

## **PAGE 1 – COVER PAGE**

# **CLARITY FINANCIAL, LLC**



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Houston, TX 77079

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For information contact us:

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This brochure was prepared on June 22, 2017

Clarity Financial, LLC (Clarity Financial, LLC, Clarity, our and or we) is registered with the Securities and Exchange Commission (SEC) as an investment advisor. Registration of an investment advisor does not signify or imply any level of skill or training.

This brochure provides information about the qualifications and business practices of Clarity Financial, LLC. If you have any questions about the contents of this brochure, please contact us at 281-501-1791 or [conniemack@myclarityfinancial.com](mailto:conniemack@myclarityfinancial.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.

Additional information about Clarity Financial, LLC also is available on the SEC's website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov).

## ITEM 2 - MATERIAL CHANGES

Please note that all of the “material changes” made to this Brochure, and since our last annual amendment filing on March 24, 2016, and delivery or posting of the Brochure on the SEC’s public disclosure website (IAPD) [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov), are set forth below:

As of our last annual amendment March 20, 2017 our our physical address has has changed to:

11750 Katy Freeway  
Suite 840  
Houston, TX 77079

As of our last annual amendment March 20, 2017 our office of convenience located at 1645 E. Missouri Ave, Ste 110 Phoenix, AZ 85016 has closed.

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 Connie Mack, Managing Member and CCO, at 281-501-1791 or [conniemack@myclarityfinancial.com](mailto:conniemack@myclarityfinancial.com).

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## **ITEM 4 - DESCRIPTION OF OUR ADVISORY BUSINESS**

Clarity has operated as an investment adviser since 2009. Currently Clarity employs one Registered Advisor and operates in one office located in Houston, Texas. As of December 31, 2016 Clarity had \$275,478,303.00 in client assets under management.

Clarity is owned by Connie Mack.

### **Asset Management**

Clarity Financial, LLC primarily provides fee-based investment advisory services. Our main business is “managing investment advisory accounts”. Specifically, this service describes:

- A) Determining what your current financial situation is and what you want to accomplish with your investments over time;
- B) Developing a plan that is tailored to your situation;
- C) Buying and selling investments on your behalf to accomplish the life goals you have.

### **Financial Planning**

Clarity Financial will create a financial plan covering the following areas:

- D) Fundamentals-Budgeting, Net Worth Statement, and Cash Flow Analysis;
- E) Investment Planning-Determine risk tolerance, Create investment strategy for each goal, Provide recommendations on company retirement plan;
- F) Risk Analysis-Insurance review of all policies covering Life, Health, Property, and Casualty to ensure adequate coverage at competitive prices;
- G) Income Tax Planning-Review overall tax strategy as it pertains to small business, investment vehicles, and account tax status;
- H) Estate Planning-Review will and make sure account registration reflects strategy contained in will. Discuss life planning events and create estate strategy around those events.

### **Plan Services**

Clarity Financial will provide tax-qualified employee retirement plans (“Client”) with continuous and regular supervisory or management services as set forth below in connection with the securities, cash and or other investments (the “Account Assets”) held from time to time in the Account. Clarity Financial shall provide such services to Client, on a non-discretionary basis, and in accordance with the objectives as heretofore specified by Client, and in accordance with the Investment Policy

Statement of the Plan (“IPS”). Additionally, Clarity Financial shall make recommendations, consistent with the IPS, as to diversified menu of investment funds to be offered to Plan Participants and beneficiaries covered by the Plan. From time to time, Client and Clarity Financial may amend, modify, or revise the below services as needed to reflect, on a prospective basis, changes in the description of services. Services to be provided:

- A) Creation of customized Investment Policy Statement- Creation of due diligence procedures for adding or removing an investment from platform;
- B) Annual review of Investment Policy Statement;
- C) Creation of Education Policy Statement-decide the content, method and frequency of distribution to plan participants;
- D) Annual review of Education Policy Statement-Review for potential refinement or updating of material;
- E) Annual review of QDIA to ensure compliance with DOL and ERISA standards;
- F) Plan design consultations as needed to keep up with industry changes;
- G) Comprehensive service provider review annually-cost benefit analysis of all service providers including Clarity. Review of cost to ensure competitive pricing compared to industry;
- H) Annual SAFE review- Self-Assessment of Fiduciary Excellence (SAFE) and Consultant’s Assessment of Fiduciary Excellence (CAFE). SAFE is a review of understanding of fiduciary care a form of a self audit;
- I) Review of Fidelity Bond-Should have policy that allows incremental increases as the plan grows. If not will provide annual assessment to see if more coverage is needed;
- J) Annual testing results of plan- Goal is to have 80% employee participation and will recommend strategies to reach goal;
- K) Quarterly review of plan- Review investments on platform, Confirmation of annual notices sent to participants, review changes of retirement plan contribution limits and ensure TPA has necessary information for filing;
- L) Continual Fiduciary education of 401k committee;
- M) Continual Employee education- will work in partnership with plan service provider to maintain continuity;
- N) One on one participant consultations in person or over the phone;
- O) One on one consultation with terminated employees to provide education around the choices they have.

### **ERISA Fiduciary**

Clarity Financial understands and attests that they are an ERISA fiduciary as defined in the Fiduciary Rule under the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986. Clarity Financial adheres to the Impartial Conduct Standards (including the “best interest” standard, reasonable compensation and no misrepresented information), as a condition for relying upon the Best Interest Contract Exemption and the Class Exemption for Principal Transactions in Certain Assets Between Investment Advice Fiduciaries and

Employee Benefit Plans and IRA during the transition period from June 9, 2017, through January 1, 2018. This relates to all ERISA accounts including Individual Retirement Accounts (IRAs).

