

**\*\*\* DRAFT - NOT YET FILED \*\*\***

1301:6-3-14.1

**Notice filing for certain investment advisers; duty to update.**

- (A) The notice filing specified in division (B) of section 1707.141 of the Revised Code shall:
- (1) Consist of a fully completed part 1 of the form ADV, uniform application for investment adviser registration, fully completed schedules and disciplinary reporting pages pertaining to part 1 of the form ADV, ~~and~~ a fully completed execution page of the form ADV, and a fully completed part 2A of the form ADV; and
  - (2) Be submitted to the division through the investment adviser registration depository, or IARD, maintained by the Financial Industry Regulatory Authority, ~~national association of securities dealers, inc.~~
- (B) An investment adviser who is required to make a notice filing with the division shall also submit to the division the notice filing fee required by division (B)(4) of section 1707.17 of the Revised Code.
- (C) An investment adviser who is required to make a notice filing with the division shall simultaneously submit to the division through the IARD any updates or amendments to the form ADV that are filed with the securities and exchange commission.
- (D) A notice filing submitted to the division in accordance with the provisions of paragraphs (A) and (B) of this rule shall be effective upon receipt by the division and shall expire on December thirty-first of the year in which it was filed, unless renewed prior to its expiration.
- (E) A notice filing may be renewed prior to December thirty-first of each year by submitting the notice filing fee required by division (B)(4) of section 1707.17 of the Revised Code through the renewals program of the IARD.
- (F) A notice filing that has not been renewed by December thirty-first shall be deemed by the division to be terminated as of December thirty-first of the year in which it expired. An investment adviser that has submitted a notice filing to the division may terminate the notice filing by submitting a completed form ADV-W to the division through the IARD.
- (G) In addition to the notice filing requirements of paragraphs (A) through (C) of this rule, the division may require the filing of any other document filed or deemed filed

by the investment adviser with the securities and exchange commission.

- (H) A notice filing is considered to have been made with the division when the investment adviser selects "OH" in Item ~~2B~~ 2C of Part 1A of the form ADV, and the form ADV is accepted by the IARD.
- (I) Upon the discontinuation of the employment or affiliation of a licensed investment adviser representative, the investment adviser with which the investment adviser representative was employed or affiliated shall, within thirty calendar days of the discontinuation, submit to the division through the "IARD" a request to cancel the license of the investment adviser representative. The request shall be made on form U-5, "Uniform Termination Notice For Securities Industry Registration" and shall become effective as described in paragraph ~~(K)~~(J)(2) of rule 1301:6-3-15.1 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates:

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Certification

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Date

Promulgated Under:	119.03
Statutory Authority:	1707.20
Rule Amplifies:	1707.14.1
Prior Effective Dates:	3/25/99, 11/5/01, 5/23/03