

**Item 1 – Cover Page**  
Part 2A of Form ADV: Firm Brochure

Avery Wealth, Inc.  
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[www.averywealth.com](http://www.averywealth.com)

March 1, 2024

This Brochure provides information about the qualifications and business practices of Avery Wealth, Inc. If you have any questions about the contents of this Brochure, please contact us at 517-783-1695 or [dreese@averywealth.com](mailto:dreese@averywealth.com). The information in this Brochure has not been approved or verified by the United States Securities and Exchange Commission or by any state securities authority.

Avery Wealth, Inc is an SEC registered investment adviser. Registration of an Investment Adviser does not imply any level of skill or training. The oral and written communications of an Adviser provide you with information about which you determine to hire or retain an Adviser.

Additional information about Avery Wealth, Inc also is available on the SEC's website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov). You can search this site by a unique identifying number, known as a CRD number. Our firm's CRD number is 147943. Our SEC File Number is 801-120078.

## **Item 2 – Material Change**

This Form ADV Part 2A (the “Brochure”) is required by the SEC to be delivered to prospective clients and to our clients in the event of material changes.

We will further provide you with a new Brochure as necessary based on changes or new information, at any time, without charge.

Currently, our Brochure may be requested by contacting Avery at 517-783-1695 or [support@averywealth.com](mailto:support@averywealth.com).

The following material changes have been made to this brochure since our last annual updating amendment:

- We have updated Item 4 to reflect our assets under management as of 12/31/2023.
- We have updated Item 4 to remove an educational service we no longer offer, and add a service we pay for and offer to clients as an additional perk for being a client of Avery Wealth.
- We have updated Item 5 to remove fees for the service we no longer offer, and to clarify our billing practices and third party manager fees.
- We have updated Item 5 to remove our tiered fee schedule to disclose our maximum fee of 1.5%. Further, we stated that our maximum fee includes the cost of our core portfolio offerings and if a subadvisor is hired due to unique circumstances, their fees would be additional and disclosed in their own document. The joint maximum fee of our services and subadvisor services will not exceed 2%.
- We have updated our account minimum in Item 7.
- We have updated Item 10 to clarify that we do select other advisers on your behalf.
- We have updated Item 14 to disclose our referral arrangement with Wealth.com.
- We have updated Item 16 to disclose our discretion to select third party managers on your behalf.

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#### **Item 4 – Advisory Business**

Avery Wealth, Inc. (“Avery Wealth”) is an SEC-registered investment adviser with its principal place of business located in Michigan. Avery Wealth began conducting business in 2008.

Listed below are the firm’s principal shareholders (i.e. those individuals and/or entities controlling 25% or more of the company):

- Daniel A Reese, CFP®, President and Chief Compliance Officer

The Adviser generally offers a complimentary general consultation to discuss the services available, to give a prospective client an opportunity to review the services desired, and to determine the possibility of a potential Client-Adviser relationship. Investment advisory services begin only after the client and Adviser formalize the relationship with a properly executed Client Agreement.

Avery Wealth offers the following services to our clients:

#### **INVESTMENT MANAGEMENT SERVICES**

Avery Wealth offers ongoing portfolio management services based on the individual goals, objectives, time horizon, and risk tolerance of each client. Avery Wealth creates an Investment Policy Statement for each client, which outlines the client’s current situation (income, tax levels, and risk tolerance levels) and then constructs a plan to aid in the selection of a portfolio that matches each client’s specific situation. Investment Supervisory Services include, but are not limited to, the following:

- Investment Strategy
- Asset Allocation
- Regular portfolio monitoring
- Asset allocation
- Risk tolerance

Avery Wealth evaluates the current investments of each client with respect to their risk tolerance levels and time horizon. Avery Wealth will request discretionary authority from clients in order to select securities and execute transactions without permission from the client prior to each transaction. Risk tolerance levels are documented in the Investment Policy Statement, which is given to each client.

In addition to traditional investment consulting, Avery Wealth offers advanced planning services to each client. Advanced planning services includes the follow core areas:

- **Wealth Enhancement** – The process of minimizing the impact of taxes on a client's investment return, while insuring the required cash flow from the portfolio.
- **Wealth Transfer** – The process of finding and facilitating the most tax-efficient way to pass assets to loved ones in ways that meet the client's wishes with minimal difficulty and cost.
- **Wealth Protection** – The process of protecting a client's wealth against catastrophic loss, potential creditors, litigants, children's spouses and potential ex-spouses, and identity thieves.
- **Charitable Giving** – The process of selecting the appropriate means of giving (such as direct gifts, donor-advised funds, or private family foundations), to selecting causes and organizations that will have the biggest impact.

In a well-orchestrated wealth management plan, each of the advanced planning areas noted above work in concert with a client's investment plan to put them in the best position to accomplish the things most important to them. Often, this work is done by coordinating with the client's other professionals, such as their CPA, business attorney, personal attorney, and commercial and/or personal lines insurance specialist. By implementing a consultative process, the client is able to make informed decisions, and implement only those strategies that they and their team of professionals agree are prudent in attaining their goals.

It is important to note that information sharing and coordinated work with other professionals is only done at the direction of the client and with their prior approval. Additionally, service fees charged by other professionals is included in a separate agreement between the client and that professional, and not included under a client's agreement with Avery Wealth.

