

IMPORTANT RENEWAL NOTICE

TO: Nebraska Registered Investment Advisers
FROM: Nebraska Department of Banking and Finance
DATE: November 1, 2022
SUBJECT: 2023 CRD/IARD Investment Adviser and Investment Adviser Representative Registration Renewal Notice

State-registered investment adviser (IA) and investment adviser representative (IAR) registrations expire in Nebraska on December 31, 2022. Please review this document and checklist carefully as some requirements may have changed from previous years.

Refer to the timetables and payment schedule found in the IARD 2023 Renewal Program as set forth by FINRA at: <https://www.iard.com/renewal-program> for guidance in connection with 2023 Renewals.

All renewal payment fees must be submitted through CRD/IARD before December 12, 2022. All required electronic form filings must be submitted through CRD/IARD before December 22, 2022. All Nebraska specific forms and documentation (below) are due by December 16, 2022, via the secure Sharefile link emailed to firm contact identified on the Form ADV. If you did not receive an email with the ShareFile link, please contact the Department at DOB.SecuritiesBureau@Nebraska.gov. Failure to meet any of the above deadlines means you will no longer have an investment adviser and/or investment adviser representative registration in Nebraska on January 1, 2023; therefore, you will be unable to conduct any investment advisory business.

SUBMIT THE FOLLOWING DOCUMENTS TO NEBRASKA BY DECEMBER 16, 2022.

Please complete and include the accompanying Checklist with your remittance via the secure Sharefile link.

1. A current audited Financial Statement is required **if your firm has custody** of client funds. **If your firm does not have custody**, submit a Balance Sheet prepared in accordance with generally accepted accounting principle standards, ("GAAP"), signed by an officer or owner of the firm and attesting that the Balance Sheet is true and accurate ([48 NAC 7.009.02](#)). Financial documents must be current (within 90 days) of the investment adviser's current registration, i.e., dated no earlier than September 30, 2022.
2. A surety bond of \$25,000, if applicable. An IA with a principal office and place of business in Nebraska is required to maintain a minimum net capital of \$25,000 at all times or post a surety bond of \$25,000. An IA with a principal office and place of business located outside of Nebraska must be in compliance with the net capital requirements of its home state. Net capital may not include certain assets described in [48 NAC 7.008.03](#).

3. A copy of all Investment Adviser contracts or agreements including, but not limited to: client contracts, asset management agreements, financial planning agreements, contracts with other Investment Advisers, co-adviser agreements, sub-adviser agreements, third party adviser agreements, or solicitor agreements.

Refer to Title 48, Chapters 7 and 9 of the Department Rules for details pertaining to renewal of state registered investment advisers and investment adviser representatives, available at:

<https://ndbf.nebraska.gov/about/legal/administrative-rules-and-regulations>. Conducting business without renewing on a timely basis is a violation of the Securities Act of Nebraska and may result in Departmental regulatory action.

If your fees and information are not submitted when required, your registration will be systematically terminated as of January 1, 2023.

As a reminder, Form ADV Annual Updating Amendments are due through IARD, no later than March 31, 2023, or within 90 days of your fiscal year end.

Rodney Griess

Registration and Compliance Manager

402-471-2171

2023 Nebraska Investment Adviser Renewal Checklist

Investment Adviser (firm name): _____

Firm CRD/IARD Number: _____

Name of contact person for renewal: _____

Individual CRD Number: _____

Telephone: _____

E-Mail: _____

Custody:

Do you have custody of client funds or securities? Yes No

If **yes**, please remit Audited Financials. If **no**, please remit a Certified Balance Sheet prepared in accordance with GAAP.

Surety bond:

Do you maintain a minimum net capital of at least \$25,000 or are otherwise not required to submit a surety bond? Yes No

If **no**, please submit a copy of a surety bond in the amount of \$25,000.

Investment Adviser Contracts:

Have any contract(s) been amended since last year? Yes No

If **yes**, please include a copy of the amended contract(s) clearly identifying the amendment. (Red-line or highlight preferred.)

On behalf of the above-named Investment Adviser, I represent that I have authority to execute this document. **I understand that failure to fully comply with all renewal requirements may result in termination of Investment Adviser registration.**

Signature

Date

Printed Name & Title