

Complaints Form Help

The following help describes how to complete the customer complaint form.

Contact Info: (required)

Enter the first name, last name, and phone number of the contact at the member firm in case there is a question about this complaint. These fields will be automatically populated with name from the last submitted complaint.

Complaint Number: (required)

Enter the member firm's unique complaint identifier. This is a mandatory field that accepts alphanumeric characters.

Product Code: (required)

Select the most prominent in the complaint from the following codes:

Code	Description of Product	(Effective 10/01/2014)
00	Miscellaneous	
01	Equity-Listed (Common and Preferred Stock, Closed-end funds)	
02	Debt-Corporate (not Asset-Backed, include convertible Corporate Zeros)	
03	Debt-U.S. Government/U.S. Government Agency/U.S. Government Zeros and U.S. Zeros Receipts (e.g., Treasury Investors Growth Receipt (TIGR), Certificate of Accrual on Treasury Securities (CATS))	
04	Commodities/Futures (except Commodity Options and Financial Futures)	
05	Commodity Options	
06	Options (except Index)	
07	Index Options	
08	Insurance (not annuities)	
09	Mutual Funds (open-ended, includes money market funds)	
10	Certificate of Deposit (CD) (coupon and zero CDs)	
11	Unit Investment Trusts (UITs) (corporate, government and municipal defined asset funds)	
12	Direct Investments (limited partnerships, etc.)	
13	Financial Futures	
14	Equity-OTC (Common and Preferred, New Issues)	
15	Debt-Municipal (bonds, notes and zeros, not Municipal Investment Trusts (MITs))	
16	Debt-Asset Backed (Collateralized Mortgage Obligations (CMOs), credit card receivables, etc.)	
17	Managed/Wrap Accounts (in-house money manager)**	
18	No Product	
19	Managed/Wrap Accounts (outside money manager)**	
20	<u>Variable Annuities</u> - A variable annuity is an insurance company contract that allows the owner to elect to receive immediate or future periodic payments. A variable annuity is purchased, either with a lump sum or over time, with premiums allocated among various, separate account funds offered in the annuity contract. During the accumulation phase, the rate of return and the contract fund value on a variable annuity fluctuates with the performance of the underlying investments in the separate account funds, sometimes called investment portfolios or subaccounts.	
21	Warrants/Rights	
22	Real Estate Investment Trusts (REITS)	
23	Employee/Employer Stock Option Plans (not listed options)**	
24	Equity-Foreign	
25	Debt-Foreign	
26	Exchange Traded Funds (ETFs)	
27	Single Stock Futures	
28	529 Plans**	
29	Hedge Funds	
30	Private Placements (e.g., Private Investments in Public Equity Securities (PIPES), etc.)	
31	Promissory Note	
32	Mortgage (pledged assets, reverse mortgage)	
33	Closed End Funds	
34	Cash Management Accounts (e.g., debit/credit card)**	

Code	Description of Product	(Effective 10/01/2014)
35	Self-Directed Fee Based Accounts (non-managed)**	
36	Contractual Plans/Systematic Investment Plans	
37	Tenant in Common (e.g., 1031 Exchanges)	
38	Money Markets (e.g., commercial paper, Banker's Acceptance (BA), not money market funds) if the matter relates to money markets.	
39	Auction Rate Securities – Municipal Debt	
40	Auction Rate Securities – Corporate Debt	
41	Auction Rate Securities – Closed-End Funds	
42	Structured Products - For the purposes of this reporting, Structured Products are investment instruments designed to facilitate a particular risk-return objective, the performance of which is based on one or more referenced asset, index, interest rate, or other market measure. Some structured products offer full protection of the principal invested, whereas others offer limited or no protection of the principal. Structured Products may be listed on a securities exchange or traded in the over-the-counter market.	
43	Fixed Annuities - A fixed annuity is an insurance contract that is purchased either in a lump sum or over time. A fixed annuity is credited with a fixed or set interest rate and allows the owner to elect to receive immediate or future periodic payments. The insurance company guarantees both earnings and principal.	
44	Equity-Indexed Annuities - An equity-indexed annuity is an insurance company product purchased either in a lump sum or with a series of payments. The insurance company credits the holder with a return that is based on performance of an equity index, such as the S&P 500 Composite Stock Price Index. The insurance company may guarantee a minimum return. After the accumulation period, the insurance company makes periodic payments under the terms of the contract or in a lump sum.	
45	Life Settlements - A life settlement is a financial transaction in which a policy owner sells an existing life insurance policy to a third party for more than the policy's cash surrender value, but less than the net death benefit.	
46	Viatical Settlement - The sale of a terminally ill policy owner's existing life insurance policy to a third party for more than its cash surrender value, but less than its net death benefit. Such a sale provides the policy owner with a lump sum. The third party becomes the new owner of the policy, pays the monthly premiums, and receives the full benefit of the policy when the insured dies.	
47	Private Securities - Securities that are not registered; not listed on an exchange; and otherwise not publicly available for trade.	
48	Non-Broker-Dealer Affiliate Product - Such as banking and insurance instruments or services related to non-broker-dealer affiliate activity and not otherwise characterized by another Product Code.	
49	Exchange-Traded Notes (ETNs) - Senior, unsecured, unsubordinated debt security issued by an underwriting bank designed to provide investors access to the returns of various market benchmarks. ETNs do not actually own anything they are tracking. The note is backed by the credit of the underwriting bank that is promising to pay the amount reflected in the index, minus fees upon maturity.	