## **INDEPENDENT MANAGERS**

When deemed appropriate and of interest to the client, Avery Wealth may recommend the services of one or more third-party investment managers ("Independent Managers") that may offer investment programs designed to help clients meet their goals and objectives.

Avery Wealth will determine which Independent Manager(s) may be appropriate, depending upon the client's stated circumstances, stated goals and objectives, strategy desired, account size, risk tolerance, or other factors. The terms and conditions under which the client shall engage the Independent Manager(s) shall be set forth within the

written agreements between the client and Avery Wealth. Avery Wealth shall continue to render advisory services to the client relative to the ongoing monitoring and review of account performance and will act as the client's primary Adviser.

Factors that Avery Wealth shall consider in recommending Independent Manager(s) include the client's stated investment objective(s), management style, performance, reputation, financial strength, reporting, pricing, and research.

The Independent Manager is responsible for portfolio management, portfolio reporting services, best execution review, quarterly reporting, trade error resolution, custodial reconciliations, and implementation of trades within their respective programs. Certain Independent Managers require minimum portfolio conditions as outlined in each Manager's disclosure materials.

### **CONSULTATION SERVICES**

Avery Wealth is available to provide Consultation Services on an hourly basis. Consultation Services may be suitable where limited or occasional services are desired.

The Adviser may provide Consultations pertaining to such issues as research, investment analysis, portfolio reviews, asset allocation, general tax issues; retirement planning; education funding; risk assessment; goal setting; business benefit issues; business owner issues; cash flow, or other needs that are identified by the client. The Adviser can tailor services as may be desired by the client. Advice and recommendations may address only certain financial or investment components as desired by the client.

When Consultation Services only focus on certain areas of client interests, needs or is otherwise limited, clients must understand that a client's overall financial and investment needs and objectives may not be considered as a result of time and/or service restraints placed on the Adviser's services. Clients requiring assistance on issues relating to matters outside of financial and investment advisory topics should consult their personal tax Adviser, legal counsel, or other professionals for expert opinions. When providing retirement plan-related consultation services, the advice and recommendations are limited to plan offerings.

### **WEALTH.COM**

Clients of Avery Wealth may, but are not required to utilize Wealth.com free of charge for their estate planning needs. Wealth.com provides a holistic estate planning solution that allows users to create, manage and administrate estate plans through a technology platform. Wealth.com facilitates an optional hybrid model where clients can start the process digitally, but still receive a bespoke human experience by consulting live with one of our local T&E attorney partners for a fee. Advisors purchase access to the Wealth platform as an annual license and can then invite or refer an unlimited number of clients to the platform for estate planning.

Wealth.com allows clients to create estate planning documents to action the legacy objectives that we may have designed together. Once referred to Wealth, clients enter the Wealth platform and are guided through the document creation process by Wealth, not by the advisor. Though advisors can refer clients to the platform, they are not involved with the drafting of the legal documents and cannot make selections for the client. As an advisor, we can receive read-only visibility of the client account to help ensure the process is completed and to continue to monitor for optimization opportunities.

From a compliance standpoint, offering a Wealth account to a client is no different from any other estate planning referral an advisor can make. Wealth prioritizes advisor compliance with industry best practices regarding legal ethics and professional rules of conduct. Wealth.com works with attorneys who are nationally recognized experts in advising technology firms seeking to structure ethically compliant relationships with consumers of legal services and governmental regulators.

### **ADVICE IMPLEMENTATION AND SERVICE TERMINATION**

Clients are welcome, but are never under any obligation, to utilize the products, services, or service providers that may be recommended. Implementation of any advice or recommendations, in whole or in part, is entirely at the client's discretion via the service provider(s) of the client's choice.

The advice provided by the Adviser may include recommendations for updates and reviews. Consultation Services terminate upon the delivery of services. Thus, additional services or reviews must be requested by the client and will be provided under a new or amended engagement.

### **AMOUNT OF MANAGED ASSETS**

As of 12/31/2023, we were managing \$201,703,744 of client's assets on a discretionary basis and \$0 on a non-discretionary basis.

## **Item 5 – Fees and Compensation**

### **INVESTMENT MANAGEMENT FEES**

The Adviser's fee is agreed to at the time of engagement. Fees may be modified lower, based on unusual circumstances, pre-existing relationships, or other circumstances. The Adviser's fee will also be dependent upon the amount and nature of assets to be managed, required services, complexities, or other factors, and at the discretion of the Adviser. Avery Wealth reserves the right to provide pro bono services for some charitable organizations, close family members, or for persons with special needs, solely at the Adviser's discretion.

The maximum annual advisory fee is 1.50% which is negotiable at a rate that is agreeable to the advisor and the client.

The Firm's maximum annual advisory fee includes the cost of our core portfolio offerings and if a subadvisor is hired due to unique circumstances, their fees would be additional and disclosed in their own document. The joint maximum fee of our services and subadvisor services will not exceed 2%.

Asset-based portfolio management fees are withdrawn directly from the client's accounts with client's written authorization. Depending on the client's portfolio (as set forth in the investment advisory agreement), these fees are withdrawn on a quarterly basis. Fees are paid in advance. Fees are based on the assets under management on the last day of the previous quarter. Clients are welcome to discontinue services with 30 days written notice.

Avery Wealth collects fees in advance. For clients whose fees are billed quarterly, we will provide a prorated refund of fees from the effective date of termination to the end of the quarter.

