

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

ANNUAL REPORTS
FORM X-17A-5
PART III

OMB APPROVAL
OMB Number: 3235-0123
Expires: Oct. 31, 2023
Estimated average burden hours per response: 12
SEC FILE NUMBER
8-70466

FACING PAGE

Information Required Pursuant to Rules 17a-5, 17a-12, and 18a-7 under the Securities Exchange Act of 1934

FILING FOR THE PERIOD BEGINNING 01/01/2022 AND ENDING 12/31/2022
MM/DD/YY MM/DD/YY

A. REGISTRANT IDENTIFICATION

NAME OF FIRM: AGILE TRADING TECHNOLOGIES, LLC

TYPE OF REGISTRANT (check all applicable boxes):

- ☒ Broker-dealer ☐ Security-based swap dealer ☐ Major security-based swap participant
☐ Check here if respondent is also an OTC derivatives dealer

ADDRESS OF PRINCIPAL PLACE OF BUSINESS: (Do not use a P.O. box no.)

2 TOWN PLACE, STE 210

(No. and Street)

BRYN MAWR

PA

19010

(City)

(State)

(Zip Code)

PERSON TO CONTACT WITH REGARD TO THIS FILING

JANICE PARISE

212 751-4422

JPARISE@DFPPARTNERS.COM

(Name)

(Area Code - Telephone Number)

(Email Address)

B. ACCOUNTANT IDENTIFICATION

INDEPENDENT PUBLIC ACCOUNTANT whose reports are contained in this filing*

MARCUM LLP

(Name - if individual, state last, first, and middle name)

1601 MARKET ST. 4TH FL PHILADELPHIA PA 19103

(Address)

(City)

(State)

(Zip Code)

10/16/2003

688

(Date of Registration with PCAOB)(if applicable)

(PCAOB Registration Number, if applicable)

FOR OFFICIAL USE ONLY

* Claims for exemption from the requirement that the annual reports be covered by the reports of an independent public accountant must be supported by a statement of facts and circumstances relied on as the basis of the exemption. See 17 CFR 240.17a-5(e)(1)(ii), if applicable.

Persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

OATH OR AFFIRMATION

I, CURTIS RICHINS, swear (or affirm) that, to the best of my knowledge and belief, the financial report pertaining to the firm of AGILE TRADING TECHNOLOGIES, LLC, as of 12/31, 2022, is true and correct. I further swear (or affirm) that neither the company nor any partner, officer, director, or equivalent person, as the case may be, has any proprietary interest in any account classified solely as that of a customer.

Commonwealth of Pennsylvania - Notary Seal
Denise Payne, Notary Public
Delaware County
My commission expires April 27, 2026
Commission number 1332594
Member, Pennsylvania Association of Notaries

Signature: 

Title:

PRESIDENT AND CEO


Notary Public

This filing** contains (check all applicable boxes):

