



IAPD Report

JAMES VALENTINE MALAUSSENA

CRD# 2494951

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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

JAMES VALENTINE MALAUSSENA (CRD# 2494951)

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 **05/26/2026**.

CURRENT EMPLOYERS

	Firm	CRD#	Registered Since
B	BERTHEL, FISHER & COMPANY FINANCIAL SERVICES, INC.	CRD# 13609	09/04/2007
IA	BFC PLANNING, INC.	CRD# 119682	03/19/2021

QUALIFICATIONS

This representative is currently registered in **1** SRO(s) and **11** 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	TD AMERITRADE, INC.	7870	ORLANDO, FL	04/22/1996 - 12/04/2006
B	OLDE DISCOUNT CORPORATION	5979	DETROIT, MI	12/08/1994 - 05/24/1996
B	JOSEPH CHARLES & ASSOC., INC.	3949	BOCA RATON, FL	06/01/1994 - 12/06/1994

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	2



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

Employment 1 of 2

Firm Name: **BERTHEL FISHER & COMPANY FINANCIAL SERVICES, INC.**
Main Address: 4201 42ND STREET NE
SUITE 100
CEDAR RAPIDS, IA 52402
Firm ID#: 13609

Regulator	Registration	Status	Date
B FINRA	General Securities Representative	Approved	09/04/2007
B FINRA	General Securities Sales Supervisor	Approved	07/08/2008
B Alabama	Agent	Approved	05/26/2026
B California	Agent	Approved	02/03/2020
B Florida	Agent	Approved	09/10/2007
B New Jersey	Agent	Approved	09/10/2007
B New York	Agent	Approved	09/11/2007
B North Carolina	Agent	Approved	08/20/2024
B Pennsylvania	Agent	Approved	01/02/2008
B South Carolina	Agent	Approved	05/21/2018
B Texas	Agent	Approved	01/08/2025
B Virginia	Agent	Approved	01/08/2025
B Wisconsin	Agent	Approved	01/10/2011




Qualifications

Branch Office Locations

BERTHEL FISHER & COMPANY FINANCIAL SERVICES, INC.
Palm Beach Gardens, FL

Employment 2 of 2

Firm Name: **BFC PLANNING, INC.**
Main Address: 4201 42ND STREET NE
SUITE 100
CEDAR RAPIDS, IA 52402
Firm ID#: 119682

Regulator	Registration	Status	Date
 IA Florida	Investment Adviser Representative	Approved	03/19/2021

Branch Office Locations

BFC PLANNING, INC.
Palm Beach Gardens, FL






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



Principal/Supervisory Exams

Exam	Category	Date
 General Securities Sales Supervisor - Options Module Examination (S9)	Series 9	01/02/2023
 General Securities Sales Supervisor - General Module Examination (S10)	Series 10	01/02/2023
 General Securities Sales Supervisor Examination (Options Module & General Module) (S8)	Series 8	03/19/1997

General Industry/Product Exams

Exam	Category	Date
 Securities Industry Essentials Examination (SIE)	SIE	10/01/2018
 General Securities Representative Examination (S7)	Series 7	05/31/1994

State Securities Law Exams

Exam	Category	Date
 Uniform Investment Adviser Law Examination (S65)	Series 65	11/03/2020
 Uniform Securities Agent State Law Examination (S63)	Series 63	08/19/1994

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	04/22/1996 - 12/04/2006	TD AMERITRADE, INC.	CRD# 7870	ORLANDO, FL
B	12/08/1994 - 05/24/1996	OLDE DISCOUNT CORPORATION	CRD# 5979	DETROIT, MI
B	06/01/1994 - 12/06/1994	JOSEPH CHARLES & ASSOC., INC.	CRD# 3949	BOCA RATON, FL

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
01/2021 - Present	BFC Planning, Inc.	Investment Advisor Representative	Y	Palm Beach Gardens, FL, United States
08/2007 - Present	BERTHEL FISHER & COMPANY FINANCIAL SERVICES, INC.	REGISTERED REPRESENTATIVE	Y	Palm Beach Garden, 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	2

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

Reporting Source: Individual

Employing firm when activities occurred which led to the complaint: Berthel Fisher and Company Financial Services, Inc. & TD Ameritrade

Allegations: In October 2020 through a series of emails the client made a complaint and alleged that she was not informed about the costs of her investments she made from 2000-2020 in mutual funds, annuities, and CDs. She allege she was misled about the returns she received after the fees she incurred. In addition, the client questioned whether she incurred more in taxes as a result of the investment she selected. In January 2022, the client filed an arbitration which alleged an unsuitable investment strategy, misrepresentation of the investments, forgery of the client’s signature on some of the paperwork, and that the firm failed to adequately supervise the representative.

Product Type: Annuity-Variable
CD
Mutual Fund

Alleged Damages: \$0.00

Alleged Damages Amount Explanation (if amount not exact): The firm has made a good faith determination that the damages from the alleged conduct would be more than \$5,000.00.

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: 10/29/2020
Complaint Pending? No
Status: Evolved into Arbitration/CFTC reparation (the individual is a named party)
Status Date: 01/17/2022
Settlement Amount:
Individual Contribution Amount:

Arbitration Information

Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.): FINRA
Docket/Case #: 22-00117
Date Notice/Process Served: 01/18/2022
Arbitration Pending? No
Disposition: Settled
Disposition Date: 12/23/2025
Monetary Compensation Amount: \$110,000.00
Individual Contribution Amount: \$0.00

Broker Statement
In October 2020, the client decided to move her accounts to another firm and sent an email to the representative thanking him for his help and educating her over the last 20 years. After the accounts transferred she started to discuss different strategies with her new advisor, she began questioning the investments she made over the last 20 years. The representative denies the allegations asserted by the client and believes the investments were suitable and that he acted in accordance to the client's instructions. The client made more than \$21 million in her accounts over that time. The Firm and representative agreed to settle the arbitration to avoid further costs in defending the matter.

Disclosure 2 of 2

Reporting Source: Individual
Employing firm when activities occurred which led to the complaint: TD WATERHOUSE INVESTOR SERVICES, INC.
Allegations: MR. LEVINE ALLEGED THAT ON 04/04/01 THE SOLICITATION OF \$10,000.00 WORTH OF WORLDCOM 7.68 CORTS DUE 08/15/28 WAS UNSUITABLE.
Product Type: Equity Listed (Common & Preferred Stock)
Alleged Damages: \$7,000.00

Customer Complaint Information

Date Complaint Received: 05/04/2004
Complaint Pending? No



Status: Denied
Status Date: 05/11/2004
Settlement Amount:
Individual Contribution Amount:



End of Report

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