



IAPD Report

KENNETH M MIRCH II

CRD# 708633

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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

KENNETH M MIRCH II (CRD# 708633)

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 **06/17/2026**.

CURRENT EMPLOYERS

	Firm	CRD#	Registered Since
B	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED	CRD# 7691	05/22/1980
IA	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED	CRD# 7691	04/07/1995

QUALIFICATIONS

This representative is currently registered in **6** SRO(s) and **20** 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	5



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 **20** 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	Cboe BYX Exchange, Inc.	General Securities Representative	Approved	05/14/2014
B	Cboe BZX Exchange, Inc.	General Securities Representative	Approved	05/14/2014
B	Cboe Exchange, Inc.	General Securities Sales Supervisor	Approved	08/30/1985
B	Cboe Exchange, Inc.	General Securities Representative	Approved	03/03/1991
B	FINRA	General Securities Representative	Approved	05/22/1980
B	FINRA	General Securities Sales Supervisor	Approved	08/30/1985
B	Nasdaq Stock Market	General Securities Representative	Approved	07/12/2006
B	Nasdaq Stock Market	General Securities Sales Supervisor	Approved	07/12/2006
B	New York Stock Exchange	General Securities Representative	Approved	06/04/1980
B	New York Stock Exchange	General Securities Sales Supervisor	Approved	10/01/2018
B	Arizona	Agent	Approved	07/29/1996
B	California	Agent	Approved	03/24/1984
IA	California	Investment Adviser Representative	Approved	07/08/1997



Qualifications

	Regulator	Registration	Status	Date
B	Colorado	Agent	Approved	02/27/2019
B	Connecticut	Agent	Approved	10/17/2022
B	Florida	Agent	Approved	03/26/2008
B	Hawaii	Agent	Approved	11/24/1989
B	Illinois	Agent	Approved	12/13/2016
B	Kentucky	Agent	Approved	04/09/2020
B	Minnesota	Agent	Approved	05/12/2015
B	Missouri	Agent	Approved	05/24/2019
B	Montana	Agent	Approved	06/23/2026
B	Nevada	Agent	Approved	08/06/2010
B	New Jersey	Agent	Approved	05/12/2015
B	New Mexico	Agent	Approved	03/20/2003
B	New York	Agent	Approved	06/07/1994
B	North Carolina	Agent	Approved	01/13/2005
B	Oregon	Agent	Approved	02/02/1990
B	Texas	Agent	Approved	01/11/2013
IA	Texas	Investment Adviser Representative	Restricted Approval	04/07/1995
B	Utah	Agent	Approved	02/19/2020



Qualifications

Regulator	Registration	Status	Date
B Washington	Agent	Approved	12/12/2014

Branch Office Locations

**MERRILL LYNCH, PIERCE, FENNER & SMITH
INCORPORATED**
100 WILSHIRE BLVD
SANTA MONICA, CA 90401



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

Principal/Supervisory Exams

	Exam	Category	Date
	General Securities Sales Supervisor - General Module Examination (S10)	Series 10	01/02/2023
	General Securities Sales Supervisor - Options Module Examination (S9)	Series 9	01/02/2023
	General Securities Sales Supervisor Examination (Options Module & General Module) (S8)	Series 8	08/28/1985

General Industry/Product Exams

	Exam	Category	Date
	Securities Industry Essentials Examination (SIE)	SIE	10/01/2018
	National Commodity Futures Examination (S3)	Series 3	08/12/1987
	General Securities Representative Examination (S7)	Series 7	05/17/1980

State Securities Law Exams

	Exam	Category	Date
	Uniform Investment Adviser Law Examination (S65)	Series 65	07/10/1995
	Uniform Securities Agent State Law Examination (S63)	Series 63	11/18/1985

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:

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
09/2009 - Present	BANK OF AMERICA, NA	WEALTH MANAGEMENT ADVISOR	Y	SANTA MONICA, CA, United States
02/1980 - Present	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED	OTHER - Representative	Y	SANTA MONICA, CA, 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	5

