

# Ann Poloko, LLC

This brochure provides information about Ann Poloko, LLC (“Advisor” or “Firm”) qualifications and business practices. If you have any questions about the contents of this brochure, please contact us at (714) 508-4818 or by email at [ann@annpoloko.com](mailto:ann@annpoloko.com). The information in this brochure has not been approved or verified by the United States Securities and Exchange Commission (SEC) or by any State Securities Authority.

Additional information about Ann Poloko, LLC is also available on the Investment Adviser Public Disclosure (IAPD) website [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov) (select “Firm” and type in “Ann Poloko, LLC”). Results will provide you both Part 1 and 2 of our Form ADV.

We are a registered investment advisory firm. Our registration does not imply any level of skill or training. The oral and written communications we provide to you, including this brochure, are for you to evaluate us. Please use this information as factors in your decision to hire us or to continue our business relationship.

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**ITEM 1 – COVER PAGE ADV PART 2 A**

MARCH 26, 2018

CRD #: 290220

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## **ITEM 2 – MATERIAL CHANGES**

This brochure, dated March 26, 2018, has been prepared by Ann Poloko, LLC to meet state requirements. This section only address material changes that have been incorporated since our last annual posting of this document on the public disclosure website (IAPD) [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov).

Changes since November 29, 2017 filing:

- ITEM 4 – Updated Assets Under Management
- ITEM 11: Added language regarding Compliance with the Department of Labor Fiduciary Rule

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## ITEM 4 – ADVISORY BUSINESS

### 4a: Firm Description

Ann Poloko, LLC was established in 2017 by Ann Poloko. Our main office is located in Tustin, California.

#### 4a1: Principal Member

- Ann Poloko, Manager/Chief Compliance Officer: Ms. Poloko may be contacted by email at [ann@annpoloko.com](mailto:ann@annpoloko.com) or by telephone at (714) 508-4818.

### 4b: Types of Advisory Services

Ann Poloko, LLC offers a variety of investment advisory services to our clients with discretionary and non-discretionary authority. Ann Poloko, LLC's services include investment management, financial planning and consulting services. Prior to providing advisory services, clients are required to enter into a written agreement with Ann Poloko, LLC.

#### *Investment Management Services*

We work with our clients to identify their investment goals and objectives as well as risk tolerance in order to create an initial portfolio allocation designed to complement their clients' financial goals and objectives. We may create a portfolio, consisting of, but not limited to individual stocks or bonds, exchange traded funds, no-load funds and/or load-waived funds (front-end commissions will not be charged). Ann Poloko, LLC may also use the following alternative investments in your portfolio: Real Estate Investment Trusts (REITs) and Business Development Companies (BDCs). Ann Poloko, LLC also provides recommendations to clients with respect to the selection of third party investment managers that will manage the client's portfolio on a customized separate account basis. Prior to introducing clients to another investment adviser ("IA") Ann Poloko, LLC will be responsible for determining whether the IA is properly licensed or registered as an investment adviser.

Each portfolio will be initially designed to meet a particular investment goal which Ann Poloko, LLC has determined to be suitable to our client's circumstances. Once the appropriate portfolio has been determined, we will review the portfolio and rebalance the account based upon our client's individual needs, stated goals and objectives. Ann Poloko, LLC's strategy, generally, will be to seek to meet client investment objectives while providing clients with access to personal advisory services. Ann Poloko, LLC may also provide advice about any type of legacy position or other investment held in client portfolios.

#### *Financial Planning Services and Consulting Services*

Ann Poloko, LLC offers a broad range of financial planning and consulting services for our clients. The plan considers all of your assets, liabilities, goals and objectives and includes gathering all information necessary to provide you with appropriate and agreed upon services, which may include one or more of the following:

- Investment Planning
- Retirement Planning
- Capital Needs Analysis (Goal Funding)
- Tax Planning
- Trust and Estate Planning
- Education Planning
- Budgeting and Cash Flow Planning
- Debt Management
- Business Planning
- Charitable Giving
- Risk Management (Life and Disability Insurance)
- Disability Planning and Income Protection
- Insurance Planning

You are encouraged to review your plans on a regular basis.

Financial Planning includes, in all or part, but is not limited to, the preparation of a financial plan by an Investment Advisor or an associated person of an Investment Advisor for an investment advisory client which may include an estate or tax planning recommendation, an annual or periodic review of a financial plan, the management and/or monitoring of a client's investments under a financial plan, a provision of information and/or advice to a client regarding the purchase and/or sale of securities, real estate, insurance contracts, annuities contracts, or any types of real or personal property under a financial plan.

#### **4c: Client Tailored Relationships and Restrictions**

As a fiduciary, Ann Poloko, LLC always acts solely in your best interests. Your portfolio is customized based on your investment objectives. You may make requests or make suggestions regarding the investments made in your portfolio. Restrictions on trading which, in our opinion, are not in your best interest cannot be honored and if forced may result in the termination of our agreement.

Similarly, you are under no obligation to act upon Ann Poloko, LLC's or associated person's recommendations. If you elect to act on any of the recommendations, you are under no obligation to effect the transaction through Ann Poloko, LLC or its associated person when the person is an agent with a licensed broker-dealer or through any associate or affiliate of such person.

#### **4d: Wrap Fee Program**

Ann Poloko, LLC offers Ann Poloko, LLC Wrap Program, where appropriate, to interested prospects and advisory clients. Ann Poloko, LLC Wrap Program may utilize different custodians for the wrap fee program. For more detailed information regarding our wrap fee program, please read the Ann Poloko, LLC Wrap Program brochure.

#### **4e: Assets under Management (AUM)**

Ann Poloko, LLC, as of December 29, 2017 has \$45,489,547 in discretionary reportable assets under management and \$0 in non-discretionary reportable assets under management for a total of \$45,489,547 in assets under management.