The fees noted herein represent fees for advisory services only. Clients may pay transaction fees and brokerage commission to their broker/dealer as well as any fees associated with their particular accounts (e.g., account opening, maintenance, transfer, termination, cash wire transfer, retirement plan, trust fees, and all such applicable third-party fees). All fees paid to the Adviser for advisory services are separate from the fees and expenses charged to shareholders of ETF's or mutual fund shares by mutual fund companies or by the investment Adviser managing a portfolio.

If a mutual fund previously purchased by or selected by a client should impose a sales charge, a client may pay an initial or deferred sales charge. A complete explanation of the expenses charged by a mutual fund is contained in the respective mutual fund prospectus. Clients are encouraged to read each fund prospectus and securities offering document before investing. The Adviser does not receive any portion of these investment-related fees. Clients should read all disclosure documents before investing. Clients will not incur additional fees when utilizing independent managers.

Clients should note that similar advisory services may (or may not) be available from other registered (or unregistered) investment advisers for similar or lower fees.

### **INDEPENDENT MANAGER FEES**

Avery Wealth may direct clients to third-party investment advisers, or third-party asset management firms for back-office services or other services related to management of clients' assets. Avery Wealth will be compensated via a fee share from the advisers to which it directs those clients. This relationship will be memorialized in each contract between Avery Wealth and each third-party adviser. The fees shared will not exceed any limit imposed by any regulatory agency. The notice of termination requirement and payment of



fees for third-party investment advisers will depend on the specific third-party adviser selected. Use of independent managers will not increase client's overall fee.

The total management fee, including the third-party investment adviser and Avery Wealth, will range from .25% - 1.50% based on the size of the relationship and other circumstances.

Avery Wealth does not receive referral-based compensation from Independent Managers. Rather, Avery Wealth's compensation is equal to a portion of the total annual advisory fee charged to client.

Clients may incur additional fees charged by third-party service providers, such as those described herein (commissions; custodial fees; etc.), but will not incur additional advisory fees in relation to utilizing independent managers. Independent manager fees will be deducted from the fee Client already pays to Avery Wealth.

When recommending the services of Independent Managers, the Adviser will present to the client, the Independent Managers' Firm Brochure. Clients are never under any obligation to engage the services of any investment management firm we may recommend.

### **CONSULTATION SERVICE FEES**

Consultation Services are invoiced at a rate of \$150 per hour with a minimum project of \$500. For larger projects, the Adviser may quote a project-based fee based upon time and effort. The Adviser may request a retainer equal to ½ the total project fee in order to schedule the project. In such cases, the balance of the project fee is due upon the conclusion of services. Should additional services be desired or where the client's circumstances have changed materially prior to the conclusion of services, additional fees may apply. However, the Adviser will obtain approval from the client prior to engaging in additional time and effort that will result in additional fees.

Clients may terminate Consultation Services immediately upon receipt of written notice. Where services are terminated prior to the conclusion of services, the client will receive a refund of unused fees.

### **SUCCESSION PLAN**

Avery Wealth has executed a Succession Agreement with Buckingham Strategic Wealth, LLC. The Agreement is available on request.

### **Item 6 – Performance-Based Fees and Side-By-Side Management**

Avery Wealth does not charge any performance-based fees (fees based on a share of capital gains on or capital appreciation of the assets of a client).

## **Item 7 – Types of Clients**

Avery Wealth can provide advisory services to individuals; high net worth investors; families; charitable organizations; corporations and other entities.

### **MINIMUM CONDITIONS FOR SERVICES**

Avery Wealth requests a minimum relationship size of \$400,000 for clients interested in receiving Investment Management Services. The Adviser reserves the right to waive the minimum conditions for pre-existing relationships, family members, where special circumstances exist, where the minimum can be reached within a reasonable time frame, or other considerations at the discretion of the Adviser.

Independent Managers that may be recommended to clients may have established minimums as outlined in their disclosure documents.

The Adviser reserves the right to decline to provide services to any person or firm for any reason.

## **Item 8 – Methods of Analysis, Investment Strategies and Risk of Loss**

Avery Wealth attempts to measure an investor's risk tolerance, time horizon, goals and objectives through an interview process, based upon information provided by the client, in an effort to determine an investment plan or portfolio to best fit the investor's profile. Investment strategies may be based upon a number of concepts and determined by the type of investor.

Investment strategies are generally long-term in nature, depending upon the stated individual needs of the client. The Adviser's general investment approach may be both conservative and long range or follow a strategy that is guided by the client's wishes. Avery Wealth provides advisory services for portfolios ranging from moderately aggressive to conservative, each designed to meet the varying stated needs of investors. The Adviser does not generally engage in short-term investments except where an investment is sold because the purpose for the holding is no longer applicable.

Avery Wealth will generally utilize the tenets of Modern Portfolio Theory when formulating investment advice, which takes the position that the markets are efficient. Avery Wealth will seek to identify optimally constructed portfolios for clients. A key component of Avery Wealth's advisory methodology is to seek to diversify client portfolios among non-correlated asset classes. The portfolio allocation for a client of Avery Wealth is dependent on the client's stated needs, immediate and future, as well as their communicated tolerance for risk positioning and desired return. In attempting to understand the client's stated objectives and investment comfort, Avery Wealth strives to help guard against undesired

variances in the client's portfolio. Depending on suitability, Avery Wealth will generally recommend tactical trading, portfolio tilting, tax positioning, income generation, index construction or overall active/passive portfolio management strategies in its investment advisory practice. The Adviser does not generally engage in trading or market timing strategies.

