
IN THE MATTER OF:)	
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)	
PNC Investments LLC,)	ADMINISTRATIVE ORDER
)	ORDER NO: SB-CO-03-24
)	
Respondent)	
)	
)	
)	

ADMINISTRATIVE CONSENT AGREEMENT AND ORDER

WHEREAS, PNC Investments LLC (“PNCI” or the “Respondent”) is a federal covered adviser registered with the U.S. Securities and Exchange Commission (“SEC”) since September 17, 2003, and notice-filed in the District of Columbia (sometimes referred to herein as “D.C.” or “the District”), since March 31, 2005;

WHEREAS, PNCI is also a broker-dealer registered with the SEC since December 18, 2003, and licensed in the District of Columbia with the Department of Insurance, Securities and Banking (“Department”) since November 19, 2003

WHEREAS, PNCI’s main office is located at 300 Fifth Avenue, 26th Floor, Pittsburgh, PA 15222;

WHEREAS, in connection with the submission of investment advisor representative (“IAR) applications for licensure in the District of Columbia with the Department, PNCI disclosed to the Department that three employees had previously engaged in unlicensed investment adviser activity in the District while employed by PNCI;

WHEREAS, the Commissioner of the Department has the authority to administer and provide for enforcement of the District of Columbia Securities Act of 2000 (D.C. Official Code §

31-5601.01 et seq.) (“D.C. Securities Act”), pursuant to D.C. Official Code §§ 31-5607.01 and 31-5606.02;

WHEREAS, the Commissioner upon due consideration of the subject matter hereof and the above facts has determined that grounds exist to allege that respondent engaged in acts or practices resulting in violations of §§ 202(b)(2) (federal covered adviser employing, supervising, or associating with an unlicensed investment adviser representative) and 501(4) (failing to file a required application with the Commissioner) of the Securities Act (D.C. Official Code §§ 31-5602.02 (b)(2) and §5605.01(4));

WHEREAS, Respondent admits the findings of fact and conclusions of law contained herein and voluntarily consents to the entry of this order;

WHEREAS, Respondent elects to waive permanently any right to a hearing, appeal, or judicial review regarding this consent order under any applicable statutes and municipal regulations, including D.C. Official Code § 31-5606.02; the Department’s Rules of Practice and Procedures for Hearings, D.C. Mun. Regs. tit. 26-B § 300 *et. seq.*; and the District of Columbia Administrative Procedure Act, D.C Official Code § 2-501 *et. seq.*

WHEREAS, solely for the purpose of settlement of the issues contained in this Order, Respondent consents to the entry of this Order.

NOW, THEREFORE, the Commissioner, as administrator of the D.C. Securities Act, hereby enters this Order:

FINDINGS OF FACT

1. The Department has jurisdiction over this matter pursuant to D.C. Official Code §§ 31-5607.01 and 31-5606.02.
2. This action concerns the period from August 23, 2012 through February 8, 2024.

3. Respondent is a federal covered adviser registered with the U.S. Securities and Exchange Commission (“SEC”) since September 17, 2003, and notice filed with the District of Columbia since March 31, 2005.

4. Respondent is also a broker-dealer registered with the SEC since December 18, 2003, and licensed with the District of Columbia since November 19, 2003.

5. Respondent’s Financial Industry Regulatory Authority (“FINRA”) Central Registration Depository (“CRD”) and Investment Adviser Registration Depository (“IARD”) number is 129052.

6. Three PNCI employees engaged in the following unlicensed activity while employees of PNCI:

- Employee #1 provided unlicensed investment advisory services in the District to fourteen (14) advisory clients who were District residents during the period of February 28, 2023 through December 5, 2023;
- Employee #2 provided unlicensed investment advisory services in the District to one hundred seventy-four (174) advisory clients who were District residents during the period of July 24, 2014 through February 8, 2024;
- Employee #3 provided investment advisory services in the District to seventy-one (71) advisory clients who were District residents during the period of August 23, 2012 through February 8, 2024.

7. In total, three PNCI employees provided unlicensed investment advisory services to 259 District residents over a period of approximately eleven and one-half years.

8. By virtue of the above, PNCI violated the D.C. Securities Act as set forth below and failed to properly supervise the three employees at issue.

9. Employee #1, Employee #2, and Employee #3 have no customer complaints or adverse regulatory actions in their CRD record.

10. PNCI has been fully cooperative with the Department in this matter and responsive to its requests for information.

11. PNCI self-identified and remediated the IAR registration issue immediately upon discovery to prevent recurrence of such registration oversight in the future.

CONCLUSIONS OF LAW

1. Respondent is a “federal covered adviser” as defined under D.C. Official Code § 31-5601.01(10)

2. By operating as a federal covered adviser and employing investment advisers who provided investment adviser services in the District of Columbia without being licensed as investment adviser representatives in the District of Columbia, Respondent PNCI violated D.C. Official Code §§ 31-5602.02(b)(2).

3. By failing to file investment adviser licensing applications with the Department on behalf of the three above referenced investment adviser representatives to ensure they were licensed before they provided investment advisory services in the District, Respondent violated D.C. Official Code § 5605.01(4).

AGREEMENT

1. On the basis of the foregoing, Respondent and the Department agree to settle this matter under the following terms.

2. Respondent PNCI shall pay a civil penalty and registration fees in the amount of \$163,580, comprised of a \$162,500 fine for the violations alleged herein and \$1080.00 for unpaid licensing fees in the amount of \$45.00 for each year of unlicensed investment adviser activity by

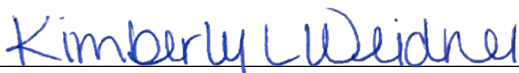
the three employees at issue. The civil penalty and back fees shall be paid within thirty (30) calendar days of the execution of this consent order and shall be payable to the “D.C. Treasurer” for deposit into the District’s general fund pursuant to D.C. Official Code § 1-204.50.

3. This consent order is entered into solely for the purpose of resolving the matter referenced herein and is not intended to be used for any other purpose.

4. This consent order concludes the concerns of the Department and any other action that the Commissioner could commence on behalf of the District as it relates to this matter.

5. This consent order is not intended by the Department to subject PNCI or any of its affiliates or their current or former officers directors or employees to any disqualifications under the laws of the United States, any state, the District of Columbia, Puerto Rico or the US Virgin Islands or under the rules and regulations of any securities or commodities regulator or self-regulatory organization, including without limitation any disqualification from relying upon state or federal registration exemptions or safe harbor provisions under various state and federal securities laws and regulations.

RESPONDENT
AGREED AND CONSENTED TO:



Respondent, PNC Investments LLC
By: Kimberly Weidner, Chief Risk Officer of PNC Investments LLC

Date: 09/16/2024

DEPARTMENT OF INSURANCE, SECURITIES AND BANKING
AGREED AND CONSENTED TO:

Stephen Bouchard

District of Columbia Department of Insurance, Securities and Banking
By: Stephen Bouchard, Associate Commissioner for Securities

Date: 09/16/2024

APPROVED AND SO ORDERED

In witness whereof, I have hereunto set my hand and affixed the official seal of the Department of Insurance, Securities and Banking in the District of Columbia

Karima M. Woods
Commissioner of the District of Columbia Department of Insurance, Securities and Banking

Date: _____