** These account types are to be used when the allegations relate specifically to the type of account and not to an underlying security within the account.

Problem Code: (required)

Select the most egregious in the complaint from the following codes.

Code	Description of Problem	(Effective 10/01/2014)
00	Miscellaneous (Sales Practice Only) - "Sales Practice" only ("Non-Sales Practice" Miscellaneous code is "99").	
01	Misrepresentation - Allegations concerning false or misleading statements, claims, comparisons or omissions of material fact. Includes, but is not limited to, assurances and guarantees that are part of either oral or written communications or correspondence from the Registered Representative (RR) to a customer or prospect (not research/trading/investment banker/issuer/sponsor material).	
02	Unauthorized Trading - Allegations concerning one or more transactions that were effected without the customer's specific knowledge and approval. (Note: Not margin liquidation or dividend reinvestment type problems.)	
03	Excessive Trading - Allegations concerning trading that was controlled by the RR and was excessive given the size, frequency, and character of the account in which trading was done solely to generate commissions or other compensation with disregard to the customer's investment objectives.	
04	Suitability - Allegations concerning an unsuitable recommended transaction or investment strategy involving a security or securities, including possible violations of, among others, the following main suitability obligations: reasonable-basis suitability (must perform reasonable diligence to understand the nature of the recommended security or investment strategy involving a security or securities, as well as the potential risks and rewards, and determine whether the recommendation is suitable for at least some investors based on that understanding); customer-specific suitability (must have a reasonable basis to believe that a recommendation of a security or investment strategy involving a security or securities is suitable for the particular customer based on the customer's investment profile); and quantitative suitability (must have a reasonable basis to believe that a series of recommended securities transactions are not excessive where there is control over the account).	
05	Failure to Follow Instructions - Allegations concerning the RR's failure to follow specific instructions from the customer's proper power of attorney holder or authorized parties of corporate or other entity accounts.	
06	Documentation - Allegations concerning material inaccuracies, omissions, or failures to obtain or provide required documents.	