The Adviser may have a preferred list of securities and Independent Managers that it has researched and monitors throughout the year. The Adviser monitors the securities on Avery Wealth' preferred list may make adjustments to our list during the year.

If additional assets are deposited into an account (in case or securities), the Adviser reserves the right to liquidate any transferred securities or decline to accept particular securities into the client's account. The Adviser may consult with its clients about the options and ramifications of transferring securities. However, clients are hereby advised that when transferred securities are liquidated, they are subject to transaction fees, fees assessed at the mutual fund level (*e.g.*, contingent deferred sales charge) and/or tax ramifications.

Avery Wealth utilizes many sources of public information to include regulatory filings, annual reports, financial news and research materials. The main research utilized generally focuses on the ongoing academic studies of Modern Portfolio Theory and how different asset classes interact. The Adviser may also utilize the Internet or specialized software products supplied by public sources in its development of investment strategies and advice. The Adviser may receive research from third party service providers and is used to benefit all clients. The Adviser does not have arrangements to receive soft dollar research. Clients should be aware that sales of investments result in taxable gain(s) or loss(es) to the client. Also, the sale of investments to maintain the client asset allocation policy may cause taxable gain(s) or loss(es) to the client. While the Adviser makes every effort to take these matters into consideration in the delivery of its services, the client understands Avery Wealth does not render tax advice and is not responsible for the tax consequences to the client as a result of account transactions. Clients are encouraged to consult their tax Adviser about tax consequences as a result of transactions or any particular investment held in their account.

As noted above under "Independent Managers", the Adviser may recommend the services of unaffiliated Independent Managers who may offer various investment platforms that may be of interest to clients in an effort to help clients meet their investment goals. Independent Managers generally provide active discretionary management pursuant to their disclosure documents and agreement to provide services. Where the Adviser is managing the client's assets, the Adviser will monitor the Independent Manager's investment strategies, past performance and risk results to the extent available.

Regardless of the type of analysis or strategy used, **Investing in securities involves risk of loss that clients should be prepared to bear. Some of the risks involved in investing in securities are the following:**

All investments present the risk of loss of principal – the risk that the value of securities (mutual funds, exchange traded funds (ETFs) and individual bonds), when sold or otherwise disposed of, may be less than the price paid for the securities. Even when the value of the securities when sold is greater than the price paid, there is the risk that the appreciation will be less than inflation. In other words, the purchasing power of the proceeds can be less than the purchasing power of the original investment.

The mutual funds and ETFs utilized by Avery Wealth include funds invested in domestic and international equities, including real estate investment trusts (REITs), corporate and government fixed income securities, commodity futures and, in certain circumstances, funds that are focused on seeking alternative sources of return that have low or negative correlation to stocks and bonds, including funds investing in alternative lending securities, reinsurance related securities, managed futures and currencies. Equity securities include large capitalization, medium capitalization and small capitalization stocks. Mutual funds and ETF shares invested in fixed income securities are subject to the same interest rate, inflation and credit risks associated with the underlying bond holdings.

Among the more risky mutual funds used in Avery Wealth's investment strategies are the U.S. and international small capitalization and small capitalization value funds, emerging markets funds, commodity futures funds, alternative lending securities funds, reinsurance funds, managed futures funds and funds holding currencies. Conservative fixed income securities have lower risk of loss of principal, but most bonds (with the exception of Treasury Inflation Protected Securities (TIPS)) present the risk of loss of purchasing power through lower expected return. This risk is greatest for longer-term bonds.

Certain funds utilized by Avery Wealth contain international securities. Investing outside the United States involves additional risks, such as currency fluctuations, periods of illiquidity and price volatility. These risks can be greater with investments in developing countries.

More information about the risks of any particular market sector can be reviewed in representative mutual fund prospectuses within each applicable sector.

Equity Securities Risk. Equity securities (common, convertible preferred stocks, ETFs and other securities whose values are tied to the price of stocks, such as rights, warrants and convertible debt securities) could decline in value if the issuer's financial condition declines or in response to overall market and economic conditions. A fund's principal market

segment(s) – such as large cap, mid cap or small cap stocks, or growth or value stocks – can underperform other market segments or the equity markets as a whole. Investments in smaller companies and mid-size companies can involve greater risk and price volatility than investments in larger, more mature companies.

Fixed-Income Securities Risk. Fixed-income securities are subject to interest rate risk and credit quality risk. The market value of fixed-income securities generally declines when interest rates rise, and an issuer of fixed-income securities could default on its payment obligations.

Asset Allocation Risk. A fund's selection and weighting of asset classes and/or underlying funds can cause it to underperform other funds with a similar investment objective.