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 5

Reporting Source:	Individual
Employing firm when activities occurred which led to the complaint:	MERRILL LYNCH, PIERCE, FENNER & SMITH, INC.
Allegations:	CLIENT ALLEGES MISREPRESENTATION AND UNSUITABILITY CONCERNING AUCTION MARKET SECURITIES. DAMAGES UNSPECIFIED.
Product Type:	Other
Other Product Type(s):	AUCTION RATE SECURITIES
Alleged Damages:	\$0.00

Customer Complaint Information

Date Complaint Received:	03/17/2008
Complaint Pending?	No
Status:	Denied
Status Date:	04/10/2008

Settlement Amount:

Individual Contribution Amount:

Broker Statement	THIS COMPLAINT AROSE OUT OF THE UNPRECEDENTED ILLIQUIDITY IN THE AUCTION RATE SECURITIES MARKET. PRIOR TO THE RECENT WIDESPREAD AUCTION FAILURES, AUCTION MARKET SECURITIES WERE SOLD THROUGHOUT THE FINANCIAL SERVICES INDUSTRY AS HIGHLY LIQUID INSTRUMENTS AND WERE APPROPRIATELY REGARDED BY THE
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INDUSTRY AS HIGHLY LIQUID INVESTMENTS.

Disclosure 2 of 5

Reporting Source: Individual

Employing firm when activities occurred which led to the complaint: MERRILL LYNCH, PIERCE, FENNER & SMITH, INC.

Allegations: THE CUSTOMER ALLEGES MISREPRESENTATIONS REGARDING THE LIQUIDITY OF AUCTION RATE SECURITIES. DAMAGES UNSPECIFIED.

Product Type: Other: CLOSED-END FUNDS

Alleged Damages: \$0.00

Is this an oral complaint? Yes

Is this a written complaint? No

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

Customer Complaint Information

Date Complaint Received: 04/13/2009

Complaint Pending? No

Status: Settled

Status Date: 04/13/2009

Settlement Amount: \$1,625,000.00

Individual Contribution Amount: \$0.00

Broker Statement THIS MATTER INVOLVES THE SALE OF AUCTION RATE SECURITIES (ARS). THE TRANSACTION(S) AT ISSUE TOOK PLACE BEFORE MID-FEBRUARY 2008, WHEN THE ARS MARKET SUFFERED WIDESPREAD AUCTION FAILURES AND ILLIQUIDITY. THE FINANCIAL ADVISOR DID NOT CAUSE, CONTRIBUTE OR HAVE ANY CONTROL WHATSOEVER OVER THESE MARKET EVENTS. THE FIRM REACHED AGREEMENT WITH CERTAIN OF ITS REGULATORS, PURSUANT TO WHICH IT REPURCHASED ARS FOR THEIR FULL PAR VALUE FROM CERTAIN CLIENTS, INCLUDING THE INSTANT CLIENT, WHERE THEY COMPLAINED OR NOT. THE FINANCIAL ADVISOR WAS NOT A PARTY TO THAT AGREEMENT, DID NOT MAKE ANY PAYMENT TO THE CLIENT, AND WAS NOT ASKED TO AND DID NOT CONTRIBUTE TO THE REPURCHASE AMOUNT. THE SETTLEMENT AMOUNT IN ITEM 11 ABOVE REFLECTS THE PAR VALUE OF THE REPURCHASED ARS, AS REQUIRED BY FINRA REGULATORY NOTICE 09-12.

Disclosure 3 of 5

Reporting Source: Individual

Employing firm when activities occurred which led to the complaint: MERRILL LYNCH, PIERCE, FENNER & SMITH, INC.

Allegations: CLIENT ALLEGES MISREPRESENTATION AND UNAUTHORIZED TRADE CONCERNING AUCTION MARKET SECURITIES. DAMAGES UNSPECIFIED.



