



IAPD Report

BRET LEE NIEMUTH

CRD# 2356735

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When communicating online or investing with any professional, make sure you know who you're dealing with. [Imposters](#) might link to sites like BrokerCheck from [phishing](#) or similar scam websites, or through [social media](#), trying to steal your personal information or your money.

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

BRET LEE NIEMUTH (CRD# 2356735)

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 **08/30/2023**.

CURRENT EMPLOYERS

	Firm	CRD#	Registered Since
IA	BEACON CAPITAL, LLC	CRD# 286316	02/14/2017

QUALIFICATIONS

This representative is currently registered in **0** SRO(s) and **2** 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	VOYA FINANCIAL ADVISORS, INC.	2882	CEDAR RAPIDS, IA	09/11/2014 - 11/04/2016
B	VOYA FINANCIAL ADVISORS, INC.	2882	CEDAR RAPIDS, IA	08/04/2014 - 11/04/2016
IA	ING FINANCIAL PARTNERS, INC	2882	CEDAR RAPIDS, IA	03/18/2010 - 11/23/2012

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
Criminal	1
Termination	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 **2** jurisdiction(s) and **0** SRO(s) through his or her employer(s).

Employment 1 of 1

Firm Name: **BEACON CAPITAL, LLC**
Main Address: 375 COLLINS ROAD NE,
SUITE 120
CEDAR RAPIDS, IA 52402
Firm ID#: 286316

Regulator	Registration	Status	Date
 Iowa	Investment Adviser Representative	Approved	02/14/2017
 Texas	Investment Adviser Representative	Restricted Approval	08/31/2023

Branch Office Locations

BEACON CAPITAL, LLC
375 COLLINS ROAD NE,
SUITE 120
CEDAR RAPIDS, IA 52402




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 1 principal/supervisory exam, 3 general industry/product exams, and 1 state securities law exam.


Principal/Supervisory Exams

Exam	Category	Date
 General Securities Principal Examination (S24)	Series 24	12/19/2007

General Industry/Product Exams

Exam	Category	Date
 Securities Industry Essentials Examination (SIE)	SIE	11/04/2016
 General Securities Representative Examination (S7)	Series 7	12/04/2007
 Investment Company Products/Variable Contracts Representative Examination (S6)	Series 6	07/14/1993

State Securities Law Exams

Exam	Category	Date
 Uniform Securities Agent State Law Examination (S63)	Series 63	06/03/1993

PROFESSIONAL DESIGNATIONS

This section details that the representative has reported 1 professional designation(s).

Chartered Financial Consultant

This representative holds or did hold 1 professional designation(s) that may have been used to qualify as an Investment Advisor representative. Please check with the appropriate designation authority for verification that the designation is still in effect. The contact information for these professional designation authorities can be found on the website for the North American Securities Administrators Association at <http://www.nasaa.org>



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	09/11/2014 - 11/04/2016	VOYA FINANCIAL ADVISORS, INC.	CRD# 2882	CEDAR RAPIDS, IA
B	08/04/2014 - 11/04/2016	VOYA FINANCIAL ADVISORS, INC.	CRD# 2882	CEDAR RAPIDS, IA
IA	03/18/2010 - 11/23/2012	ING FINANCIAL PARTNERS, INC	CRD# 2882	CEDAR RAPIDS, IA
B	01/01/2004 - 11/23/2012	ING FINANCIAL PARTNERS, INC.	CRD# 2882	CEDAR RAPIDS, IA
IA	01/01/2004 - 12/31/2004	ING FINANCIAL PARTNERS, INC	CRD# 2882	CEDAR RAPIDS, IA
IA	02/06/2003 - 01/01/2004	LOCUST STREET SECURITIES, INC.	CRD# 1703	CEDAR RAPIDS, IA
B	05/29/2001 - 01/01/2004	LOCUST STREET SECURITIES, INC.	CRD# 1703	DES MOINES, IA
B	05/29/1996 - 05/02/2001	TRANSAMERICA FINANCIAL ADVISORS, INC.	CRD# 3600	LOS ANGELES, CA
B	07/15/1993 - 04/29/1996	PRUCO SECURITIES CORPORATION	CRD# 5685	NEWARK, NJ