Interval Fund Risk. Where appropriate, Avery Wealth may utilize certain funds structured as non-diversified, closed-end management investment companies, registered under the Investment Company Act of 1940 (“interval fund”). Investments in an interval fund involve additional risk, including lack of liquidity and restrictions on withdrawals. During any time periods outside of the specified repurchase offer window(s), investors will be unable to sell their shares of the interval fund. There is no assurance that an investor will be able to tender shares when or in the amount desired, and the fund can suspend or postpone repurchases. Additionally, in limited circumstances, an interval fund may have a limited amount of capacity and may not be able to fulfill all purchase orders. While an interval fund periodically offers to repurchase a portion of its securities, there is no guarantee that investors may sell their shares at any given time or in the desired amount. The closed-end interval funds utilized by Avery Wealth impose liquidity gates for each repurchase offer and in the event the offer is oversubscribed, the requested redemption amount may be reduced.

As interval funds may expose investors to liquidity risk, investors should consider interval fund shares to be an illiquid investment. Typically, the interval funds are not listed on any securities exchange and are not publicly traded. Thus, there is no secondary market for the fund's shares. Clients should carefully review the fund's prospectus and most recent shareholder report to more fully understand the interval fund structure and be knowledgeable to the unique risks associated with interval funds, including the illiquidity risks. Because these types of investments involve certain additional risk, these funds will only be utilized when consistent with a client's investment objectives, individual situation, suitability, tolerance for risk and liquidity needs. Investment should be avoided where an investor has a short-term investing horizon and/or cannot bear the loss of some or all of the investment.

Alternative Fund Risk. Certain alternative funds (registered under the Investment Company Act of 1940) utilized by Avery Wealth may employ use of derivatives, options, futures and/or short sales. Use of derivatives, options or futures by a Fund may be for purposes of gaining exposure to a particular asset group, for hedging purposes or for leverage purposes. The use of derivatives, options and futures exposes the funds to additional risks and transaction costs. In addition, if the Fund uses leverage through activities such as entering into short sales or purchasing derivative instruments, there are additional risk, including the fund having the risk that losses may exceed the net assets of the fund. The net asset value of a fund while employing leverage will be more volatile and sensitive to market movements. Clients should carefully review the fund's prospectus to more fully understand the risk of funds employing the use of derivatives, options, futures and/or short sales. Investments in these funds should be avoided where an investor has a short-term investing horizon and/or cannot bear the loss of some or all of the investment.

The risk of loss described herein should not be considered to be an exhaustive list of all the risks which clients should consider.

#### **Item 9 – Disciplinary Information**

Registered investment advisers are required to disclose all material facts regarding any legal or disciplinary events that would be material to your evaluation of Avery Wealth or the integrity of Avery Wealth's management.

Avery Wealth has no information applicable to this Item.

#### **Item 10 – Other Financial Industry Activities and Affiliations**

Avery Wealth is not registered and does not have an application pending to register, as a broker dealer and its management persons are not registered as broker/dealer representative. Avery Wealth and its management persons are not registered and do not have application pending to register, as a futures commission merchant, commodity pool operator/advisor.

Dan Reese and Brent Oliver are licensed insurance agents. From time to time, they will offer clients advice or products from those activities. Clients should be aware that these services pay a commission and involve a conflict of interest, as commissionable products conflict with the fiduciary duties of a registered investment adviser. Avery Wealth Inc. always acts in the best interest of the client; including the sale of commissionable products to advisory clients. Clients always have the right to decide whether or not to utilize the services of any representative of Avery Wealth, Inc. in such individual's outside capacities.

Avery Wealth will from time to time recommend or select other investment advisers for its clients. Avery Wealth is not compensated for the use of these advisers and will conduct ongoing due diligence to ensure the selected and recommended advisers are operating in accordance with the your best interest.

Avery Wealth, Inc and our related persons are not engaged in other financial industry activities and have no other industry affiliations.

## **Item 11 – Code of Ethics, Participation or Interest in Client Transactions, and Personal Trading.**

### **A. Code of Ethics**

Avery Wealth takes the issue of regulatory compliance seriously and is committed to maintain compliance with state and applicable federal securities laws. Additionally, the Adviser has a position of public trust and it is our goal to maintain that trust; provide excellent service, good investment performance; and advice that is suitable. The Adviser places great value on ethical conduct. Therefore, the ultimate goal of our internal policies is to challenge our staff to live up not only to the letter of the law, but also to the ideals set forth by the Adviser.

Clients may be familiar with the roles fiduciaries play in various legal situations and in certain industries. As a Registered Investment Adviser, Avery Wealth is a fiduciary to each and every client. As fiduciaries, Investment Advisers owe their clients several specific duties. According to the United States Securities Commission (“SEC”), to which state regulators defer in this instance, an Investment Adviser’s fiduciary duties include:

- Providing advice that is suitable;
- Providing full disclosure of material facts and potential conflicts of interest (such that the client has complete and honest disclosure in order to make an informed decision about services of the Adviser and about investment recommendations);
- The utmost and exclusive loyalty and good faith;
- Best execution of transactions under available circumstances;
- The Adviser’s reasonable care to avoid ever misleading clients;
- Only acting in the best interests of clients.

It is the Adviser's policy to protect the interests of each client and to place the clients' interests first and foremost in each and every situation. The Adviser will abide by honest and ethical business practices to include, but are not limited to:

- The Adviser will not induce trading in a client's account that is excessive in size or frequency in view of the financial resources and character of the account.
- The Adviser will make investment decisions with reasonable grounds to believe that the decisions are suitable for the client on the basis of information furnished by the customer and we will document suitability.
- The Adviser and Advisory Representatives will not borrow money from clients.
- Avery Wealth will not recommend the purchase of a security without the reasonable belief that the security is registered, or the security or transaction is exempt from registration in states where we provide advice and based upon information the Adviser receives.
- The Adviser will not recommend that the client place an order to purchase or sell a security through a broker/dealer or agent, or engage the services of a broker/dealer that is not licensed, based upon information available to the Adviser.
- The staff of the Adviser will report all required personal securities transactions as set forth in the Adviser's policies and procedures manual (non-reportable securities holdings include mutual funds and government securities, for example).

