



## IAPD Report

# Michael B Cunningham

CRD# 2246577

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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

### Michael B Cunningham (CRD# 2246577)

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 **06/30/2025**.

### CURRENT EMPLOYERS

	Firm	CRD#	Registered Since
<b>B</b>	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED	CRD# 7691	10/23/2009
<b>IA</b>	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED	CRD# 7691	10/23/2009

### QUALIFICATIONS

This representative is currently registered in **6** SRO(s) and **27** 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
<b>B</b>	BANC OF AMERICA INVESTMENT SERVICES, 16361 INC.	16361	WASHINGTON, DC	12/15/2003 - 10/23/2009
<b>IA</b>	BANC OF AMERICA INVESTMENT SERVICES, 16361 INC.	16361	WASHINGTON, DC	12/15/2003 - 10/23/2009
<b>B</b>	WACHOVIA SECURITIES, LLC	19616	ST. LOUIS, MO	10/01/2000 - 12/15/2003

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
Customer Dispute	2



## Report Summary



## 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 **27** 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	05/07/2014
<b>B</b> Cboe BZX Exchange, Inc.	General Securities Representative	Approved	05/07/2014
<b>B</b> Cboe Exchange, Inc.	General Securities Representative	Approved	10/26/2009
<b>B</b> FINRA	General Securities Representative	Approved	10/23/2009
<b>B</b> Nasdaq Stock Market	General Securities Representative	Approved	10/26/2009
<b>B</b> New York Stock Exchange	General Securities Representative	Approved	10/26/2009
<b>B</b> Arizona	Agent	Approved	10/23/2009
<b>B</b> California	Agent	Approved	10/23/2009
<b>B</b> Colorado	Agent	Approved	11/11/2019
<b>B</b> Connecticut	Agent	Approved	10/23/2009
<b>B</b> Delaware	Agent	Approved	10/23/2009
<b>B</b> District of Columbia	Agent	Approved	10/23/2009
<b>IA</b> District of Columbia	Investment Adviser Representative	Approved	10/23/2009



## Qualifications

	Regulator	Registration	Status	Date
B	Florida	Agent	Approved	10/23/2009
B	Georgia	Agent	Approved	06/25/2019
B	Illinois	Agent	Approved	10/23/2009
B	Kentucky	Agent	Approved	10/23/2009
B	Maine	Agent	Approved	09/24/2020
B	Maryland	Agent	Approved	10/23/2009
IA	Maryland	Investment Adviser Representative	Approved	10/23/2009
B	Nevada	Agent	Approved	10/23/2009
B	New Jersey	Agent	Approved	10/23/2009
B	New York	Agent	Approved	10/23/2009
B	North Carolina	Agent	Approved	10/23/2009
B	Ohio	Agent	Approved	03/03/2020
B	Pennsylvania	Agent	Approved	10/23/2009
B	Puerto Rico	Agent	Approved	04/24/2012
B	Rhode Island	Agent	Approved	12/15/2017
B	South Carolina	Agent	Approved	10/23/2009
B	Tennessee	Agent	Approved	06/04/2025
B	Texas	Agent	Approved	10/23/2009
IA	Texas	Investment Adviser Representative	Restricted Approval	06/15/2012



### Qualifications

Regulator	Registration	Status	Date
<b>B</b> Vermont	Agent	Approved	06/23/2023
<b>B</b> Virginia	Agent	Approved	10/23/2009
<b>IA</b> Virginia	Investment Adviser Representative	Approved	10/23/2009
<b>B</b> Washington	Agent	Approved	10/23/2009
<b>B</b> Wisconsin	Agent	Approved	01/20/2015

### Branch Office Locations

**MERRILL LYNCH, PIERCE, FENNER & SMITH  
INCORPORATED**  
1800 K ST NW  
WASHINGTON, DC 20006

**MERRILL LYNCH, PIERCE, FENNER & SMITH  
INCORPORATED**  
Alexandria, VA



## 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, 3 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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 Securities Industry Essentials Examination (SIE)	SIE	10/01/2018
 Futures Managed Funds Examination (S31)	Series 31	06/02/1997
 General Securities Representative Examination (S7)	Series 7	11/06/1995