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
01/2017 - Present	Beacon Capital, LLC	Investment Advisor Representative	Y	Cedar Rapids, IA, United States
05/2003 - Present	CAPITAL DESIGN, INC.	Owner/Insurance Agent	Y	CEDAR RAPIDS, IA, United States
08/2014 - 11/2016	VOYA FINANCIAL ADVISORS, INC.	Registered Representative/Investment Advisor Representative	Y	CEDAR RAPIDS, IA, 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.

CAPITAL DESIGN, INC.-YES-CEDAR RAPIDS, IA 52411-FIXED INSURANCE-OWNER/Insurance Agent since 05/2003-FOR



Registration & Employment History



OTHER BUSINESS ACTIVITIES

SALE OF FIXED INSURANCE PRODUCTS-8hrs/mo.



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
Criminal	1
Termination	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:	FINRA
Sanction(s) Sought:	
Date Initiated:	04/03/2018
Docket/Case Number:	2016051985001
Employing firm when activity occurred which led to the regulatory action:	ING Financial Partners, Inc. (now Voya Financial Advisors, Inc.)
Product Type:	No Product
Allegations:	Without admitting or denying the findings, Niemuth consented to the sanctions and to the entry of findings that he failed to amend his Form U4 to disclose that he was charged with two felonies and then pled guilty to a felony involving the operation of a motor vehicle while intoxicated. The findings stated that Niemuth knew that he was required to amend his Form U4 to disclose his felony charges and conviction. As a result, Niemuth continued to be associated with his member firm for a total of approximately three years and eight months while he was subject to statutory disqualification. By reason of the foregoing, Niemuth willfully violated Article V, Section 2(c) of FINRA's By-Laws, and FINRA Rules 1122 and 2010.
Current Status:	Final
Resolution:	Acceptance, Waiver & Consent(AWC)



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:

04/03/2018

Sanctions Ordered:

Civil and Administrative Penalty(ies)/Fine(s)
Suspension

Other: Respondent understands that this settlement includes a finding that he willfully omitted to state a material fact on a Form U4, and that under Section 3(a)(39)(F) of the Securities Exchange Act of 1934 and Article III, Section 4 of FINRA's By-Laws, this omission makes Respondent subject to a statutory disqualification with respect to association with a member.

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?

(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



(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?

Sanction 1 of 1

Sanction Type:	Suspension
Capacities Affected:	All capacities
Duration:	eight months
Start Date:	04/16/2018
End Date:	12/15/2018

Monetary Sanction 1 of 1

Monetary Related Sanction:	Civil and Administrative Penalty(ies)/Fine(s)
Total Amount:	\$5,000.00
Portion Levied against individual:	\$5,000.00
Payment Plan:	deferred
Is Payment Plan Current:	
Date Paid by individual:	
Was any portion of penalty waived?	No

Amount Waived:

.....

Reporting Source:	Individual
Regulatory Action Initiated By:	FINRA
Sanction(s) Sought:	Monetary Penalty other than Fines Suspension
Date Initiated:	03/21/2018
Docket/Case Number:	2016051985001



Employing firm when activity occurred which led to the regulatory action:	Voya
Product Type:	No Product
Allegations:	Failure to amend U4 to disclose a guilty plea to a felony involving the operation of a motor vehicle while intoxicated.
Current Status:	Final
Resolution:	Acceptance, Waiver & Consent(AWC)
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:	04/03/2018
Sanctions Ordered:	Monetary Penalty other than Fines Suspension
Sanction 1 of 1	
Sanction Type:	Suspension
Capacities Affected:	All Capacities
Duration:	Eight Months
Start Date:	04/16/2018
End Date:	12/15/2018
Monetary Sanction 1 of 1	
Monetary Related Sanction:	Monetary Penalty other than Fines
Total Amount:	\$5,000.00
Portion Levied against individual:	\$5,000.00
Payment Plan:	Deferred Fine, payable either immediately upon re association with a member firm, or prior to any application
Is Payment Plan Current:	
Date Paid by individual:	
Was any portion of penalty waived?	No
Amount Waived:	