All applicable securities rules and regulations will be strictly enforced.

The Investment Adviser will not permit and has instituted controls against insider trading. Avery Wealth emphasizes the unrestricted right of clients to decline to implement any advice rendered, in whole or part.

Advisory Representatives and administrative personnel who do not follow the Adviser's Code of Ethics or who in any way violate securities rules and regulations, the Adviser's policies and procedures, or who fail to report known or suspected violations will be disciplined or terminated, depending upon the severity of the violation. Such persons could also face action by the SEC and/or state securities regulators.

## **B. Recommendations Involving Material Financial Interests**

EVERY WEALTH, INC does not recommend that clients buy or sell any security in which a related person to EVERY WEALTH, INC or EVERY WEALTH, INC has a material financial interest.



### **C. Investing Personal Money in the Same Securities as Clients**

From time to time, representatives of AVERY WEALTH, INC may buy or sell securities for themselves that they also recommend to clients. This may provide an opportunity for representatives of AVERY WEALTH, INC to buy or sell the same securities before or after recommending the same securities to clients resulting in representatives profiting off the recommendations they provide to clients. Such transactions may create a conflict of interest. AVERY WEALTH, INC will always document any transactions that could be construed as conflicts of interest and will always transact client business before their own when similar securities are being bought or sold.

### **D. Trading Securities At/Around the Same Time as Clients' Securities**

From time to time, representatives of AVERY WEALTH, INC. may buy or sell securities for themselves at or around the same time as clients. This may provide an opportunity for representatives of AVERY WEALTH, INC to buy or sell securities before or after recommending securities to clients resulting in representatives profiting off the recommendations they provide to clients. Such transactions may create a conflict of interest. Avery Wealth, Inc. will always transact client's transactions before its own when similar securities are being bought or sold.

### **Item 12 – Brokerage Practices**

Clients can use the brokerage firm of their choice to implement any desired transactions, in whole or in part, at their discretion. The Advisory Representatives of Avery Wealth are not Registered Representatives of any broker/dealer firm and do not receive commissions for recommending securities or for recommending the services of any particular broker/dealer.

Avery Wealth generally recommends the services of Charles Schwab & Co., Inc. ("Schwab") or Fidelity, registered broker-dealers, members SIPC, as the qualified custodians.

Avery Wealth is independently owned and operated and is not affiliated with Schwab or Fidelity. Schwab or Fidelity will hold your assets in a brokerage account and buy and sell securities when we instruct them to. While we recommend that you use Schwab or Fidelity as a custodian, you will decide whether to do so and will open your account with Schwab/Fidelity by entering into an account agreement directly with them. We do not open the account for you, although we may assist you in doing so.

### **Products and services available to the Firm from Schwab**

Schwab Advisor Services™ is Schwab's business serving independent investment advisory firms like us. Schwab provides Avery Wealth and our clients with access to 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. Schwab's support services described below are generally available on an unsolicited basis (i.e., we do not have to request them) and at no charge to us. Here is a more detailed description of Schwab's support services:

*Services that Benefit Clients Directly*

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 each client.

*Services that May Not Directly Benefit Clients*

Schwab also makes available to us other products and services that benefit us but may not directly benefit a specific client. 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 use this research to service all or a substantial number of our clients' accounts. In addition to investment research, Schwab also makes available software and other technology that:

- Provides access to client account data (such as trade confirmations and account statements);
- Facilitates trade execution and allocate aggregated trade orders for multiple client accounts;
- Provides pricing and other market data;
- Facilitates payment of our fees from our clients' accounts; and
- Assists 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 (among others) the following:

- Educational conferences and events
- Technology, compliance, legal, and business consulting
- Publications and conferences on practice management and business succession
- Access to employee benefits providers, human capital consultants and insurance providers

Schwab will provide some of these services itself or 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.

### **Our Interest in Schwab's Services**

The availability of the services described above from Schwab benefits us because we do not have to produce or purchase them. They are not contingent upon Avery Wealth committing any specific amount of business to Schwab in trading commissions or assets in custody. The fact that we receive these benefits from Schwab is an incentive for us to recommend the use of Schwab rather than making such a decision based exclusively on your interest in receiving the best value in custody services and the most favorable execution of your transactions. This is a conflict of interest. We believe, however, that taken in the aggregate our recommendation of Schwab as a custodian and broker is in the best interest of our clients. Our selection is primarily supported by the scope, quality and price of Schwab's services, and not Schwab's services that benefit only us.

Avery Wealth may, from time to time, recommend a broker other than Schwab. Such broker would be subject to the criteria set forth in this section. Avery Wealth recognizes its duty to obtain best price and execution for its clients under the circumstances available, based on the recommendations it provides. The Adviser does maintain limited discretionary authority to execute trades.