- ☒ (a) Statement of financial condition.
- ☒ (b) Notes to consolidated statement of financial condition.
- ☐ (c) Statement of income (loss) or, if there is other comprehensive income in the period(s) presented, a statement of comprehensive income (as defined in § 210.1-02 of Regulation S-X).
- ☐ (d) Statement of cash flows.
- ☐ (e) Statement of changes in stockholders' or partners' or sole proprietor's equity.
- ☐ (f) Statement of changes in liabilities subordinated to claims of creditors.
- ☐ (g) Notes to consolidated financial statements.
- ☐ (h) Computation of net capital under 17 CFR 240.15c3-1 or 17 CFR 240.18a-1, as applicable.
- ☐ (i) Computation of tangible net worth under 17 CFR 240.18a-2.
- ☐ (j) Computation for determination of customer reserve requirements pursuant to Exhibit A to 17 CFR 240.15c3-3.
- ☐ (k) Computation for determination of security-based swap reserve requirements pursuant to Exhibit B to 17 CFR 240.15c3-3 or Exhibit A to 17 CFR 240.18a-4, as applicable.
- ☐ (l) Computation for Determination of PAB Requirements under Exhibit A to § 240.15c3-3.
- ☐ (m) Information relating to possession or control requirements for customers under 17 CFR 240.15c3-3.
- ☐ (n) Information relating to possession or control requirements for security-based swap customers under 17 CFR 240.15c3-3(p)(2) or 17 CFR 240.18a-4, as applicable.
- ☐ (o) Reconciliations, including appropriate explanations, of the FOCUS Report with computation of net capital or tangible net worth under 17 CFR 240.15c3-1, 17 CFR 240.18a-1, or 17 CFR 240.18a-2, as applicable, and the reserve requirements under 17 CFR 240.15c3-3 or 17 CFR 240.18a-4, as applicable, if material differences exist, or a statement that no material differences exist.
- ☐ (p) Summary of financial data for subsidiaries not consolidated in the statement of financial condition.
- ☒ (q) Oath or affirmation in accordance with 17 CFR 240.17a-5, 17 CFR 240.17a-12, or 17 CFR 240.18a-7, as applicable.
- ☐ (r) Compliance report in accordance with 17 CFR 240.17a-5 or 17 CFR 240.18a-7, as applicable.
- ☐ (s) Exemption report in accordance with 17 CFR 240.17a-5 or 17 CFR 240.18a-7, as applicable.
- ☒ (t) Independent public accountant's report based on an examination of the statement of financial condition.
- ☐ (u) Independent public accountant's report based on an examination of the financial report or financial statements under 17 CFR 240.17a-5, 17 CFR 240.18a-7, or 17 CFR 240.17a-12, as applicable.
- ☐ (v) Independent public accountant's report based on an examination of certain statements in the compliance report under 17 CFR 240.17a-5 or 17 CFR 240.18a-7, as applicable.
- ☐ (w) Independent public accountant's report based on a review of the exemption report under 17 CFR 240.17a-5 or 17 CFR 240.18a-7, as applicable.
- ☐ (x) Supplemental reports on applying agreed-upon procedures, in accordance with 17 CFR 240.15c3-1e or 17 CFR 240.17a-12, as applicable.
- ☐ (y) Report describing any material inadequacies found to exist or found to have existed since the date of the previous audit, or a statement that no material inadequacies exist, under 17 CFR 240.17a-12(k).
- ☐ (z) Other: _____

****To request confidential treatment of certain portions of this filing, see 17 CFR 240.17a-5(e)(3) or 17 CFR 240.18a-7(d)(2), as applicable.**

Agile Trading Technologies, LLC

Financial Statement
As of December 31, 2022

Agile Trading Technologies, LLC

Contents	3
Report of Independent Registered Public Accounting Firm	
Financial Statement	5
Statement of Financial Condition	6-11
Notes to Financial Statement	



REPORT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM

To the Members of
Agile Trading Technologies, LLC

Opinion on the Financial Statement

We have audited the accompanying statement of financial condition of Agile Trading Technologies, LLC (the "Company") as of December 31, 2022 and the related notes (collectively referred to as the "financial statement"). In our opinion, the financial statement presents fairly, in all material respects, the financial position of the Company as of December 31, 2022 in conformity with accounting principles generally accepted in the United States of America.

Basis for Opinion

This financial statement is the responsibility of the Company's management. Our responsibility is to express an opinion on the Company's financial statement based on our audit. We are a public accounting firm registered with the Public Company Accounting Oversight Board (United States) (PCAOB) and are required to be independent with respect to the Company in accordance with the U.S. federal securities laws and the applicable rules and regulations of the Securities and Exchange Commission and the PCAOB.

We conducted our audit in accordance with the standards of the PCAOB. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement, whether due to error or fraud. The Company is not required to have, nor were we engaged to perform, an audit of its internal control over financial reporting. As part of our audit we are required to obtain an understanding of internal control over financial reporting but not for the purpose of expressing an opinion on the effectiveness of the Company's internal control over financial reporting. Accordingly, we express no such opinion.