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## **ITEM 5 – FEES AND COMPENSATION**

### **5a, b, c & d: Fee Schedules, Payments & Options**

#### *Investment Management*

**Standard Annual Management fee is 1.00% of the market value of the account.**

Fees are negotiable. Fees may differ based on a number of factors:

- Size of the relationship – Larger accounts may receive more favorable pricing.
- Level of services needed – Accounts requesting more services may have higher fees.
- Trading activity and active portfolio management – actively managed accounts generally have higher fees than fixed income accounts, buy and hold portfolios, and mutual fund or exchange traded fund accounts.
- Comprehensive Financial Planning

For purposes of determining value, securities and other instruments traded on a market for which actual transaction prices are publicly reported are valued at the last reported sale price on the principal market in which they are traded. In those rare instances where the custodian is unable to obtain a price and Ann Poloko, LLC strongly believes the custodian is not pricing a security fairly, Ann Poloko, LLC will determine a fair value for that security. Ann Poloko, LLC will attempt to obtain a quote from at least one independent pricing source, preferably two or more. Ann Poloko, LLC's assigned valuations will be consistent with its fiduciary duty to act in the best interest of the client. Ann Poloko, LLC will also notify the client and document the rationale used to establish a fair valued price for the security. Clients may file a written dispute, including their rationale, with Ann Poloko, LLC if they disagree with Ann Poloko, LLC's valuations.

The fee includes the time and activities necessary to work with your attorney and/or accountant in reaching agreement on solutions, as well as assisting them in implementation of all appropriate documents. We are not responsible for attorney or account fees charged to you as a result of the above activities.

Compensation for our services will be calculated in accordance with what is set in the client agreement. We may modify the terms of any agreement by written changes submitted to the client for signature. While we strive to maintain competitive fees, the same or similar services may be available from other firms at higher or lower fees.

Ann Poloko, LLC possesses written authorization from the client to deduct advisory fees from an account held by a qualified custodian. Ann Poloko, LLC sends the qualified custodian written notice of the amount of the fee to be deducted from the client's account. Ann Poloko, LLC sends the client a written invoice itemizing the fee, including any formula used to calculate the fee, the time period covered by the fee and the amount of assets under management on which the fee was based. Ann Poloko, LLC fees are paid from your account by the custodian when we submit an invoice to them. If there is insufficient cash in your account to pay your fees, an equal balance of securities in your portfolio may be sold to pay our fee. In addition to our fees, there may be custodial, mutual fund, 12b-1 fees or similar third party management fees and charges.

Ann Poloko, LLC fees are paid quarterly in advance, with payment due within 10 days from the date of the invoice. Our fee is determined by taking the percentage rate we charge, divided by four, times the market value of the account. The market value is the sum of the values of all assets in the account, not adjusted by any margin debit. In cases where there are partial fees at the commencement or termination of our agreement, they will be billed or refunded on a pro-rated basis contingent on the number of days. Quarterly fee adjustments for additional assets received into the account during a quarter or for partial withdrawals will also be provided on the above pro rata basis.

Clients may cancel the Investment Advisory Agreement within 5 business days of entering into the contract, without penalty.

#### *Financial Planning and Consulting Fees*

Fees for financial planning and consulting services are based on a fixed rate. The fees are negotiable, but generally range from \$1500 to \$2500 depending upon the scope and complexity of the services and rendering of the financial planning and/or consulting services. These arrangements will be defined and agreed upon by both parties via the financial planning agreement. For clients who also engage Ann Poloko, LLC for investment management services, we may waive or offset all or a portion of its fees for the financial planning and/or consulting services.

Ann Poloko, LLC generally requires the entire fee upon execution of the Financial Planning Agreement, however, Ann Poloko, LLC does not take receipt of more than \$500 in fees per client six (6) months in advance.

Lower fees for comparable services may be available from other sources. If a conflict exists between the interests of the Advisor or its associated persons and the interest of the client, the client is under no obligation to act upon this Advisor's or associated person's recommendations. If the client elects to act on any of the recommendations, the client is under no obligation to effect the transaction through the Advisor or its associated person when the person is an agent with a licensed broker-dealer or through any associate or affiliate of such person.

#### **5c: Third Party Fees**

In cases where a third party investment advisor or portfolio manager is used, those fees are separate and distinct from the fees we charge and may be automatically deducted from your account or in certain instances, billed via a separate invoice. If invoiced, the full balance is due within (30) days of invoice. In certain circumstances a portion of our fees may be used to pay them. The specific fees and other terms and conditions under which a client engages a third party portfolio manager will be set forth in a separate written agreement with the designated outside portfolio manager. Fees for third party portfolio managers range from .5% to 1% of assets under management. The combination of fees for Ann Poloko, LLC and third-party managers will not exceed the industry standard of excessive fees which is 3%.

You are responsible for the payment of all third party fees (i.e. custodian fees, mutual fund fees, 12b-1 fees, transaction fees, etc.). Those fees are also separate and distinct from the fees we charge. Ann Poloko, LLC does the best we can to minimize all fees and transaction costs.

All brokerage commissions, stock transfer fees, 12b-1 fees and other similar charges incurred in connection with transactions for the account will be paid out of the assets in the account and are in addition to the investment management fees paid to us. While we take measures to ensure the fees charged are accurate, it is your responsibility to ensure the amount of fee charged is correct. In addition to statements sent by us, you will receive statements directly from these brokers, custodians or mutual funds or other investments you hold. We strongly urge you to compare these statements for accuracy.

#### **5.d: Termination**

Either Ann Poloko, LLC or our clients can terminate our agreement upon receipt of written notice to the other party, to include written agreement to changes by the client.

When an agreement is terminated, we will refund any pre-paid, unearned fees based on the number of days remaining in the quarter after termination. Refunds will be made in the month following the end of the quarter in which the contract was terminated.

When an agreement is terminated, all assets may need to be transferred from the current custodian. You will be responsible for paying all fees including full quarterly custodial administrative fees, account closure fees, mutual fund fees and all trading costs due to the termination. The custodian may assess additional fees for transfer of illiquid investments. If there is insufficient cash in the account, the liquidation of some securities may be used to pay the fees. Prior to termination of an agreement, we can provide a good-faith estimate of these fees.