Criminal

This disclosure event involves a criminal charge against the Investment Adviser Representative that has resulted in a dismissal, plea, acquittal or conviction. The criminal matter may relate to any felony or certain misdemeanor offenses (e.g., bribery, perjury, forgery, counterfeiting, extortion, fraud, wrongful taking of property).

Disclosure 1 of 1

Reporting Source: Firm

Formal Charges were brought in: State Court

Name of Court: Fond du Lac County Circuit Court

Location of Court: Fond du Lac, WI

Docket/Case #: 2010CF000357

Charge Date: 11/24/2010

Charge(s) 1 of 2

Formal Charge(s)/Description: OWI (5th or 6th) in violation of 346.63(1)(a)

No of Counts: 1

Felony or Misdemeanor: Felony

Plea for each charge: Guilty

Disposition of charge: Convicted

Charge(s) 2 of 2

Formal Charge(s)/Description: Operating w/PAC (5th or 6th) in violation of 346.63(1)(b)

No of Counts: 1

Felony or Misdemeanor: Felony

Plea for each charge: Not Guilty

Disposition of charge: Dismissed

Current Status: Final

Status Date: 06/07/2011

Disposition Date: 11/24/2010

Sentence/Penalty: 3 year probation (6/7/2011 - 6/6/2014)
 3 year DOT License revocation (6/7/2011 - 6/6/2014)
 Fined \$1,752.00 6/7/2011
 6 months jail time effective 6/7/2011
 6 months electronic monitor following jail time
 1 year ignition interlock

Reporting Source: Individual

Formal Charges were brought in: State Court

Name of Court: Fond du Lac County Court

Location of Court: Fond du Lac, WI



Docket/Case #:	2010CF000357
Charge Date:	11/24/2010
Charge(s) 1 of 2	
Formal Charge(s)/Description:	OWI (5th or 6th) in violation of 346.63(1)(a)
No of Counts:	1
Felony or Misdemeanor:	Felony
Plea for each charge:	Guilty
Disposition of charge:	Convicted
Charge(s) 2 of 2	
Formal Charge(s)/Description:	Operating w/PAC (5th or 6th) in violation of 346.63(1)(b)
No of Counts:	1
Felony or Misdemeanor:	Felony
Plea for each charge:	Not Guilty
Disposition of charge:	Dismissed
Current Status:	Final
Status Date:	06/07/2011
Disposition Date:	06/07/2011
Sentence/Penalty:	Effective 06/07/2011 - Ignition interlock 12 months, jail with work release 6 months, electronic monitoring 6 months, probation period of 3 years. Court assessments/fines of \$2,785.60. Paid in full by time probation ended on 06/07/2014.



Termination

This disclosure event involves a situation where the Investment Adviser Representative voluntarily resigned, was discharged or was permitted to resign after allegations were made that accused the Investment Adviser Representative of violating investment-related statutes, regulations, rules or industry standards of conduct; fraud or the wrongful taking of property; or failure to supervise in connection with investment-related statutes, regulations, rules or industry standards of conduct.

Disclosure 1 of 1

Reporting Source: Firm
Firm Name: Voya Financial Advisors, Inc
Termination Type: Discharged
Termination Date: 10/31/2016
Allegations: Representative failed to disclose felony charge and conviction to Firm.
Product Type: No Product

Reporting Source: Individual
Firm Name: Voya Financial Advisors, Inc.
Termination Type: Discharged
Termination Date: 10/31/2016
Allegations: Representative failed to disclose felony charge and conviction to Firm
Product Type: No Product



End of Report

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