Our audit included performing procedures to assess the risks of material misstatement of the financial statement, whether due to error or fraud, and performing procedures that respond to those risks. Such procedures included examining, on a test basis, evidence regarding the amounts and disclosures in the financial statement. Our audit also included evaluating the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of the financial statement. We believe that our audit provides a reasonable basis for our opinion.

Marcum LLP

We have served as the Company's auditor since 2022.
Philadelphia, PA
March 28, 2023

Financial Statement

Agile Trading Technologies, LLC

Statement of Financial Condition

December 31, 2022

Assets

Cash	\$	763,159
Accounts Receivable, net		184,800
Due from related party		2,398
Prepaid expenses and other assets		15,094
Property and equipment, net		30,556
Right of use asset		70,912

Total Assets	\$	1,066,919
---------------------	-----------	------------------

Liabilities and Members' Equity

Accounts payable and accrued expenses	\$	109,000
Lease liability		72,239

Total Liabilities		181,239
--------------------------	--	----------------

Commitments and Contingencies

Members' Equity		885,680
------------------------	--	----------------

Total Liabilities and Members' Equity	\$	1,066,919
----------------------------------------------	-----------	------------------

See accompanying notes to financial statement.

Agile Trading Technologies, LLC

Notes to Financial Statement

1. Summary of Significant Accounting Policies

Nature of Operations

Agile Trading Technologies, LLC (the “Company”) was formed as a limited liability company on January 17, 2019 under the laws of the State of Delaware. The principal activity of the Company is to provide mortgage capital market related technology solutions for its clients, which include broker dealers, mortgage companies, and hedge advisory firms. The Company is headquartered in Bryn Mawr, Pennsylvania. The Company is a registered broker-dealer in securities under the Securities and Exchange Act of 1934 and a member of the Financial Industry Regulatory Authority (“FINRA”) and the Securities Investor Protection Corporation (“SIPC”). The Company was approved to commence business on October 19, 2020.

Use of Estimates

The preparation of a financial statement in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities, if any, at the date of the financial statement. Actual results could differ from those estimates and these differences could be material.

Cash

The Company considers all highly-liquid investments with an original maturity of 90 days or less at date of purchase to be cash equivalents. There are no cash equivalents at December 31, 2022.

Accounts Receivable and Allowance for Credit Losses

The Company performs ongoing credit evaluations of its customers’ financial condition and has not experienced any significant collection problems to date. Accounts receivable payment terms are consistent across the company’s products and services and are stated in the financial statements as accounts receivable, net of an allowance for credit losses. Accounts that are outstanding longer than the payment terms are considered past due. The Company determines its allowance by considering a number of factors, including length of time trade accounts receivable are past due, the Company’s previous loss history, the customer’s current ability to pay its obligation to the Company and the condition of the general economy and the industry as a whole. The Company writes off accounts receivable when they become uncollectible. At December 31, 2022, the allowance for credit losses totals \$0.

Property and Equipment

All property and equipment are stated at cost less accumulated depreciation. Depreciation is charged to operations on a straight-line basis over the estimated useful lives of the assets or, in the case of leasehold improvements, the lease period, if shorter. Generally, estimated useful lives are as follows:

Agile Trading Technologies, LLC

Notes to Financial Statement

	Years
Leasehold improvements	Shorter of 7 years or the lease term
Furniture and fixtures	5
Computers, office equipment and other	2-3

Upon the disposal or retirement of property and equipment, cost and related accumulated depreciation are removed from the accounts. Gains and losses from dispositions are credited or charged to operations. Expenditures for ordinary maintenance and repairs are charged to expense. Additions or betterments to property and equipment are capitalized at cost.

Income Taxes

As a limited liability company, the Company's taxable income or loss is allocated to members in accordance with the operating agreement. In addition, the Company is subject to income-based taxes in certain states. Accordingly, any tax expense or benefit reflected in the financial statement relates only to state taxes.