Clients are welcome to utilize the service provider(s) of their choice and will notify the Adviser in writing. Client will also need to ensure that the Adviser receives copies of account statements from their service provider(s). Avery Wealth may, in our discretion, allow clients to direct brokerage; however Avery Wealth may recommend custodians. Avery Wealth may be unable to achieve most favorable execution of client transactions if clients choose to direct brokerage. This may cost clients money because without the ability to direct brokerage Avery Wealth may not be able to aggregate orders to reduce transactions costs resulting in higher brokerage commissions and less favorable prices. This may also cause the client to pay higher commissions as well. Not all investment advisers allow their clients to direct brokerage.

Avery Wealth's decision to utilize its preferred services providers is based upon the customer service provided to investors and the services available to the Adviser.

While it is possible that clients may pay higher commission or transaction fees through the Adviser's recommended service providers, Avery Wealth has determined that the companies currently offer the best overall value to Avery Wealth and its clients for the brokerage and technology provided. Each is large and sophisticated order handlers.

Avery Wealth periodically reviews other alternatives that are available to the Adviser market. However, Avery Wealth believes that excellent customer service and trade execution is superior to most non-service oriented, discount and Internet based brokers that may otherwise be available to the public. The Adviser's preferred service providers feature broad lines of products and services that are available to almost every investor and are proficient at serving the needs of independent Investment Advisers.

The Adviser also considers the following criteria:

- Quality of overall execution services provided;
- Promptness of execution;
- Creditworthiness, financial condition, and business reputation of the broker-dealer;
- Research (if any) provided;
- Promptness and accuracy of reports on execution;
- Ability and willingness to promptly correct errors;
- Promptness and accuracy of confirmation statements;
- Ability to access various market centers;
- The broker-dealer's facilities and technology;
- The market where the security trades;
- Any expertise in executing trades for the particular type of security;
- Commission charged;
- Reliability of the broker-dealer;
- Ability to use ECNs to gain liquidity, price improvement, lower commission rates and anonymity;
- Execution and operational capabilities of the broker-dealer.

The Adviser monitors its preferred service providers' best execution documentation. Each of the service providers has consolidated their "Best Execution" responsibilities within specialized monitoring groups. The groups are charged with monitoring execution quality through a "regular and rigorous review" of the execution quality received from the venues where the service providers route equity and option orders. Additionally, these service providers indicate their best execution policies continually monitor alternative venues to identify opportunities for improving execution quality. Among the factors these service providers consider generally include: The amount of net price improvement, speed of execution, certainty of execution, cost of execution, service issues, reliability, credit worthiness of counterparties, and accessibility. Generally, the larger service providers compare the reported executions and unexecuted orders to the National Best Bids and Offers (NBBO's) at the time of order entry and identify a subset of items that require review.

Charles Schwab utilizes SmartEx™, which is an intelligent order routing system which is designed to route most market or marketable limit orders quickly and seek the best available trade execution. The firm also offers Direct Access trading technology, which provides for the ability to target the price desired want by routing orders directly to the selected ECN or market maker. Further, Charles Schwab & Co. will match any broker's guarantee, no matter how fast. Charles Schwab & Co. services more independent Investment Advisers than any other national firm.

In general, among the factors the service providers consider include: The amount of net price improvement, speed of execution, certainty of execution, cost of execution, service

issues, reliability, credit worthiness of counterparties, and accessibility. Market volatility, volume and system availability may delay account access and trade executions. Price can change quickly in fast market conditions, resulting in an execution price different from the quote displayed at order entry. Execution price, speed and liquidity and account access are affected by many factors, including market volatility, size and type of order and available market centers.

The United States Securities and Exchange Commission requires brokerage firms to make publicly available their order routing practices via quarterly reports. The report is to provide information on routing non-directed orders (any order that the customer or Adviser has not specifically instructed to be routed to a particular venue for execution). For non-directed orders, the service provider will select the venue. Note: Brokerage firms are required to disclose any material arrangements with the venues utilized, including but not limited to any payments for order flow arrangements. Clients are welcome to obtain copies of these reports if desired.

Avery Wealth periodically reviews other custodial alternatives that are available to the Adviser market. However, Avery Wealth believes that excellent customer service and trade execution is superior to most non-service oriented, discount and internet-based brokers that may otherwise be available to the public. Clients are encouraged to research service providers as well.

While Avery Wealth has no formal soft dollars program in which soft dollars are used to pay for third party services, Avery Wealth may receive research, products, or other services from custodians and broker-dealers in connection with client securities transactions ("soft dollar benefits"). Avery Wealth may enter into soft-dollar arrangements consistent with (and not outside of) the safe harbor contained in Section 28(e) of the Securities Exchange Act of 1934, as amended. There can be no assurance that any particular client will benefit from soft dollar research, whether or not the client's transactions paid for it, and Avery Wealth does not seek to allocate benefits to client accounts proportionate to any soft dollar credits generated by the accounts. Avery Wealth benefits by not having to produce or pay for the research, products or services, and Avery Wealth will have an incentive to recommend a broker-dealer based on receiving research or services. Clients should be aware that Avery Wealth's acceptance of soft dollar benefits may result in higher commissions charged to the client.

