES TO CLOSE OUT FAILURES TO DELIVER TO A REGISTERED CLEARING AGENCY FOR ALL SALES OF EQUITY SECURITIES THAT IT CLEARED. GENERALLY, THIS REQUIRED THE

	BROKER-DEALER TO CLOSE OUT FAILS TO DELIVER IN THE CONTINUOUS NET SETTLEMENT ("CNS") SYSTEM RESULTING FROM LONG OR SHORT SALES WITHIN CERTAIN TIMEFRAMES. TWO DEPARTMENTS WITHIN THE BROKER-DEALER HAD PRIMARY RESPONSIBILITY FOR COMPLYING WITH THE BROKER-DEALER'S RULE 204T/204 OBLIGATIONS FOR LONG SALES: STOCK LOAN AND BUY INS ("BUY INS"). THE TWO DEPARTMENTS WORKED TOGETHER CLOSELY TO FULFILL THOSE OBLIGATIONS. SENIOR OFFICERS IN STOCK LOAN KNEW RULE 204T(A)/204(A) REQUIRED THE BROKER-DEALER TO CLOSE OUT THOSE CNS FAILURES TO DELIVER RESULTING FROM LONG SALES NO LATER THAN MARKET-OPEN ON T+6. INSTEAD OF DIRECTING THAT STOCK LOAN BE BOUGHT IN TO FULFILL THE BROKER-DEALER'S DELIVERY OBLIGATIONS, OR TAKE SOME OTHER ACTION TO COMPLY WITH THE RULE, THOSE SENIOR OFFICERS WILLFULLY IGNORED THE RULE'S REQUIREMENTS. THEY DID SO BECAUSE THEY DID NOT WANT THE COSTS OF COMPLIANCE WITH RULE 204T/204(A) TO NEGATIVELY AFFECT STOCK LOAN'S NET REVENUES. AS A RESULT, THEY CAUSED THE BROKER-DEALER TO VIOLATE THE RULE THOUSANDS OF TIMES. THE BROKER-DEALER'S WRITTEN SUPERVISORY POLICIES AND PROCEDURES ("WSPS") DELEGATED RESPONSIBILITY FOR SUPERVISION AT THE BROKER-DEALER, INCLUDING RESPONSIBILITY FOR DESIGNATING SUPERVISORS AND ALLOCATION OF SUPERVISORY RESPONSIBILITIES, TO THE BROKER-DEALER'S CHIEF COMPLIANCE OFFICER ("CCO"), DELANEY. DELANEY KNEW RULE 204T(A)/204(A) REQUIRED MARKET-OPEN, T+6 CLOSE-OUTS FOR CNS FAILS RESULTING FROM LONG SALES, INCLUDING LONG SALES OF LOANED SECURITIES. DELANEY ALSO KNEW THAT STOCK LOAN'S PROCEDURES DID NOT COMPLY WITH THAT RULE. MOTIVATED BY FINANCIAL CONSIDERATIONS, DELANEY AFFIRMATIVELY ASSISTED THE VIOLATIONS RESULTING FROM THE STOCK LOAN PROCEDURES. DELANEY AGREED WITH STOCK LOAN OFFICERS THAT STOCK LOAN WOULD CONTINUE IMPLEMENTING THE NON-COMPLIANT PROCEDURES AND HE AGREED TO REJECT CERTAIN PROCEDURES THAT WOULD HAVE BROUGHT THE BROKER-DEALER INTO RULE 204T/204(A) COMPLIANCE BECAUSE HE DID NOT WANT THE BROKER-DEALER TO INCUR THE ASSOCIATED COSTS. THIS FINANCIAL MOTIVATION PERVADED DELANEY'S APPROACH TO RULE 204T(A)/204(A) COMPLIANCE. WHERE THE BROKER-DEALER WAS ABLE TO PASS ALONG COSTS OR EVEN PROFIT FROM RULE 204(A) COMPLIANCE - SUCH AS WITH BUY INS'S RULE 204T(A)/204(A) RESPONSIBILITIES - DELANEY WORKED TO BRING THE BROKER-DEALER INTO COMPLIANCE. BUT, WHERE THE BROKER-DEALER WAS REQUIRED TO ABSORB THE COSTS OF COMPLIANCE - AS WAS THE CASE WITH CLOSING OUT CNS FAILS RESULTING FROM LONG SALES OF LOANED SECURITIES - DELANEY SUPPORTED STOCK LOAN IN IMPLEMENTING THE INTENTIONALLY NON-COMPLIANT PROCEDURES. DELANEY FURTHER AIDED AND ABETTED AND CAUSED THE BROKER-DEALER'S VIOLATIONS BY INTENTIONALLY CONCEALING THE VIOLATIONS FROM REGULATORS; AUTHORIZING WSPS THAT HE KNEW CONCEALED THE ACTUAL, NON-COMPLIANT PROCEDURES; ESTABLISHING AND MAINTAINING A SUPERVISORY SYSTEM THAT HE KNEW ALLOWED THE SENIOR VICE PRESIDENT OF STOCK LOAN TO REMAIN EFFECTIVELY UNSUPERVISED; AND ATTEMPTING TO CONCEAL THE VIOLATIONS FROM THE BROKER-DEALER'S PRESIDENT / CEO. (CONTINUED IN COMMENTS)
Current Status:	Final
Resolution:	Order

Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?	No
Resolution Date:	04/29/2015
Sanctions Ordered:	Cease and Desist Civil and Administrative Penalty(ies)/Fine(s)
If the regulator is the SEC, CFTC, or an SRO, did the action result in a finding of a willful violation or failure to supervise?	No
(1) willfully violated any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any of such Acts, or any of the rules of the Municipal Securities Rulemaking Board, or to have been unable to comply with any provision of such Act, rule or regulation?	No
(2) willfully aided, abetted, counseled, commanded, induced, or procured the violation by any person of any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any of such Acts, or any of the rules of the Municipal Securities Rulemaking Board? or	No

(3) failed reasonably to supervise another person subject to your supervision, with a view to preventing the violation by such person of any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any such Acts, or any of the rules of the Municipal Securities Rulemaking Board?	No
Monetary Sanction 1 of 1	
Monetary Related Sanction:	Civil and Administrative Penalty(ies)/Fine(s)
Total Amount:	$20,000.00
Portion Levied against individual:	$20,000.00
Payment Plan:	
Is Payment Plan Current:	
Date Paid by individual:	
Was any portion of penalty waived?	No
Amount Waived:	
Regulator Statement	(CONTINUED FROM ALLEGATIONS) AS A RESULT OF DELANEY'S MISCONDUCT, THE BROKER-DEALER SYSTEMATICALLY VIOLATED RULE 204T(A)/204(A)'S MARKET-OPEN CNS CLOSE-OUT REQUIREMENT FOR LONG SALES OF LOANED SECURITIES. DELANEY WILLFULLY AIDED AND ABETTED AND CAUSED THE BROKER-DEALER'S VIOLATIONS OF EXCHANGE ACT RULE 204T(A)/204(A). IT IS FURTHER ORDERED THAT THE ADMINISTRATIVE LAW JUDGE SHALL ISSUE AN INITIAL DECISION NO LATER THAN 300 DAYS FROM THE DATE OF SERVICE OF THIS ORDER, PURSUANT TO RULE 360(A)(2) OF THE COMMISSION'S RULES OF PRACTICE. SEC ADMIN INITIAL DECISION RELEASE 755, MARCH 18, 2015: THIS INITIAL DECISION FINDS THAT RESPONDENT THOMAS R. DELANEY II (DELANEY) WAS A CAUSE OF HIS MEMBER FIRM'S VIOLATIONS OF RULES 204T AND 204 OF REGULATION SHO (REG. SHO). ACCORDINGLY, IT IS ORDERED THAT PURSUANT TO SECTION 21C OF THE SECURITIES EXCHANGE ACT OF 1934, THOMAS R. DELANEY II SHALL CEASE AND DESIST FROM CAUSING ANY VIOLATIONS OR FUTURE VIOLATIONS OF RULE 204(A) OF REGULATION SHO. IT IS FURTHER ORDERED THAT, PURSUANT TO SECTION 21B OF THE SECURITIES EXCHANGE ACT OF 1934, THOMAS R. DELANEY II SHALL PAY A CIVIL MONEY PENALTY IN THE AMOUNT OF $20,000. PAYMENT OF CIVIL PENALTIES SHALL BE MADE NO LATER THAN TWENTY-ONE DAYS FOLLOWING THE DAY THIS INITIAL DECISION BECOMES FINAL, UNLESS THE COMMISSION DIRECTS OTHERWISE. THIS INITIAL DECISION SHALL