The Company elected to be subject to the California passthrough entity tax for 2022 whereby the Company is assessed a tax on its qualifying net income at a rate of 9.3%. Payments related to the tax are deductible by the members for federal income tax purposes and the members are credited for the tax on their individual California tax returns for their proportional share. At year end, income taxes payable of \$35,000 were included within accounts payable and accrued expenses on the statement of financial condition.

Uncertain Income Tax Positions

As of December 31, 2022, the Company did not identify any uncertain tax positions taken or expected to be taken in an income tax return which would require adjustment to or disclosure in its financial statement. In addition, the Company believes its tax status as a pass-through entity would be sustained under Federal, state or local income tax examination.

The Company files income tax returns with Federal and certain state jurisdictions. For Federal, state and local income tax purposes, the Company is potentially subject to examination for years subsequent to 2019. The Company is not currently under examination with any Federal, state or local taxing authorities. Any tax, interest or penalties assessed upon examination of these returns would be the responsibility of the members.

Contract Assets and Liabilities

When a contract results in revenue being recognized in excess of the amount the Company has invoiced or has the right to invoice to the customer, a contract asset is recognized. There were no contract assets included in the accompanying statement of financial condition at December 31, 2022.

Contract liabilities consist of payments received from customers, or such consideration that is contractually due, in advance of providing the product or performing services such that control has not passed to the customer. Contract liabilities are presented as deferred revenue on the

Agile Trading Technologies, LLC

Notes to Financial Statement

accompanying statement of financial condition as of December 31, 2022. There were no contract liabilities in the accompanying statement of financial condition as of December 31, 2022.

2. Recently Issued Accounting Standards

The Financial Accounting Standards Board (the "FASB") has established the Accounting Standards Codification ("Codification" or "ASC") as the authoritative source of generally accepted accounting principles ("GAAP") recognized by the FASB. The principles embodied in the Codification are to be applied by nongovernmental entities in the preparation of financial statements in accordance with GAAP in the United States. New accounting pronouncements are incorporated into the ASC through issuance of Accounting Standards Updates ("ASUs").

As of December 31, 2022, various ASUs issued by the FASB were either newly issued or had effective implementation dates that would require their provisions to be reflected in the financial statement for the year then ended. The Company has either evaluated or is currently evaluating the implications, if any, of each of these pronouncements and the possible impact they may have on the Company's financial statement. In most cases, management has determined that the pronouncement has either limited or no application to the Company and, in all cases, implementation would not have a material impact on the financial statements taken as a whole.

3. Concentration of Credit Risk

Cash

The Company maintains cash with a financial institution. Cash balances are insured by the Federal Deposit Insurance Corporation up to \$250,000 per depositor. As of December 31, 2022, the cash balance exceeded federally insured limits. The Company mitigates this risk by only depositing funds with major financial institutions and has not experienced any losses from maintaining cash balances in excess of federally insured limits.

Accounts Receivable

The Company is also potentially subject to credit risk in its accounts receivable. At year end, one customer's accounts receivable balance accounted for 12% of accounts receivable, net. Although the Company is directly affected by the financial condition of its customers the Company does not believe significant credit risks exist at year end.

Agile Trading Technologies, LLC

Notes to Financial Statement

4. Property and Equipment

Property and equipment consist of the following:

<i>December 31,</i>	<i>2022</i>
Computers and software	100,000
	100,000
Less accumulated depreciation	(69,444)
Total	\$ 30,556

5. Leases

During 2022, the Company adopted FASB ASC Topic 842, Accounting for Leases ("ASC 842"). Under ASC 842, a lessee recognizes a right-of-use ("ROU") asset and a related lease liability on the statement of financial condition for most leases.

On November 22, 2022, the Company entered into an office sublease at its corporate headquarters location. The sixty-six-month lease requires the payment of fixed base rent plus variable HVAC maintenance fees, utility charges and other charges which will be paid proportionate to the Company's share of the total space under the sublessor's primary lease. The sublease requires no payments of base rent during the first six months of the term of the sublease. Thereafter, the sublease contains annual increases in base rent beginning after month eighteen of the sublease term.