#### State Securities Law Exams

Exam	Category	Date
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 Uniform Investment Adviser Law Examination (S65)	Series 65	06/19/1996
 Uniform Securities Agent State Law Examination (S63)	Series 63	11/10/1995

### 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:

	Registration Dates	Firm Name	ID#	Branch Location
B	12/15/2003 - 10/23/2009	BANC OF AMERICA INVESTMENT SERVICES, INC.	CRD# 16361	WASHINGTON, DC
IA	12/15/2003 - 10/23/2009	BANC OF AMERICA INVESTMENT SERVICES, INC.	CRD# 16361	WASHINGTON, DC
B	10/01/2000 - 12/15/2003	WACHOVIA SECURITIES, LLC	CRD# 19616	ST. LOUIS, MO
IA	10/01/2000 - 12/15/2003	WACHOVIA SECURITIES, LLC	CRD# 19616	WASHINGTON, DC
B	06/22/2000 - 10/01/2000	FIRST UNION BROKERAGE SERVICES, INC.	CRD# 8112	CHARLOTTE, NC
B	05/02/1996 - 06/19/2000	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED	CRD# 7691	NEW YORK, NY
B	11/07/1995 - 04/18/1996	PRUDENTIAL SECURITIES INCORPORATED	CRD# 7471	NEW YORK, NY

### 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
06/2011 - Present	Bank of America,N.A.	Senior Financial Advisor	Y	WASHINGTON, DC, United States
10/2009 - Present	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED	Mass Transfer	Y	WASHINGTON, DC, 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
Regulatory Event	1
Customer Dispute	2

### 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

<b>Reporting Source:</b>	Regulator
<b>Regulatory Action Initiated By:</b>	DISTRICT OF COLUMBIA
<b>Sanction(s) Sought:</b>	Other
<b>Other Sanction(s) Sought:</b>	ADMINISTRATIVE CONSENT AGREEMENT AND SETTLEMENT ORDER
<b>Date Initiated:</b>	07/11/2008
<b>Docket/Case Number:</b>	SB-08-005
<b>Employing firm when activity occurred which led to the regulatory action:</b>	BANC OF AMERCA INVESTMENT SERVICES, INC.
<b>Product Type:</b>	No Product
<b>Other Product Type(s):</b>	
<b>Allegations:</b>	ON JANUARY 29, 2007, THE FIRM SUBMITTED TO THE DISTRICT OF COLUMBIA APPLICATIONS, ALONG WITH THE ACCOMPANYING NOTARIZED INVESTMENT ADVISER AFFIDAVIT, ON BEHALF OF CUNNINGHAM IN THE DISTRICT IN CONNECTION WITH THE RELOCATION TO THE FIRM'S OFFICE LOCATED IN THE DISTRICT. IN RESPONDING TO THE QUESTIONS ON THE REPRESENTATIVE AFFIDAVIT, THE FIRM ANSWERED THAT THE INDIVIDUAL HAD IN FACT TRANSACTED INVESTMENT ADVISORY SERVICES WITH DISTRICT RESIDENTS WHILE EMPLOYED WITH THE FIRM AND AFTER RELOCATING TO AN OFFICE LOCATED IN THE DISTRICT WITHOUT FIRST HAVING OBTAINED AN INVESTMENT ADVISER REPRESENTATIVE LICENSE FROM THE DISTRICT.
<b>Current Status:</b>	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?** Yes

**Resolution Date:** 07/11/2008

**Sanctions Ordered:** Monetary/Fine \$1,000.00

**Other Sanctions Ordered:**

**Sanction Details:** THE AMOUNT SHALL BE PAID NO LATER THAN 30 DAYS FROM THE DATE OF THIS ORDER. IF PAYMENT IS NOT MADE AS AGREED, THE COMMISSIONER MAY VACATE THIS ORDER, AT HIS SOLE DISCRETION, UPON 10 DAYS NOTICE TO RESPONDENTS.  
\*\*\*\*\* \$1,000 FINE PAID ON 8/5/08 - CHECK NO. 1449351

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**Reporting Source:** Individual