#### **5e: Other Investment Compensation**

Ann Poloko, LLC does not accept commission for the sale of securities or other investment products, including asset-based sales charges or service fees from the sale of mutual funds.

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### **ITEM 6 – PERFORMANCE-BASED FEES AND SIDE-BY-SIDE MANAGEMENT**

Ann Poloko, LLC does not charge advisory fees on the performance of funds or securities in your account.

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### **ITEM 7 – TYPES OF CLIENTS**

Ann Poloko, LLC generally provides asset management and financial planning services to the following types of clients:

- Individuals
- High-Net-Worth Individuals
- Pensions and Profit Sharing Plans
- Trusts
- Estates
- Non-Profit Organizations
- Corporations

Minimum Account Size: Ann Poloko, LLC does not have an account minimum.

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## ITEM 8 – METHODS OF ANALYSIS, INVESTMENT STRATEGIES AND RISK OF LOSS

### 8a: Analysis

In determining the recommendations to give to you, we first gather and consider information regarding several factors including our client's:

- Current financial situation;
- Investment goals and objectives;
- Current and long-term needs;
- Tolerance and appetite for risk; and
- Level of investment knowledge.

Ann Poloko, LLC uses multiple sources of information to obtain analysis and strategies. They include sources such as financial newspapers, financial magazines, research prepared by others, corporate rating services, prospectuses, company press releases, annual reports and filings with the SEC.

Ann Poloko, LLC's methods of analysis include Charting analysis, Cyclical analysis, Fundamental analysis, Modern portfolio theory, Quantitative analysis and Technical analysis.

*Charting analysis* involves the use of patterns in performance charts. Ann Poloko, LLC uses this technique to search for patterns used to help predict favorable conditions for buying and/or selling a security.

*Cyclical analysis* involves the analysis of business cycles to find favorable conditions for buying and/or selling a security.

*Fundamental analysis* involves the analysis of financial statements, the general financial health of companies, and/or the analysis of management or competitive advantages.

*Modern portfolio theory* is a theory of investment that attempts to maximize portfolio expected return for a given amount of portfolio risk, or equivalently minimize risk for a given level of expected return, each by carefully choosing the proportions of various asset.

*Quantitative analysis* deals with measurable factors as distinguished from qualitative considerations such as the character of management or the state of employee morale, such as the value of assets, the cost of capital, historical projections of sales, and so on.

*Technical analysis* involves the analysis of past market data; primarily price and volume.

### 8b: Investment Strategies

Ann Poloko, LLC uses long term trading and short term trading.

Long term trading is designed to capture market rates of both return and risk. Due to its nature, the long-term investment strategy can expose clients to various types of risk that will typically surface at various intervals during the time the client owns the investments. These risks include but are not limited to inflation (purchasing power) risk, interest rate risk, economic risk, market risk, and political/regulatory risk.

Short term trading risks include liquidity, economic stability, and inflation, in addition to the long term trading risks listed above. Frequent trading can affect investment performance, particularly through increased brokerage and other transaction costs and taxes.

### 8c: Risk of Loss

All investments include a risk of loss that clients should be prepared to bear. Performance of any investment is not guaranteed. We use our best efforts and expertise to manage your assets. However, we cannot guarantee any level of performance or that you will not experience financial loss.



*Charting analysis* strategy involves using and comparing various charts to predict long and short term performance or market trends. The risk involved in using this method is that only past performance data is considered without using other methods to crosscheck data. Using charting analysis without other methods of analysis would be making the assumption that past performance will be indicative of future performance. This may not be the case.

*Cyclical analysis* assumes that the markets react in cyclical patterns which, once identified, can be leveraged to provide performance. The risks with this strategy are two- fold: 1) the markets do not always repeat cyclical patterns; and 2) if too many investors begin to implement this strategy, then it changes the very cycles these investors are trying to exploit.

*Fundamental analysis* concentrates on factors that determine a company's value and expected future earnings. This strategy would normally encourage equity purchases in stocks that are undervalued or priced below their perceived value. The risk assumed is that the market will fail to reach expectations of perceived value.

*Modern portfolio theory* assumes that investors are risk averse, meaning that given two portfolios that offer the same expected return, investors will prefer the less risky one. Thus, an investor will take on increased risk only if compensated by higher expected returns. Conversely, an investor who wants higher expected returns must accept more risk. The exact trade-off will be the same for all investors, but different investors will evaluate the trade-off differently based on individual risk aversion characteristics. The implication is that a rational investor will not invest in a portfolio if a second portfolio exists with a more favorable risk-expected return profile – i.e., if for that level of risk an alternative portfolio exists which has better expected returns.

*Quantitative analysis* Investment strategies using quantitative models may perform differently than expected as a result of, among other things, the factors used in the models, the weight placed on each factor, changes from the factors' historical trends, and technical issues in the construction and implementation of the models.

*Technical analysis* attempts to predict a future stock price or direction based on market trends. The assumption is that the market follows discernible patterns and if these patterns can be identified then a prediction can be made. The risk is that markets do not always follow patterns and relying solely on this method may not take into account new patterns that emerge over time.

Clients should be aware that there is a material risk of loss using any investment strategy. The investment types listed below (leaving aside Treasury Inflation Protected/Inflation Linked Bonds) are not guaranteed or insured by the FDIC or any other government agency.

*Mutual Funds:* Investing in mutual funds carries the risk of capital loss and thus you may lose money investing in mutual funds. All mutual funds have costs that lower investment returns. The funds can be of bond "fixed income" nature (lower risk) or stock "equity" nature.