	BECOME EFFECTIVE IN ACCORDANCE WITH AND SUBJECT TO THE PROVISIONS OF RULE OF PRACTICE 360. THE INITIAL DECISION WILL NOT BECOME FINAL UNTIL THE COMMISSION ENTERS AN ORDER OF FINALITY. SEC RELEASE 34-74843 / APRIL 29, 2015: NOTICE THAT INITIAL DECISION HAS BECOME FINAL - THE TIME FOR FILING A PETITION FOR REVIEW OF THE INITIAL DECISION IN THIS PROCEEDING HAS EXPIRED. NO SUCH PETITION HAS BEEN FILED BY THE RESPONDENT AND THE COMMISSION HAS NOT CHOSEN TO REVIEW THE DECISION ON ITS OWN INITIATIVE. ACCORDINGLY, NOTICE IS HEREBY GIVEN THAT THE INITIAL DECISION OF THE ADMINISTRATIVE LAW JUDGE HAS BECOME THE FINAL DECISION OF THE COMMISSION WITH RESPECT TO RESPONDENT. THE ORDER CONTAINED IN THAT DECISION IS HEREBY DECLARED EFFECTIVE. THUS, RESPONDENT SHALL CEASE AND DESIST FROM CAUSING ANY VIOLATIONS OR FUTURE VIOLATIONS OF RULE 204(A) OF REGULATION SHO; AND PURSUANT TO SECTION 21B OF THE EXCHANGE ACT, THOMAS R. DELANEY II SHALL PAY A CIVIL MONEY PENALTY IN THE AMOUNT OF $20,000.

Reporting Source:	Individual
Regulatory Action Initiated By:	UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Sanction(s) Sought:	Cease and Desist Civil and Administrative Penalty(ies)/Fine(s)
Date Initiated:	05/19/2014
Docket/Case Number:	3-15873
Employing firm when activity occurred which led to the regulatory action:	PENSON FINANCIAL SERVICES, INC.
Product Type:	Other: SHORT SALE OF ELIGIBLE EQUITIES
Allegations:	THE SEC ALLEGES THAT DELANEY AIDED, ABETTED AND CAUSED PENSON TO VIOLATE REG-SHO. SEC ALLEGES THAT DELANEY AGREED WITH STOCK LOAN OFFICERS OF THE FIRM TO REJECT CERTAIN PROCEDURES THAT WOULD HAVE BROUGHT THE FIRM INTO COMPLIANCE AND FURTHER ALLEGES THAT THAT DELANEY CONCEALED THE VIOLATIONS FROM REGULATORS AND AUTHORIZED WSPS THAT ALLOWED THE SVP OF STOCK LOAN TO REMAIN UNSUPERVISED AND ATTEMPTING TO CONCEAL THE VIOLATIONS FROM PENSON'S PRESIDENT.
Current Status:	Final
Resolution:	Decision
Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?	No
Resolution Date:	03/18/2015
Sanctions Ordered:	Cease and Desist Civil and Administrative Penalty(ies)/Fine(s)

Monetary Sanction 1 of 1

Monetary Related Sanction:	Civil and Administrative Penalty(ies)/Fine(s)
Total Amount:	$20,000.00
Portion Levied against individual:	$20,000.00
Payment Plan:	
Is Payment Plan Current:	
Date Paid by individual:	04/09/2015
Was any portion of penalty waived?	No
Amount Waived:	
Broker Statement	ALJ FOUND DELANEY DID NOT WILLFULLY AID OR ABETT ANY VIOLATION. ALJ FOUND DELANEY'S NEGLIGENCE TO BE A CAUSE OF PENSON'S VIOLATION OF REG SHO 204(A) AND 204(T). DELANEY FILED AN EAJA CLAIM FOR ATTORNEY'S FEES. ALJ FOUND "DELANEY PREVAILED ON THE AIDING AND ABETTING CLAIM, AND CONSEQUENTLY ALSO SUCCEEDED IN DEFEATING THE DIVISION'S REQUEST FOR REMEDIES PREDICATED ON THE ALLEGED MISCONDUCT UNDERLYING THAT CLAIM..." (PAGE 4, INITIAL DECISION OF EAJA APPLICATION). NOT WITHSTANDING THE FINDING, THE INITIAL DECISION DENIED DELANEY'S APPLICATION TO RECOVER FEES AND COSTS. SEC INITIAL DECISION WENT FINAL ON APRIL 27, 2016.

End of Report

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