Product Type: Other
Other Product Type(s): AUCTION RATE SECURITIES
Alleged Damages: \$0.00

Customer Complaint Information

Date Complaint Received: 03/10/2008
Complaint Pending? No
Status: Denied
Status Date: 05/16/2008

Settlement Amount:

Individual Contribution Amount:

Broker Statement THIS COMPLAINT AROSE OUT OF THE UNPRECEDENTED ILLIQUIDITY IN THE AUCTION RATE SECURITIES MARKET. PRIOR TO THE RECENT WIDESPREAD AUCTION FAILURES, AUCTION MARKET SECURITIES WERE SOLD THROUGHOUT THE FINANCIAL SERVICES INDUSTRY AS HIGHLY LIQUID INSTRUMENTS AND WERE APPROPRIATELY REGARDED BY THE INDUSTRY AS HIGHLY LIQUID INVESTMENTS.

Disclosure 4 of 5

Reporting Source: Individual
Employing firm when activities occurred which led to the complaint: MERRILL LYNCH

Allegations: CUSTOMER ALLEGES UNSUITABLE RECOMMENDATIONS AND TRANSACTIONS IN HIS ACCOUNT.. ALLEGED DAMAGES UNSPECIFIED.

Product Type: Mutual Fund(s)
Alleged Damages: \$0.00

Customer Complaint Information

Date Complaint Received: 01/18/2006
Complaint Pending? No
Status: Closed/No Action
Status Date: 03/06/2006

Settlement Amount:

Individual Contribution Amount:

Broker Statement LETTER TO CUSTOMER - WE DO NOT BELIEVE THERE IS ANY MERIT TO THE ALLEGATION.

Disclosure 5 of 5

Reporting Source: Individual

**Employing firm when activities occurred which led to the complaint:****Allegations:**

THE CLAIMANT ALLEGES PLACING AN ORDER ON 10/22/87 TO SELL 5,000 SHARES OF GREENWICH PHARMACEUTICAL, INC. (GRPI) STOCK AT 9 5/8 AND THAT THIS ORDER WAS NOT EXECUTED UNTIL 10/26/87 AT A PRICE OF 6 5/8. HE SEEKS \$15,000 AS DAMAGES FROM THE DIFFERENCE IN PRICE, CLAIMING THAT THE ORDER SHOULD HAVE BEEN EXECUTED AT 9 5/8. HE FURTHER ALLEGES TAX WITHHOLDING OF 20% WAS IMPROPERLY WITHHELD RESULTING IN UNSPECIFIED LOST INTEREST. IN ADDITION, CLAIMANT CLAIMS THAT CHECKS WRITTEN BY HIM ON HIS MERRILL LYNCH ACCOUNTS WERE IMPROPERLY DISHONORED AND THAT HIS ACCOUNTS WERE IMPROPERLY CLOSED RESULTING IN UNSPECIFIED DAMAGES TO HIM.

Product Type:

Alleged Damages: \$15,000.00

Customer Complaint Information**Date Complaint Received:**

Complaint Pending? No

Status: Arbitration/Reparation

Status Date:**Settlement Amount:**

Individual Contribution Amount:

Arbitration Information

Arbitration/Reparation Claim filed with and Docket/Case No.: UNKNOWN CONVERSION; 89-01464

Date Notice/Process Served: 04/20/1990

Arbitration Pending? No

Disposition: Settled

Disposition Date: 01/03/1991

Monetary Compensation Amount: \$18,500.00

Individual Contribution Amount:

Broker Statement

SETTLED
CUSTOMER'S CLAIMS AGAINST ME ARE WITHOUT MERIT AND ARE DENIED. CUSTOMER PLACED AN ORDER TO SELL GRPI, AN OTC STOCK, WHICH WAS PROPERLY ENTERED IN OCTOBER 1987 BY A BROKER, BUT NOT FILLED THROUGH TRADING. THE ORDER WAS LIKELY ENTITLED TO FILL. THE CASE WAS SETTLED FOR \$18,500 REPRESENTING THE DIFFERENCE BETWEEN THE PRICE REVIEWED AND THE LIMIT PRICE PLUS INTEREST. THE CASE WAS SETTLED BECAUSE OF THE EXPENSE AND UNCERTAINTY OF LITIGATION.



End of Report

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