Code	Description of Problem	(Effective 10/01/2014)
07	Solicitation - Allegations concerning improper solicitation of an account or a transaction.	
08	Misappropriation/Forgery - Allegations concerning theft or misappropriation of funds or securities or forgery. (Note: Not dividend reinvestment, customer checking/debit card activity or routine transfer instructions problems.)	
09	Communication with Public - Allegations concerning false or misleading statements, claims, comparisons, or material omissions in communications or correspondence to a customer or prospect (including flyers, retail communications, sales materials and advertisements prepared by the RR).	
10	Disclosure of Fees - Allegations concerning the RR's failure to advise or the RR's incorrect advice of back-end fees associated with the product. (Includes Contingent Deferred Sales Charges (CDSC), surrender penalties, but not commissions or managed account fees.)	
11	Failure to Supervise - Allegations where a customer makes a sales practice complaint against his/her account or registered representative (RR) and also cites a failure to supervise on the part of the named supervisor such as the Branch Office Manager at the time the activity occurred.	
12	Poor Recommendation / Poor Advice - Allegations that a recommendation to purchase, sell or exchange a security constituted poor advice.	
13	Selling Away - Allegations concerning the RR engaging in a securities transaction outside the scope of his or her relationship with the firm and without the knowledge or approval of the firm.	
14	Outside Business Activities - Allegations concerning the RR engaging in an undisclosed business activity (other than a securities transaction) outside the scope of his or her relationship with the firm (e.g., employment with another entity without the knowledge of the firm).	
20	Research - Allegations concerning a transaction(s) that was made based upon a firm's research opinion that allegedly contained a material misstatement(s) or the omission of a material fact(s) communicated to the RR/customer. (This will usually be coded as a "Firm" vs. "RR" problem.)	
21	Product Origination/Investment Banking - Allegations concerning a transaction(s) that was based on investment banking/issuer/sponsor disclosure(s) that allegedly lacked "due diligence" in that such disclosure(s) contained a material misstatement(s) or the omission of a material fact(s) communicated to the RR/customer. (This will usually be coded as a "Firm" vs. "RR" problem.)	
22	Trading - Allegations concerning a transaction(s) that was based on a Trading Department (or support staff) disclosure(s) that contained a material misstatement(s) or the omission of a material fact(s) relating to secondary market conditions or security feature communicated to the RR/customer. (This will usually be coded as a "Firm" vs. "RR" problem.)	
23	Poor Performance - Allegations concerning the poor performance of the customer's account, but does not allege any specific sale practice violations against the RR or attribute damages to a research analyst recommendation. (Not otherwise reportable under Sales Practice Codes 20, 21 or 22.)	
24	Managed Accounts - Allegations concerning the practice of an in-house or outside money manager. (Not to be used when the RR is the money manager and allegations are of a sales practice nature against the RR.)	
25	Marketing/Sales Literature - Allegations concerning false or misleading statements, claims, comparisons or material omissions found in <i>retail communications</i> , advertisements, sales literature and other written firm communications. (Not research trading/investment banking/issuer/sponsor materials.)	
26	Regulation B - Allegations concerning a denial of credit on the basis of race, color, religion, national origin, sex, marital status, age, receipt of income from public assistance programs or good faith exercise of any rights under the Consumer Credit Protection Act (CCPA) (Usually coded as a "firm vs. RR" problem.)	
27	Regulation E - Allegations concerning a failure by the firm to comply with Regulation E – the Electronic Transfer Act. (Usually coded as a "firm vs. RR" problem.)	
28	Regulation S-P - Allegations concerning a failure by the firm to comply with Regulation S-P, which was adopted to implement Title V of the Gramm-Leach-Bliley Act. Pursuant to Regulation S-P, a financial institution must: <ul style="list-style-type: none"> ▪ Disclose to customers - on an initial and annual basis - its policies for collecting and sharing a customer's non-public personal information with affiliated and non-affiliated third parties; ▪ Provide the Firm's customers with the ability to "opt out" of certain disclosures of their non-public personal information to non-affiliated third parties, with certain exceptions; ▪ State the financial institution's security standards to protect a customer's nonpublic personal information. (Usually coded as a "firm vs. RR" problem.) 	
29	Third Party/Anonymous - Allegations received by an unauthorized third party or anonymous source. (Note: If the firm received authorization from the customer subsequent to the receipt of a third party/anonymous complaint, it is obligated to file an amendment via the Firm Gateway application within 45 days of receipt of the authorization to identify the true problem code.)	
30	Complaints Referred to Previous Employer - Allegations received by a firm against a current or previously employed RR regarding activities that occurred at the RR's former employer firm.	
31	Other Theft/Forgery - Allegations concerning theft or misappropriation of funds or securities or forgery against someone other than a RR of the firm.	
32	Identity Theft - Allegations concerning improper use of a customer's social security number or other non-public personal identity information by unauthorized individuals or entities.	
33	Non-Broker-Dealer Affiliate Activity - Non-Broker-Dealer Affiliate activity not otherwise characterized by another Problem Code.	