The sublease contains no options to extend or terminate the lease prior to its expiration, has no residual value guarantees and contains no covenants or restrictions other than restricting use of the subleased space to general office use.

The Company recorded an ROU and lease liability in the amount of \$72,003 upon entering into the sublease. The Company elected the lease and non-lease components practical expedient for its office leases. The sublease does not provide a readily determinable implicit discount rate. Therefore, we elected to use rate of 3.938%, as of the sublease date, in determining the present value of the lease liability.

The future payments due under the sublease, for each of the next five years, of as December 31, 2022 are as follows:

Agile Trading Technologies, LLC

Notes to Financial Statement

<i>Years ending December 31</i>	<i>Amount</i>
2023	\$ 9,198
2024	15,900
2025	16,127
2026	16,354
2027	16,581
Thereafter	6,948
Total future lease payments	\$ 81,108
Less imputed interest	8,869
Lease liability	\$ 72,239

The Company elected the practical expedient and accounting policy election related to short term leases.

6. Contingencies

The Company had no contingent liabilities and had not been named as a defendant in any lawsuit at December 31, 2022, or during the year then ended.

7. Related Party Transactions

The Chief Executive Officer (“CEO”) and Chief Operating Officer (“COO”) are also the Members of the Company. The CEO and COO are also the owners of MCT. As of year end, the Company and MCT were under common control.

The Company and MCT are parties to an Asset Purchase Agreement, License Agreement, Expense Sharing Agreement and Client Referral Agreement. Under the Asset Purchase Agreement, MCT sold the TAM platform, developed by MCT, to the Company for \$100,000. Under the License Agreement, the Company licenses the use of TAM to MCT. Under the terms of the Expense Sharing Agreement, the CEO and COO, and other employees of MCT, provide services to the Company. Under the terms of the Client Referral Agreement, MCT is obligated to pay a commission to Agile for qualified referrals of clients if the referral results in MCT being engaged to provide the referred client a product or service within twelve months of the referral date.

The Company was due \$54,400 in licensing fees as of December 31, 2022.

The Company owed MCT \$52,002 as of December 31, 2022 for the unpaid portion of compensation and employee benefits expense under the Expense Sharing Agreement.

The amounts due from and due to MCT are reflected net as \$2,398 due from related party as of December 31, 2022 in the accompanying statement of financial condition.

It is possible that the terms of certain of the related party transactions are not the same as those that would result from transactions among wholly unrelated parties.

Agile Trading Technologies, LLC

Notes to Financial Statement

8. Members' Equity

The Company has authorized two classes of units, Voting and Nonvoting. As of December 31, 2022, authorized and issued units were as follows:

	Authorized	Issued
Voting	10,000	10,000
Nonvoting	90,000	90,000

The Company is also authorized to issue new voting and nonvoting units, including units with different rights, privileges or preferences.

9. Net Capital Requirements

The Company is subject to the Securities and Exchange Commission Uniform Net Capital Rule (SEC Rule 15c3-1), which requires the maintenance of minimum net capital of the greater of \$5,000 or 6 2/3% of aggregate indebtedness. Rule 15c3-1 also provides that equity capital may not be withdrawn or cash dividends paid if the resulting net capital ratio would exceed 10 to 1. Net capital and aggregate indebtedness change day to day, but on December 31, 2022, the Company had net capital of \$652,832 which was \$645,477 in excess of its required net capital of \$7,355; and the Company's ratio of aggregate indebtedness (\$110,327) to net capital was 0.17 to 1, which is less than the 15 to 1 maximum allowed.

10. Subsequent Events

The Company has evaluated events subsequent to the statement of financial condition date for items requiring recording or disclosure in the financial statement. The evaluation was performed through March 28, 2023. Based on this review, the Company has determined that there were no events which took place that would have a material impact on its financial statement.