**Regulatory Action Initiated By:** DISTRICT OF COLUMBIA

**Sanction(s) Sought:** Other

**Other Sanction(s) Sought:** ADMINISTRATIVE CONSENT AGREEMENT AND SETTLEMENT ORDER

**Date Initiated:** 07/11/2008

**Docket/Case Number:** SB-08-005

**Employing firm when activity occurred which led to the regulatory action:** BANC OF AMERICA INVESTMENT SERVICES, INC.

**Product Type:** No Product

**Other Product Type(s):**

**Allegations:** BANC OF AMERICA INVESTMENT SERVICES ("BAI") TRANSFERRED MR. CUNNINGHAM FROM A BRANCH OFFICE IN THE STATE OF MARYLAND TO A BRANCH OFFICE IN THE DISTRICT OF COLUMBIA. IN DOING SO, BAI AND MR. CUNNINGHAM INADVERTENTLY FAILED TO TIMELY TRANSFER MR. CUNNINGHAM'S INVESTMENT ADVISER REGISTRATION TO THE DISTRICT OF COLUMBIA. BECAUSE OF THIS, MR. CUNNINGHAM INADVERTENTLY TRANSACTED INVESTMENT ADVISORY SERVICES WITH DISTRICT RESIDENTS WHILE EMPLOYED WITH BAI AND AFTER RELOCATING TO A BAI OFFICE LOCATED IN THE DISTRICT WITHOUT FIRST HAVING OBTAINED AN INVESTMENT ADVISER REPRESENTATIVE LICENSE FROM THE DEPARTMENT. THROUGHOUT THE PERIOD IN QUESTION, HOWEVER, MR. CUNNINGHAM HAD BEEN PROPERLY REGISTERED IN MARYLAND, THE STATE OF MR. CUNNINGHAM'S PREVIOUS PLACE OF BUSINESS.

**Current Status:** Final

**Resolution:** Order

**Resolution Date:** 07/11/2008

**Sanctions Ordered:** Monetary/Fine \$1,000.00



**Other Sanctions Ordered:**

**Sanction Details:**

THE AMOUNT SHALL BE PAID NO LATER THAN 30 DAYS FROM THE DATE OF THE ORDER. IF PAYMENT IS NOT MADE AS AGREED, THE COMMISSIONER MAY VACATE THE ORDER, AT HIS SOLE DISCRETION, UPON 10 DAYS NOTICE TO RESPONDENTS.



## 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 2

<b>Reporting Source:</b>	Individual
<b>Employing firm when activities occurred which led to the complaint:</b>	BANC OF AMERICA INVESTMENT SERVICES, INC.
<b>Allegations:</b>	CLIENT ALLEGED THAT VARIABLE ANNUITIES WERE MISREPRESENTED BY FINANCIAL ADVISOR. COMPENSATORY DAMAGES ARE NOT SPECIFIED.
<b>Product Type:</b>	Annuity-Variable
<b>Alleged Damages:</b>	\$0.00
<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>	12/21/2011
<b>Complaint Pending?</b>	No
<b>Status:</b>	Settled
<b>Status Date:</b>	12/30/2011
<b>Settlement Amount:</b>	\$180,025.00
<b>Individual Contribution Amount:</b>	\$0.00

### Disclosure 2 of 2

<b>Reporting Source:</b>	Individual
<b>Employing firm when activities occurred which led to the complaint:</b>	MERRILL LYNCH
<b>Allegations:</b>	CUSTOMER ALLEGES FINANCIAL CONSULTANT WAS NEGLIGENT IN THE EXECUTION OF A SELL ORDER AND GENERATED EXCESSIVE FEES IN HER IRA ACCOUNT.
<b>Product Type:</b>	Equity Listed (Common & Preferred Stock)
<b>Alleged Damages:</b>	\$6,000.00

### Customer Complaint Information

<b>Date Complaint Received:</b>	03/08/1999
<b>Complaint Pending?</b>	No



<b>Status:</b>	Denied
<b>Status Date:</b>	03/17/2000
<b>Settlement Amount:</b>	\$0.00
<b>Individual Contribution Amount:</b>	\$0.00
<b>Broker Statement</b>	CUSTOMER WAS ADVISED BY FIRM THAT THE COMPLAINT WAS WITHOUT MERIT.



## End of Report

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