Code	Description of Problem	(Effective 10/01/2014)
40	<u>Miscellaneous</u> - Firm related complaints only. Non sales practice miscellaneous code is 99. Sales practice miscellaneous code is 00.	
Non-Sales Practice Problem Codes		
50	<u>Transfer of Accounts</u> - Allegations concerning full or partial transfer of a customer's account between broker-dealers. Includes both ACATS and manual transfers and internal transfers between branches.	
51	<u>Receipt and/or Delivery of Securities</u> - Allegations concerning receipt or delivery of any type of security from broker-dealer to a customer or vice versa. Includes lost certificates, delayed securities transfers, non-transferable securities or securities not in transfer because of a fail.	
52	<u>Receipt and/or Disbursement of Funds</u> - Allegations concerning funds received from or disbursed to a customer. Includes checks generated automatically, such as monthly dividend checks, IRS distribution, etc.	
53	<u>Dividend and Interest Problems</u> - Allegations concerning payments or charges of dividends or interest, including stock dividends. Does not include disbursement of automatic monthly dividend checks or margin interest dependencies.	
54	<u>Margin Problems</u> - Allegations concerning margin, including account liquidations, margin call notification and margin interest discrepancies.	
55	<u>Reorganization/Redemption</u> - Allegations concerning stock splits, tenders, mergers, bond/unit trust redemption, and called bonds.	
56	<u>Proxy/Prospectus</u> - Allegations concerning the delay or non-receipt of a proxy, prospectus or shareholder mailing by a customer.	
57	<u>Execution</u> - Allegations concerning non-execution, price discrepancy, delay in entry or report and delay in mutual fund purchases and redemptions.	
58	<u>Statement/Confirms</u> - Allegations concerning physical characteristics and representation of statements/confirms, failure to receive statement/confirms and questions regarding the reported price, value of or failure to value, a security.	
59	<u>Tax Reporting</u> - Allegations concerning tax reporting on behalf of or to clients. Includes 1099, TEFRA withholding, K-1, W2-p, 5498 and Year-to-Date information appearing on monthly statements as well as any other tax reporting forms.	
60	<u>Fees and Commissions</u> - Allegations concerning customary fees (custodial, administrative), service charges (bounced checks, lost certificate, replacement, etc.) and commissions/markups (markdowns) and wrap fees.	
61	<u>Account Administration and Processing</u> - Allegations concerning daily activity in a customer's account (e.g., trade corrections, journal entries, un-invested credit balances, and erroneous or missing positions in account).	
62	<u>On-Line Trading</u> - Allegations concerning trading initiated by a client on-line, (including non-execution, price discrepancy, delays in execution and delays in trade confirmation).	
63	<u>Service Issues</u> - Allegations concerning inadequate or unsatisfactory service from the firm or any of its employees.	
64	<u>PATRIOT Act Liquidation</u> - Allegations concerning the liquidation of an account due to the firm's inability to confirm the customer's identity as per Section 326 of the PATRIOT Act or failure to obtain foreign bank certifications per Section 313 and 319(b) of the PATRIOT Act.	
65	<u>Account Administration and Processing — Account Opening</u> - Allegations concerning problems establishing a new account (e.g., delays in opening account, and issues with account type and documentation).	
66	<u>Account Administration and Processing - Account Maintenance</u> - Allegations concerning non-transaction-related problems with existing accounts (e.g. address changes, investment objective changes, title changes and account closing issues).	
67	<u>On-Line Issues</u> - Allegations concerning access and functionality of a firm's online system (connectivity and navigation).	
68	<u>Firm Policy</u> - Allegations concerning a customer's dissatisfaction with the RR or the firm as a result of a firm policy or procedure (that is not otherwise better characterized by another Problem Code).	
99	<u>Miscellaneous (Non-Sales Practice Only)</u> - "Non-Sales Practice" only ("Sales Practice" Miscellaneous code is "00").	

Complaint Date: (required)

Enter the date that the complaint letter was first received by the member firm (not when a particular department of the member firm received it). If the complaint was received after business hours and was time-stamped the next day, that date may be used as the receipt date. Members may utilize a date-stamp/timestamp machine to reflect the date/time of receipt, or manually write it in if no other means is available. If no evidence of the date and time of receipt are reflected on the document, then the date of the letter will be viewed as the date of receipt.

Response Date:

This is the date that the member firm responded to the complaint.

Investigator Name:

If the complaint was investigated by the member firm, enter the name of the investigator.

Related To:

Select all of the categories that apply to the complaint. If a registered rep is involved in the complaint, then enter the registered rep information.

Branch #: (required)

Enter the CRD Branch Number for where the alleged activity occurred or where the Rep is or was located. You may enter "HOME" if the complaint is related to a residential office that does not meet the Branch Office definition and therefore does not have a CRD Branch Number.