*Exchange Traded Funds (ETFs):* An ETF is an investment fund traded on stock exchanges, similar to stocks. Investing in ETFs carries the risk of capital loss (sometimes up to a 100% loss in the case of a stock holding bankruptcy). Areas of concern include the lack of transparency in products and increasing complexity, conflicts of interest and the possibility of inadequate regulatory compliance. Precious Metal ETFs (e.g., Gold, Silver, or Palladium Bullion backed "electronic shares" not physical metal) specifically may be negatively impacted by several unique factors, among them (1) large sales by the official sector which own a significant portion of aggregate world holdings in gold and other precious metals, (2) a significant increase in hedging activities by producers of gold or other precious metals, (3) a significant change in the attitude of speculators and investors.

*Annuities* are a retirement product for those who may have the ability to pay a premium now and want to guarantee they receive certain monthly payments or a return on investment later in the future. Annuities are contracts issued by a life insurance company designed to meet requirement or other long-term goals. An annuity is not a life insurance policy. Variable annuities are designed to be long-term investments, to meet retirement and other long-range goals. Variable annuities are not suitable for meeting short-term goals because substantial taxes and insurance company charges may apply if you withdraw your money early. Variable annuities also involve investment risks, just as mutual funds do.

*Equity* investment generally refers to buying shares of stocks in return for receiving a future payment of dividends and/or capital gains if the value of the stock increases. The value of equity securities may fluctuate in response to

specific situations for each company, industry conditions and the general economic environments.

*Fixed income* investments generally pay a return on a fixed schedule, though the amount of the payments can vary. This type of investment can include corporate and government debt securities, leveraged loans, high yield, and investment grade debt and structured products, such as mortgage and other asset-backed securities, although individual bonds may be the best known type of fixed income security. In general, the fixed income market is volatile and fixed income securities carry interest rate risk. (As interest rates rise, bond prices usually fall, and vice versa. This effect is usually more pronounced for longer-term securities.) Fixed income securities also carry inflation risk, liquidity risk, call risk, and credit and default risks for both issuers and counterparties. The risk of default on treasury inflation protected/inflation linked bonds is dependent upon the U.S. Treasury defaulting (extremely unlikely); however, they carry a potential risk of losing share price value, albeit rather minimal.

*Real Estate Investment Trusts (REITs)*. A REIT, or real estate investment trust, is a company that owns – and typically operates – income-producing real estate or real estate-related assets. *Publicly traded REITs* are listed on an exchange and can be purchased or sold with relative ease. An investment in publicly traded REITs is typically a liquid investment. *Non-traded REITs* are **not** listed on an exchange. Non-traded REITs are illiquid investments, which mean that they cannot be sold readily in the market. Non-traded REITs typically charge high upfront fees to compensate a firm or individual selling the investment and to lower their offering and organizational costs. *Distributions may come from principal*. The initial distributions may not represent earnings from operations since non-traded REITs often declare these distributions prior to acquiring significant assets. Because non-traded REITs are not publicly traded, there is no market price readily available. *Conflicts of interest*. Non-traded REITs are typically externally managed, meaning the REITs do not have their own employees. External managers may manage or be affiliated with other companies that may compete with the REIT in which you are invested or that are paid by the REIT for services provided, such as property management or leasing fees.

*Business Development Companies (BDCs)*. Business development companies (BDCs) were created by the U.S. Congress to stimulate investments in privately owned American companies. Today's market offers traded and non-traded BDC options for investors seeking to add private debt investments to a portfolio. *Traded BDCs* may provide investors with the benefit of higher liquidity. However, their share values may be influenced by general market sentiment and have higher correlation to the traded market. *Non-traded BDCs* combine the capital of many investors to own debt or finance a portfolio of businesses. These companies, in turn, intend to make earnings or interest payments to the non-traded BDC, whose objective is to pass qualifying income to its investors through distributions. Some risk considerations of non-traded BDCs include: Limited liquidity and a redemption plan that is subject to suspension, modification and/or termination at any time; Liquidations at less than the original amount invested; Distributions that are not guaranteed in frequency or amount and may be paid from other sources than earnings; and Limited operating history and reliance on the advisor, conflicts of interest, and payment of substantial fees to the advisor and its affiliates.

*Use of Third Party Investment Managers*. Ann Poloko, LLC may select certain third party investment managers to manage a portion of its clients' assets. In these situations, Ann Poloko, LLC continues to conduct ongoing due diligence of such managers, but such recommendations generally rely on the third party investment managers' ability to successfully implement their investment strategies. In addition, Ann Poloko, LLC generally may not have the ability to supervise the third party investment managers on a day-to-day basis.

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## ITEM 9 – DISCIPLINARY INFORMATION

### 9a: Civil or Criminal Actions

Ann Poloko, LLC and its managers have never been found guilty, convicted or plead no contest to a criminal or civil action in a domestic, foreign or military court.

### 9b: Administrative Enforcement Proceedings

Ann Poloko, LLC and its managers have never been found by the SEC, any other state or federal agency or any foreign regulatory agency to have caused loss of the ability of an investment-related business to do business or been sanctioned, barred or limited in investment-related activities.

### 9c: Self-Regulatory Organization Enforcement Proceedings

Ann Poloko, LLC and its managers have never been found by a self-regulatory agency to have caused loss of the ability

of an investment-related business to do business. Additionally, Ann Poloko, LLC and its managers have never been found in violation of self-regulatory agencies rules such that they were barred, suspended, limited in advisory functions or fined.

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## **ITEM 10 – OTHER FINANCIAL INDUSTRY ACTIVITIES AND AFFILIATIONS**

### **10a: Broker Dealers and Registered Representatives**

Ann Poloko, LLC is not registered as a broker-dealer and our employees are not registered representatives of any broker-dealer.

### **10b: Registration as a Futures Commission Merchant, Commodity Pool Operator, or a Commodity Trading Advisor**

Neither Ann Poloko, LLC nor our employees hold any of the above registrations.

