



CASE SUMMARY # 201503

November 2, 2015

MFDA Case Summary

Enforcement

This case summary was prepared by Staff of the MFDA.

Hearing Panel Imposes Penalties on Patrick Pasquale Caicco

Patrick Pasquale Caicco (the “Respondent”) was registered as a mutual fund salesperson with Professional Investments (Kingston) Inc. (“Professional Investments”) from May 12, 2009 to March 12, 2010. The Respondent is not registered in the securities industry in any capacity. In February 2009 the Respondent incorporated Advantage Wealth Building Strategies Inc. (“Advantage”) to carry out wealth coaching and wealth planning services. The Respondent never sought or obtained permission from Professional Investments to engage in any outside business activities through Advantage. In an Agreed Statement of Facts the Respondent admitted that between May 12, 2009 and March 12, 2010 the Respondent engaged in securities-related business that was not carried on for the account and through the facilities of the Member by recommending, selling, facilitating the sale or making referrals in respect of the sale of approximately \$3.35 million of investment products to at least 33 clients and other individuals outside the Member, contrary to MFDA Rules 1.1.1 and 2.1.1 and sections 13.7 and 13.8 of National Instrument 31-103. The Investment products were a REIT launched by the Skyline Group of Companies, and two real estate developments of the Assaly Group of Companies. The Respondent received referral fees for these investments, which were paid to Advantage. The Hearing Panel accepted a joint submission of penalty and imposed the following penalties: (i) a permanent prohibition on the Respondent’s capacity to conduct securities related business while in the employ of, or sponsored by, any MFDA Member; (ii) a fine of \$50,000; and (iii) costs of \$5,000.

NOTICE: This case summary has been prepared by Staff of the MFDA, based upon the previously published Decision and Reasons of an MFDA Hearing Panel presiding over this matter. Every effort is made to ensure that this case summary accurately reflects the content of the Decision and Reasons. However, where there is a discrepancy between this case summary and the Decision and Reasons, the Decision and Reasons will prevail.

DM #451374