**CONFIRMATION OF INSTITUTIONAL FAMILY OFFICE STATUS[[1]](#footnote-1)**

[***Negative consent confirmation preliminary note****: this confirmation may be used when the broker-dealer has conducted separate due diligence and records documenting the IFO’s satisfaction of the below conditions. In addition to the information contained below, the broker-dealer should identify: (i) whether the IFO employs any non-family members; and (ii) the number of employees (either family or non-family members) retained by the IFO.*]

As a registered broker-dealer (“Broker-Dealer”), we may provide recommendations and services to the family office identified below. We understand that the family office identified below:

1. Employs[[2]](#footnote-2) one or more persons who are experienced in the securities industry or investment-related fields (including at a family office) and who are not subject to a “statutory disqualification” (as defined in Section 3(a)(39) of the Exchange Act or sanctions pursuant to Section 203(e) of the Advisers Act). Such person(s) has:

* five or more years as a licensed securities industry professional (licensed with FINRA or another self-regulatory organization or governmental agency), or
* five or more years in securities or investment-related fields (which may include at a family office), or
* five or more years in another position advising clients on securities, or investment transactions, portfolio construction and/or portfolio analysis, or
* other experience, education, professional credentials, or registration history that reasonably qualifies such person as experienced in the securities industry or investment-related fields.

1. Manages total assets of at least $50 million;
2. Is not relying on the Broker-Dealer for recommendations and is acting independently of the Broker-Dealer. Specifically, the family office:
   * is capable of evaluating investment risks independently, both in general and with regard to all transactions and investment strategies involving a security or securities;
   * will exercise independent judgment in evaluating the recommendations of the Broker-Dealer or its associated persons;
   * is a sophisticated investor with knowledge of and experience with regard to the securities or investment strategies involving a security or securities it trades or implements with the Broker-Dealer (if any); and
   * will reasonably ensure the family office professional(s) responsible for investment decisions has not and will not accept compensation or items of value from Broker-Dealer or its associated persons that would cause the professional(s) to act in a manner that is inconsistent with the best interest of the family clients;
3. Meets the definition of “family office” under Advisers Act Rule 202(a)(11)(G)-1; and
4. Will notify Broker-Dealer if anything in this Confirmation is not or ceases to be true.

|  |  |
| --- | --- |
| Family Office Name: | Address, City, State, Zip: |

1. This Confirmation documents your status as an “Institutional Family Office” for purposes of Regulation Best Interest (“Reg BI”) and Form CRS under the terms of the SEC No-Action Letter, at <https://www.sec.gov/divisions/marketreg/mr-noaction/2020/sifma-122320-regbi.pdf> Under the terms of this letter, Broker-Dealer is not required to apply Reg BI and Form CRS to family offices that qualify as Institutional Family Offices. [↑](#footnote-ref-1)
2. The term “employ” means to hire, retain, use, or engage for services regardless of status under the tax or labor laws. [↑](#footnote-ref-2)