### **10c: Registration Relationships Material to this Advisory Business and Possible Conflicts of Interests**

The principal business of Ann Poloko, LLC is that of a registered investment advisor and provider of financial planning services. Some of our associated persons may be insurance agents. When acting in the capacity of an insurance agent, the advisor and associated persons may receive the usual and customary commissions or fees associated with the insurance products that the client purchases. Receiving commissions on insurance products may cause a conflict of interest. At all times, you are free to choose an outside agency to avoid the possibility of there being a conflict of interest.

Ann Poloko, LLC will disclose any material conflict of interest relating to Ann Poloko, LLC, our representatives, or any of our associates which could reasonably be expected to impair the rendering of unbiased and objective advice.

### **10d: Selection of Other Advisors and How this Advisor is Compensated for those Selections**

Ann Poloko, LLC is not paid for the selection of other advisors, asset managers or portfolio managers.

For California Residents: Ann Poloko, LLC adheres to the California Code of Regulations, Title 10 Section 260.238 (k), (1), (2) and (o) which prohibits investment advisers from:

(k) Failing to disclose to a client in writing before entering into or renewing an advisory agreement with that client any material conflict of interest relating to the adviser, its representatives or any requires that of its employees, which could be reasonably expected to impair the rendering of unbiased and objective advice including:

(1) Compensation arrangements connected with advisory services to clients which are in addition to compensation from such clients for such services; and

(2) Charging a client an advisory fee for rendering advice without disclosing that a commission for executing securities transactions pursuant to such advice will be received by the adviser, its representatives or its employees, or that such advisory fee is being reduced by the amount of the commission earned by the adviser, its representatives or employees for the sale of securities to the client.

(o) Making any untrue statement of a material fact or omitting a statement of material fact necessary in order to make the statements made, in light of the circumstances under which they are made, not misleading in the solicitation of advisory clients.

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## **ITEM 11 – CODE OF ETHICS, PARTICIPATION OR INTEREST IN CLIENT TRANSACTIONS AND PERSONAL TRADING**

### **11a: Code of Ethics Description**

We have adopted a Code of Ethics to which all investment advisor representatives and employees are bound to adhere. The key component of our Code of Ethics states that Ann Poloko, LLC and its investment advisor representatives and employees shall always:

- Act with integrity, competence, dignity, and ethically when dealing with the public, clients, prospects, employers, and employees.
- Exercise its authority and responsibility for the benefit and interest of its clients first and to refrain from

having outside interests that conflict with the interests of its clients. Ann Poloko, LLC must avoid any circumstances that might adversely affect or appear to affect its duty of complete loyalty to its clients.

- Refrain from disclosing any nonpublic personal information about a client to any nonaffiliated third party unless the client expressly gives permission to Ann Poloko, LLC to do so. All client information will otherwise be treated as confidential.
- Maintain the physical security of nonpublic information, including information stored on computers.

This Code of Ethics is in place to guide the personal conduct of our team and embodies our fiduciary duties and responsibilities to you and sets forth our practice of supervising the personal securities transactions of employees with prior or concurrent access to client trade information. A copy of the Ann Poloko, LLC Code of Ethics is available, free of charge, upon request.

#### *Compliance with the Department of Labor Fiduciary Rule*

Under certain conditions that have been established by the United States Department of Labor (“DOL”), Ann Poloko, LLC may qualify as a “DOL fiduciary” to certain clients. As a DOL fiduciary, we abide by the Impartial Conduct Standards as defined by the DOL. To comply with these standards, Ann Poloko, LLC and our advisors give advice that is in our clients’ best interest, charge no more than reasonable compensation (within the meaning of ERISA Section 408(b)(2) and Internal Revenue Code Section 4975(d)(2)), and make no misleading statements about investment transactions, compensation, conflicts of interest, and any other matters related to investment decisions.

#### **11b, c & d: Participation or Interest in Client Transactions**

Ann Poloko, LLC, or its employees, may buy and sell some of the same securities for our own accounts that we buy and sell for our clients. Neither Ann Poloko, LLC nor any related person recommends to clients, or buys or sells for client accounts, securities in which Ann Poloko, LLC or a related person has a material financial interest. We will always buy or sell from our clients’ accounts before we buy or sell from our accounts. In some cases, Ann Poloko, LLC, or its employees, may buy or sell securities for our own accounts and not for clients’ accounts, as it may not meet the objectives or plans for the client. There are possible conflicts of interest, which our Code of Ethics addresses. We will always evaluate our activity from the view of our clients to ensure that any and all required disclosures are made. For example, we will disclose anything that would cause you to be unfairly influenced to make any decision regarding actions or inactions in your account.

Ann Poloko, LLC does not buy or sell between Ann Poloko, LLC, our employees or our clients’ accounts.

Ann Poloko, LLC always tries to get the best price for the client. Ann Poloko, LLC has in place internal controls and processes to allow contemporaneous trading (submitting Ann Poloko, LLC or employee orders at the same time as client order) in block or aggregate trades. In other cases, except in the case of unaffiliated mutual funds, we will always trade individual securities in a client account before we trade Ann Poloko, LLC or employee accounts.

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## **ITEM 12 – BROKERAGE PRACTICES**

### **12a: Selecting Brokerage Firms**

#### **The Custodian and Brokers We Use**

Ann Poloko, LLC does not maintain custody of your assets that we manage. Your assets must be maintained in an account at a “qualified custodian,” generally a broker-dealer or bank. We recommend that our clients use Charles Schwab & Co., Inc. (Schwab), a FINRA-registered broker-dealer, member SIPC, as the qualified custodian. We are independently owned and operated and not affiliated with Schwab. Schwab will hold your assets in a brokerage account and buy and sell securities when instructed to do so. While we recommend that you use Schwab as custodian/broker, you will decide whether to do so and open your account with Schwab by entering into an account agreement directly with them. If you do not wish to place your assets with Schwab, then we cannot manage your account. Even though your account is maintained at Schwab, we can still use other brokers to execute trades for your

account, as described under **Your Custody and Brokerage Costs** below.