If Avery Wealth buys or sells the same securities on behalf of more than one client, then it may (but would be under no obligation to) aggregate or bunch such securities in a single transaction for multiple clients in order to seek more favorable prices, lower brokerage commissions, or more efficient execution. In such case, Avery Wealth would place an aggregate order with the broker on behalf of all such clients in order to ensure fairness for all clients; provided, however, that trades would be reviewed periodically to ensure that accounts are not systematically disadvantaged by this policy. Avery Wealth would determine the appropriate number of shares and select the appropriate brokers consistent

with its duty to seek best execution, except for those accounts with specific brokerage direction (if any).

### **Item 13 – Review of Accounts**

#### **REVIEWS**

**Investment Management Services** involve ongoing monitoring of clients' managed portfolios. Internal reviews are conducted no less than annually but may occur more frequently based upon individual circumstances and the nature and/or complexity of the portfolio. Internal reviews may also occur as a result of market conditions or as otherwise determined by the Adviser. Reviews are conducted by Daniel Reese, the President and Chief Compliance Officer. The Adviser requests that clients keep in regular contact with the Adviser. However, clients should meet with the Adviser at least annually to ensure the investment plan/strategies continue to be aligned with the clients' stated individual needs, goals, objectives, time horizon and risk tolerance. However, clients are obligated to *promptly* inform the Adviser of any change in the client's financial condition or circumstances in order to provide the Adviser with an opportunity to consider the current information and if any changes in the investment strategy/plan are appropriate.

The Adviser is also available to provide **Consultation Services**, however these services are not ongoing and therefore do not provide for reviews or follow-up services. Consultation Services terminate upon the delivery of services. The advice or recommendations provided may include recommendations for reviews or follow-up services. In such cases, it is the client's obligation to secure additional or follow-up services with the Advisor at the client's discretion.

#### **REPORTS**

Clients can expect to receive transaction statements as they may occur, and regular account statements from custodians or brokerage firms. Additionally, clients may access portfolio information via the custodian's website. It is the client's responsibility to ensure the Adviser receives timely duplicate account reports from investment service providers. Generally, duplicate statements are requested at the time the account is set up at the client's selected service provider(s). The Adviser may also prepare portfolio reports in conjunction with reviews, or at the Adviser's discretion.

### **Item 14 – Client Referrals and Other Compensation**

It is Avery Wealth, Inc's policy not to engage solicitors or to pay related or non-related persons for referring potential clients to our firm.

Please reference Item 12 for a complete description of any soft dollar benefits Avery Wealth, Inc may receive from custodians and/or broker/dealers.

It is Avery Wealth, Inc's policy not to accept or allow our related persons to accept any form of compensation, including cash, sales awards or other prizes, from a non-client in conjunction with the advisory services we provide to our clients.

Avery Wealth compensates Wealth.com to be a part of their platform that will offer estate planning services outlined in Item 4 to customers of Avery Wealth. The fee for this service is not passed on to customers of Avery Wealth and is paid out of ordinary business expenses of Avery Wealth. This service is offered as a perk for being a customer of Avery Wealth, and while Avery Wealth will conduct ongoing due diligence on this service provider, customers are not required to engage Wealth.com services and may find more suitable service providers elsewhere.

### **Item 15 – Custody**

When advisory fees are deducted directly from client accounts at client's custodian, or any third-party asset-management provider or sub-advisor (“Third Party”) utilized by Avery Wealth, Avery Wealth or the Third Party will be deemed to have limited custody of client's assets and must have written authorization from the client to do so. Clients will receive all account statements and billing invoices that are required in each jurisdiction, and they should carefully review those statements for accuracy.

### **Item 16 – Investment Discretion**

Avery Wealth provides discretionary investment advisory services to clients. The Investment Advisory Contract established with each client sets forth the discretionary authority for trading and selection of third party managers. Clients with discretionary accounts will execute a limited power of attorney to evidence discretionary authority. Where investment discretion has been granted, Avery Wealth generally manages the client's account and makes investment decisions without consultation with the client as to when the securities are to be bought or sold for the account, the total amount of the securities to be bought/sold, what securities to buy or sell, or the price per share. Clients may, but typically do not, impose restrictions in investing in certain securities or types of securities in accordance with their values or beliefs.

## **Item 17 – Voting Client Securities**

As a matter of firm policy, we do not vote proxies on behalf of clients. Therefore, although our firm may provide investment advisory services relative to client investment assets, clients maintain exclusive responsibility for: (1) directing the manner in which proxies solicited by issuers of securities beneficially owned by the client shall be voted, and (2) making all elections relative to any mergers, acquisitions, tender offers, bankruptcy proceedings or other type events pertaining to the client's investment assets. Clients are responsible for instructing each custodian of the assets, to forward to the client copies of all proxies and shareholder communications relating to the client's investment assets.

We may provide clients with consulting assistance regarding proxy issues if they contact us with questions at our principal place of business.

## **Item 18 – Financial Information**

Avery Wealth, Inc has no additional financial circumstances to report.

Under no circumstances do we require or solicit payment of fees in excess of \$500 per client more than six months in advance of services rendered. Therefore, we are not required to include a financial statement.

Avery Wealth, Inc has not been the subject of a bankruptcy petition at any time during the past ten years.

## **Item 19: Requirements For State Registered Advisers**

This section is not applicable as Avery Wealth, Inc. is SEC registered and not state registered. More information of Avery's current management persons can be found on the Form ADV Part 2B brochure supplements for those individuals. The Form ADV Part 2B brochure supplements may be requested by contacting Avery at 517-783-1695 or [support@averywealth.com](mailto:support@averywealth.com).