
COMPLIANCE MEMO

Subject: CRS Delivery
Date: March 21 2022
To: Kingswood and Benchmark
From: Compliance

Kingswood and Benchmark,

As you know, the team has been engaged in an enormous effort to build out the platform for both Kingswood and Benchmark. The goal is to streamline all aspects of the firms process including sales, administration, operations and compliance.

We recently covered Form CRS requirements on the January 24th zoom call, specifically the following delivery requirements:

Delivery of Form CRS

Similarly, under Rule 17a-14 of the Exchange Act, a broker-dealer must deliver its Form CRS to each retail investor it provides services. Importantly, this Form CRS disclosure requirement is broader than Regulation Best Interest's applicability that applies to broker-dealers that make recommendations to an investor. Specifically, under Rule 17a-14 of the Exchange Act, the broker-dealer must deliver the Form CRS:

1. *to each retail investor before or at the earliest of:*
 - *a recommendation of an account type, a securities transaction or an investment strategy involving securities.*
 - *placing an order for the retail investor; or*
 - *the opening of a brokerage account for the retail investor.*
2. *to each existing retail investor before or at the time the firm:*
 - *opens a new account.*
 - *recommends that the retail investor customer roll over assets from a retirement account into a new or existing account or investment;*
 - *or recommends or provides a new brokerage service or investment that does not necessarily involve the opening of a new account and would not be held in an existing account*

Benchmark and Kingswood have been working together on a CRS Delivery and Log system to make all aspects of the Form CRS requirements more efficient. Please follow the instruction in the Memo email.

Sincerely,

Tyler Bashaw

Starting Monday, March 28th, the new “Form CRS Delivery” web-based form will be used to log delivery. Any applications using the POR form with a sent date of after that March 28th will not be accepted. If investor has an email, the system can deliver the form. See the following procedures:

1. Click <https://www.cognitoforms.com/Benchmark16/FormCRSDelivery> (*bookmark this link*)
2. For Email Delivery: Enter required information including Email and click submit. The Form CRS will be automatically emailed to investor and logged into the system
3. For “Mail” or “In Person” Rep is attesting to have delivered Form CRS on “Delivery Date.” Address is required for any delivery method besides email, including “existing client” Click Submit
4. After the Submit is clicked, the delivery is logged, and you will receive a confirmation sent to your email. This confirmation will be used in place of the POR form. It must be included in any account application as well as any other situation described in above *Delivery of Form CRS*.