### **How We Select Brokers/Custodians**

We seek to select a custodian/broker who will hold your assets and execute transactions on terms that are overall most advantageous when compared to other available providers and their services. We consider a wide range of factors, including, among others, these:

- combination of transaction execution services along with asset custody services (generally without a separate fee for custody)
- capability to execute, clear and settle trades (buy and sell securities for your account)
- capabilities to facilitate transfers and payments to and from accounts (wire transfers, check requests, bill payment, etc.)
- breadth of investment products made available (stocks, bonds, mutual funds, exchange traded funds (ETFs), etc.)
- availability of investment research and tools that assist us in making investment decisions
- quality of services
- competitiveness of the price of those services (commission rates, margin interest rates, other fees, etc.) and willingness to negotiate them
- reputation, financial strength and stability of the provider
- their prior service to us and our other clients
- availability of other products and services that benefit us, as discussed below (*see "Products and Services Available to Us from Schwab"*)

To avoid creating a possible conflict of interest in recommending broker-dealers, we have established the following restrictions in order to ensure our fiduciary responsibilities:

1. Ann Poloko, LLC adheres to our Code of Ethics as outlined in Item 11 above.
2. If Ann Poloko, LLC receives separate compensation for transactions, we will fully disclose them.
3. Ann Poloko, LLC emphasizes the unrestricted right of you to select and choose your own broker or dealer.
4. Ann Poloko, LLC will always act in accordance with all applicable federal and state regulations governing registered investment advisory practices.

### **Your Custody and Brokerage Costs**

For our clients' accounts it maintains, Schwab generally does not charge you separately for custody services but is compensated by charging you commissions or other fees on trades that it executes or that settle into your Schwab account. For some accounts, Schwab may charge you a percentage of the dollar amount of assets in the account in lieu of commissions. Schwab's rates may be determined by committing a certain value of assets at the custodian. This commitment benefits you because the overall rates you pay are lower than they would be if we had not made the commitment. You may also be charged a flat dollar amount as a "prime Broker" or "trade away" fee for each trade that we have executed by a different broker-dealer but where the securities bought or the funds from the securities sold are deposited (settled) into your Schwab account. These fees are in addition to the commissions or other compensation you pay the executing broker-dealer. Because of this, in order to minimize your trading costs, we have Schwab execute most trades for your account.

### **Products and Services Available to Us from Schwab**

Schwab Advisor Services (formerly called Schwab Institutional) is Schwab's business serving independent investment advisory firms like us. They provide us and our clients with access to its institutional brokerage – trading, custody, reporting and related services – many of which are not typically available to Schwab retail customers. Schwab also makes available various support services. Some of those services help us manage or administer our clients' accounts while others help us manage and grow our business. Here is a more detailed description of Schwab's support services:

Services that Benefit You. Schwab's institutional brokerage services include access to a broad range of investment products, execution of securities transactions, and custody of client assets. The investment products available through Schwab include some to which we might not otherwise have access or that would require a significantly higher

minimum initial investment by our clients. Schwab's services described in this paragraph generally benefit you and your account.

Services that May Not Directly Benefit You. Schwab also makes available to us other products and services that benefit us but may not directly benefit you or your account. These products and services assist us in managing and administering our clients' accounts. They include investment research, both Schwab's own and that of third parties. We may use this research to service all or some substantial number of our clients' accounts, including accounts not maintained at Schwab. In addition to investment research, Schwab also makes available software and other technology that:

- provide access to client account data (such as duplicate trade confirmations and account statements);
- facilitate trade execution and allocate aggregated trade orders for multiple client accounts;
- provide pricing and other market data;
- facilitate payment of our fees from our clients' accounts; and
- assist with back-office functions, recordkeeping and client reporting.

Services that Generally Benefit Only Us. Schwab also offers other services intended to help us manage and further develop our business enterprise. These services include:

- educational conferences and events
- technology, compliance, legal, and business consulting;
- publications and conferences on practice management and business succession; and
- access to employee benefits providers, human capital consultants and insurance providers.

Schwab may provide some of these services itself. In other cases, it will arrange for third-party vendors to provide the services to us. Schwab may also discount or waive its fees for some of these services or pay all or a part of a third party's fees. Schwab may also provide us with other benefits such as occasional business entertainment of our personnel.

We endeavor at all times to put the interests of our clients first. You should be aware, however, that the receipt of the types of benefits discussed above can create a potential conflict of interest by influencing our choice of a broker-dealer.

### **Brokerage for Client Referrals**

Neither Ann Poloko, LLC or a related person receives client referrals from a broker-dealer or third party.

### **12.b: Sales Aggregation**

Ann Poloko, LLC is authorized to aggregate purchases and sales and other transactions made for your account with purchases and sales and other transactions in the same or similar securities or instruments for other clients of ours. When we aggregate transactions, the actual prices applicable to the aggregated transactions will be averaged, and the account will be deemed to have purchased or sold its proportionate share of the securities or instruments involved at the average price obtained. Stock exchange regulations may in certain instances prevent the executing broker-dealer from delivering to the account a confirmation slip with respect to its participation in the aggregated transaction and, in such event, we will advise you in writing of any purchase or disposition of instruments for the account with respect to any such aggregated transaction. We will direct that confirmations of any transactions effected for the account will be sent, in conformity with applicable law, to you.

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## **ITEM 13 – REVIEW OF ACCOUNTS**

### **13a: Periodic Reviews**

Accounts are reviewed by Ann Poloko or qualified staff members. All reviews are either conducted or supervised by Ann Poloko. The frequency of reviews is determined based on your investment objectives, but no less than annually.

Financial planning clients receive their financial plans and recommendations at the time the service is completed. Depending on the type of financial planning service requested, we may meet on a regular basis with you to discuss any potential changes to your financial plan.

**13b: Review Triggers**

More frequent reviews are triggered by a change in your investment objectives; tax considerations; large deposits or withdrawals; large sales or purchases; loss of confidence in corporate management; or, changes in economic climate.