Registered Rep Information:

If the Registered Rep, is selected in the Related To field, then you must enter ALL of the following:

- **Rep CRD Number:** Enter the CRD number of the rep named in the complaint.
- **Supervisor Name:** Enter the name of the representative's supervisor.

Customer Account #:

Enter the account number of the account referenced in the complaint or the customer making the allegation.

Customer Name: (required)

Members firms must provide the first and last names of the complaining investor.

- When the customer is not a proper name, such as for institutional or "for the benefit of" type accounts, the account title must be entered in the last name field the way the account is reflected on the organization's books and records. Do not abbreviate the account title.
- **Third-party complaints:** Enter the term "third party" or use the customer's name in the last name field.
- **Attorney writing on behalf of client:** Enter the customer's name.
- **Investment advisory accounts:** Enter the entire title. For example, "ABC Advisory for the Benefit of Joe Doe."
- **Anonymous complaints:** Write "anonymous" in the last name field.

Security Info: (required)

This field is for the description of the security related to the predominant allegation(s) in the complaint. If the security has a symbol, it must be used. Member firms may enter up to three valid securities symbols. If a complaint is not related to a security, then "not applicable" must be used. If the security name is included in the complaint but the symbol is not included, the symbol should be obtained by the member. For instances where there are no security symbols, such as variable annuities, free-form text must be utilized to identify the security. A maximum of three securities relating to the predominant problem and product allegation can be included.

Allegation Activity Dates From _____ To _____: (required)

The allegation activity period is required for all complaints if stated within the body of the letter or gleaned from enclosed information such as an account statement or confirmation. The system will allow zeros in the month or day fields for those instances where all such precise dates are not known (for example, when the specific day of the month is not known, but the month and year is known, you may enter "mm/00/yyyy"). The activity "from" date must be less than or equal to the filing submission date. The activity "to" date must be less than or equal to the filing submission date and equal or subsequent to the activity "from" date. For example, when the alleged activity is for a specific day, the activity "from" and "to" dates will be the same.

Disputed Amount: (required)

This field is required for Sales Practice Related Problems.

The **alleged compensatory damages** should be classified as follows:

- Enter the specified amount in whole dollars (if included in complaint) \$ _____.
Otherwise:
 - Select the radio button when the compensatory damages amount is not specified but is believed to be \$5,000 or more, or if you cannot determine the amount per a good faith effort.
 - Select the radio button when the compensatory damages amount is not specified but is believed to be under \$5,000, or when it is determined there is no alleged or potential monetary damages related to the dispute. Members firms must provide the amount of alleged compensatory damage in the complaint for sales practice complaints. If a specific amount is included in the complaint, it must be used. When a specific amount is not included, members are required to make a good faith estimate.

Total Amount:

Total investment amount of all transactions named in the complaint (whole dollars). This is not a required field.

Comments:

Enter any comments you would like regarding this complaint. Our examiners may not need to contact you if you describe any extenuating circumstances here.

Frequently Asked Questions

Q: What should our firm enter in the Activity From: _____ To: _____ fields if the activity is alleged or known to be ongoing?

A: Since the 4530 Application requires the "Activity" From date be equal or prior to the filing submission date, and the "Activity To" date be equal or prior to the filing submission date and equal or subsequent to the Activity From date, provide an explanation in the Comment field if the activity is alleged or known to be ongoing.

Q: What defines a "Customer Complaint" for purposes of reporting statistical and summary information pursuant to Rule 4530(d)?

A: For purposes of reporting statistical and summary written customer complaint information pursuant to Rule 4530(d), a "customer" includes any person, other than a broker or dealer, with whom the member has engaged in securities activities. The member must report any written grievance by such person involving the member or a person associated with the member. Note that the same complaint may also be required to be reported as an event pursuant to 4530(a)(1)(B) if it involves allegations of theft or misappropriation of funds or securities, or of forgery.

Q: If our firm receives a written complaint that names more than one associated person, should we submit one complaint filing?

A: No, you need to report the complaints as separate filings for each associated person.

Q: What kind of information is expected to be placed in the "Comment" field (which is an optional field)?

A: Any additional information regarding a customer complaint or disclosure event that a member believes may be useful to the FINRA staff.