**13c: Regular Reports**

All investment advisory clients receive reports as needed, but no less than annually, on representative investments recommended specifically by Ann Poloko, LLC. Investment advisory clients also receive standard account statements from the custodian of their accounts on at least a quarterly basis.

Financial planning clients do not normally receive investment reports.

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**ITEM 14 – CLIENT REFERRALS AND OTHER COMPENSATION****14a: Economic Benefits Provided by Third Parties for Advice Rendered to Clients**

We receive an economic benefit from Schwab in the form of the support products and services it makes available to us and other independent investment advisors that have their clients maintain accounts at Schwab. These products and services, how they benefit us, and the related conflicts of interest are described above (*see Item 12 – Brokerage Practices*). The availability to us of Schwab's products and services is not based on us giving particular investment advice, such as buying particular securities for our clients.

Ann Poloko, LLC does not receive economic benefits from third parties for the advice we render to our clients. As disclosed in Item 12 above, broker-dealers may provide services, tools or other non-financial benefits to us as a benefit for using the broker-dealer's services. However, we endeavor at all times to put the interests of our clients first. You should be aware, however, that the receipt of benefits can create a potential conflict of interest by influencing our choice of a broker-dealer.

**14b: Compensation to Non-Advisory Personnel for Client Referrals**

Ann Poloko, LLC does not directly or indirectly compensate any person for client referrals.

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**ITEM 15 – CUSTODY**

Under government regulations, we are deemed to have custody of your assets if you authorize us to instruct Schwab to deduct our advisory fees directly from your account. Schwab maintains actual custody of your assets. You will receive account statements directly from Schwab at least quarterly. They will be sent to the email or postal mailing address you provided to Schwab. You should carefully review those statements promptly when you receive them. We also urge you to compare Schwab's account statements to the periodic portfolio reports you may receive from us.

Ann Poloko, LLC shall have no liability to the client for any loss or other harm to any property in the account. This includes harm to any property in the account resulting from the insolvency of the custodian or any unauthorized acts of the agents or employees of the custodian and whether or not the full amount or such loss is covered by the Securities Investor Protection Corporation ("SIPC") or any other insurance which may be carried by the custodian. The client understands that SIPC provides only limited protection for the loss of property held by a broker-dealer.

As a fiduciary, Ann Poloko, LLC will always act in the client's best interests and in doing so, the above does not limit or modify that duty to our clients. Custodial statements will include fees charged by Ann Poloko, LLC. At the same time, we invoice the custodian, we will provide an invoice to you that includes our rate, the value of assets and the resulting fee. We strongly urge you to compare these statements for accuracy.

## ITEM 16 – INVESTMENT DISCRETION

Ann Poloko, LLC asks our clients to give us discretionary authority to execute transactions without our client's prior approval. These transactions may include the purchase and selling of securities, arranging for payments or generally acting on behalf of our clients in most matters necessary to the handling of the account. This includes the buying or selling of securities, the rebalancing and selection of portfolios or the disbursement of funds to the client as requested or arranged. Discretionary authority is granted once an election is made on the Investment Advisory Agreement and the agreement is signed by the client.

Where Ann Poloko, LLC has non-discretionary authority for client accounts, we will obtain your prior approval of each specific transaction prior to executing investment recommendations. Non-discretionary authority is granted once an election is made on the Investment Advisory Agreement and the agreement is signed by the client.

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## ITEM 17 – VOTING CLIENT SECURITIES

The clients of Ann Poloko, LLC retain the authority to proxy vote. You should ensure that proxy ballots are mailed directly to you by selecting this option on your custodial application forms. You are welcome to delegate said proxy voting authority to a third-party representative (non-advisory personnel) by filing the appropriate custodial form. Ann Poloko, LLC will not accept authority to vote client proxies. This policy is set forth in Ann Poloko, LLC's standard advisory agreements. Should Ann Poloko, LLC inadvertently receive proxy information for a security held in clients' accounts, it would immediately forward such information on to clients, but will not take any further action with respect to the voting of such proxy. Upon termination of the advisory relationship, Ann Poloko, LLC will make a good faith and reasonable attempt to forward proxy information inadvertently received on behalf of clients to the forwarding address provided by clients. Clients may contact Ann Poloko, LLC for advice or information about a particular proxy vote; however, Ann Poloko, LLC shall not be deemed to have proxy voting authority solely as a result of providing such advice to clients.

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## ITEM 18 – FINANCIAL INFORMATION

### **18a: Balance Sheet**

Ann Poloko, LLC does not solicit prepayment of more than \$500 in fees per client six (6) months or more in advance.

### **18b: Financial Conditions**

Ann Poloko, LLC has no financial issues that could impair our ability to carry out our fiduciary duty to our clients.

### **18c: Bankruptcy Petition**

Ann Poloko, LLC has never been the subject of a bankruptcy petition.

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## ITEM 19 – REQUIREMENTS FOR STATE-REGISTERED ADVISERS

### **19a&b. Principal Executive Officers: Education, Background & Other Businesses**

Ann Poloko, LLC's executive officer is Ann Poloko. The formal education and business background may be reviewed within Part 2B Form ADV for Ann Poloko.

### **19c. How Performance Based Fees Are Calculated and Degree of Risk to Clients**

As stated above, Ann Poloko, LLC does not accept performance-based fees or other fees based on a share of capital gains on or capital appreciation of the assets of a client.



**19d. Material Disciplinary Disclosures for Management Persons of this Firm**

Other than disclosures made in Item 9 above, neither Ann Poloko, LLC nor our employees have been found liable in a civil, self-regulatory organization, or administrative proceeding. Ms. Ann Poloko, Managing Member and Chief Compliance Officer was involved in an arbitration claim in 2004. The Claimant's claims were denied in their entirety by the Arbitration Panel.

**19e. Material Relationships Management Persons Have with Issuers of Securities**

Neither Ann Poloko, LLC nor our employees have any relevant material relationships with issuers of securities.

# ANN POLOKO, CFP®

This brochure provides supplemental information about Ann Poloko. This supplements the Ann Poloko, LLC ADV Part 2A brochure, which should have also been provided to you. Please contact us at (714) 508-4818 or by email at [ann@annpoloko.com](mailto:ann@annpoloko.com) if you have any questions or wish to request a copy of the ADV Part 2A brochure.

Additional information about the Ann Poloko, LLC is also available at the SEC's website [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov) (select "investment adviser firm" and type in our firm name). Results will provide you both Part 1 and 2 of our Form ADV.

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**ITEM 1 – COVER PAGE BROCHURE ADV PART 2 B**

MARCH 26, 2018

INDIVIDUAL CRD# 2627095  
1432 EDINGER, STE 140, TUSTIN, CA 92780  
[ANN@ANNPOLOKO.COM](mailto:ANN@ANNPOLOKO.COM)  
(714) 508-4818

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## ITEM 2 - EDUCATIONAL BACKGROUND AND BUSINESS EXPERIENCE

### Ann Poloko

Year Born: 1949

#### Educational Background:

General Studies – University of Illinois

#### Business Background:

10/2017 – Present: *Owner/CCO/Investment Advisor Representative*, Ann Poloko, LLC

11/2012 – 10/2017: *Registered Representative/Investment Advisor Representative*, National Planning Corporation

05/2002 – 11/2012: *Registered Representative/Investment Advisor Representative*, Linsco Private Ledger

#### Professional Designation:

CERTIFIED FINANCIAL PLANNER™ (CFP®)

#### Explanation of Designation:

CFP®: (CERTIFIED FINANCIAL PLANNER™)

The CERTIFIED FINANCIAL PLANNER™, CFP® and federally registered professional certification marks (collectively, the “CFP® marks”) granted by the United States by Certified Financial Planner Board of Standards, Inc. (“CFP® Board”).

The CFP® certification is a voluntary certification; no federal or state law or regulation requires financial planners to hold a CFP® certification.

To attain the right to use the CFP® designation, an individual must satisfactorily fulfill the following requirements:

- Education – Complete an advanced college-level course of study addressing the financial planning subject areas that CFP Board’s studies have determined as necessary for the competent and professional delivery of financial planning services, and as of January 2007, attain a Bachelor’s Degree from a regionally accredited United States college or university (or its equivalent from a foreign university). CFP Board’s financial planning subject areas include insurance planning and risk management, employee benefits planning, investment planning, income tax planning, retirement planning, and estate planning;
- Examination – Pass the comprehensive CFP® Certification Examination. The examination includes case studies and Client scenarios designed to test one’s ability to correctly diagnose financial planning issues and apply one’s knowledge of financial planning to real world circumstances;
- Experience – Complete at least three years of full-time financial planning-related experience (or the equivalent, measured as 2,000 hours per year); and
- Ethics – Agree to be bound by CFP Board’s Standards of Professional Conduct, a set of documents outlining the ethical and practice standards for CFP® professionals.

Individuals who become certified must complete ongoing education and ethics requirements in order to maintain the right to continue to use the CFP® marks.

This requires 30 hours of continuing education hours every two years, including two hours on the *Code of Ethics* and other parts of the Standards of Professional Conduct, to maintain competence and keep up with developments in the financial planning field; and renewal of an agreement to be bound by the *Standards of Professional Conduct*. The Standards prominently require that CFP® professionals provide financial planning services at a fiduciary standard of care. This means CFP® professionals must provide financial planning services in the best interests of their Clients.

CFP® professionals who fail to comply with the above standards and requirements may be subject to CFP Board’s enforcement process, which could result in suspension or permanent revocation of their CFP® certification.

### **ITEM 3 - DISCIPLINARY INFORMATION**

Ann Poloko was discharged by LPL Financial LLC in October 2012 for violation of the firm's document signature policy.

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### **ITEM 4 - OTHER BUSINESS ACTIVITIES**

The principal business of Ann Poloko is that of an investment advisor representative and provider of financial planning services. Ann Poloko is also an insurance agent. Insurance agents may be paid for these services. In cases where we receive payment, there may be a conflict of interest. At all times, you are free to choose outside agents to avoid the possibility of there being a conflict of interest.

Ann Poloko is a one third owner of Edinger Tustin Property, LLC, a real estate rental property firm. Ms. Poloko spends minimal time on this activity. Ms. Poloko is also a Governing Board Member of Corona Regional Medical Center Hospice Auxiliary Inc. She spends 1 hour monthly in this activity.

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### **ITEM 5 - ADDITIONAL COMPENSATION**

Other than work with Ann Poloko, LLC and any disclosures made in Items 2 and 4 above, Ann Poloko receives no additional compensation related to outside business activities.

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### **ITEM 6 - SUPERVISION**

Ann Poloko is the sole managing member of Ann Poloko, LLC and is the supervising authority. Ann Poloko remains aware of and keeps in compliance with the current rules and regulations put forth by each ruling regulatory authority where we conduct our business. Ann Poloko, LLC maintains a written compliance manual that is reviewed with employees when they are hired as well as annually. Ann Poloko, LLC has established internal policies for the guidance of its trading personnel. Transactions, which vary from the guidelines, are subject to periodic supervisory review. These guidelines are reviewed yearly and periodically adjusted.

Ann Poloko is located at 1432 Edinger, Ste 140, Tustin, CA 92780 and can be reached by calling (714) 508-4818.

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### **ITEM 7 - REQUIREMENTS FOR STATE-REGISTERED ADVISERS**

Other than any disclosures made in Item 3 above, Ann Poloko has not been found liable in any additional material arbitration or liable in a civil, self-regulatory organization, or administrative proceeding involving an investment or an investment-related business or activity; fraud, false statement(s), or omissions; theft, embezzlement, or other wrongful taking of property; bribery, forgery, counterfeiting, or extortion; or dishonest, unfair, or unethical practices. Ann Poloko has never been the subject of a bankruptcy petition.