Clarity Financial acts as a non-discretionary investment manager of the Plan as defined in Section 3(21) of the Employee Retirement Income Security Act of 1974.

## **ITEM 5 - FEES AND COMPENSATION**

### **Asset Management**

For asset management Clarity is compensated by advisory fees that are based on a percentage of assets under advisory management. The maximum percentages charged, based on assets under management are:

As of March 21, 2016 our fee schedule is as follows:

\$0-\$1,000,000	1.00%
\$1,000,001-\$2,000,000	0.75%
\$2,000,001-\$3,000,000	0.65%
\$3,000,001 and over fees are negotiable	

Fees are calculated by multiplying the assets under management by the relevant percent and dividing such product by 365 days then multiplying product by days contained within current quarter. Accounts opened in mid-quarter will be assessed a pro-rated management fee. Normally, fees are payable quarterly in advance, but the customer can negotiate the payment of fees in arrears. Fees may be deducted from client's account(s) within ten (10) days following the end of the month or quarter for which said fees will be incurred. All advisory fees are negotiable.

Any client charged a quarterly fee in advance will be given a pro-rata refund of fees, if services are terminated prior to the end of the quarter billed.

Fees are calculated on an incremental basis and are subject to change with 30 days written notice. Notwithstanding the above, based upon pre-existing relationships, assets under management and other factor relevant to an engagement, the actual fees charged can be less than those set out above.

Either party can terminate at any time by giving thirty (30) days prior written notice of such termination to the other party. If the Account is to be liquidated as the result of a termination notice, the parties understand that the process of liquidation can take up to five (5) trading days following the date Clarity received the liquidation request.

Transaction Costs: Our fees are exclusive of brokerage commissions, transaction fees, and other related costs and expenses which shall be incurred by the client. Clients generally incur certain charges imposed by custodians, brokers, third party investment and other third parties such as fees charged by managers, custodial fees, deferred sales charges, odd-lot differentials, transfer taxes, wire transfer and electronic fund fees, and other fees and taxes on brokerage accounts and securities transactions.

## **Financial Planning**

Total fee for financial plan will be \$ \_\_\_\_\_broken out into two payments. The first payment will be due upon execution of this agreement in the amount of \$\_\_\_\_\_. The final payment will be due upon the completion and delivery of financial plan. The time frame of services will not dictate the final payment. If financial plan is completed within a period that is less than 6 months then final payment will be due. Clarity Financial will continue to provide consulting services for the remainder of the time period to ensure execution of the financial plan.

The Financial Planning Agreement will cover the next 6 months from the date signature. After 6 months an hourly consulting fee of \$\_\_\_\_\_ will be assessed.

## **Plan Services**

Clarity Financial's compensation for managing the Account shall be at the percentage per annum of the "Net Asset Value" (defined below) of the Account as follows:

\$0-\$500,000	0.75%
\$500,001-\$1,000,000	0.65%
\$1,000,001-\$2,000,000	0.55%
\$2,000,000-\$3,000,000	0.45%
\$3,000,001 and over	fees are negotiable

The Adviser reserves the right to negotiate all fees for all services at its discretion based on prior relationships, nature of service provided, etc.

## **ITEM 6 - PERFORMANCE BASED FEES AND SIDE-BY-SIDE MANAGEMENT**

Clarity does not charge performance based fees and does not engage in side by side management.

## **ITEM 7 - TYPES OF CLIENTS**

Clarity provides advisory services to individuals, high net worth individuals, charitable organizations and to small businesses, such as sole proprietorships, partnerships, and small corporations.

## **ITEM 8 - METHODS OF ANALYSIS, INVESTMENT STRATEGIES, AND RISK OF LOSS**

Clarity will rely on standard industry methods of analysis. This includes fundamental analysis, which seeks to buy investments that have a correlated reward to risk potential. It also includes technical analysis, which looks for pricing patterns that indicate potentially advantageous times to buy or sell securities. Our analysis can encompass value investing, which seeks to buy securities that are priced lower than the financial data underlying the securities indicate is their actual worth.

Clarity will use business oriented media sources and other publicly available sources of information to gather information on securities.

Investment strategies will be based on client needs. Clarity can formulate strategies for clients desiring growth of the investments, current income, tax advantages, or preservation of their assets.

All investments involve risk of loss. Clarity will always attempt to manage the risk of loss and avoid permanent declines or reduction in value of the clients' original investment, but there is no guarantee that any investment strategy used will not result in loss of some or all of the investment. Investing in securities involves risk of loss that clients should be prepared to bear.

## **ITEM 9 - DISCIPLINARY INFORMATION**

Clarity does not have any disciplinary items to disclose to our customers.

## **ITEM 10 - OTHER FINANCIAL INDUSTRY ACTIVITIES AND AFFILIATIONS**

Clarity is affiliated by common ownership with a firm that offers insurance products to Clarity customers and other persons. The affiliated company is Alora Consulting, LLC and offers general lines of Life, Health, Accident, Property, and Casualty Insurance.

Connie Mack is an insurance agent with Alora Consulting, LLC. To the extent insurance products are purchased thorough Connie Mack by advisory clients, Connie Mack will be paid a commission. This creates a conflict of interest as there is an incentive for Mr, Mack to recommend insurance products based on the compensation received, rather than on



the client's needs. Notwithstanding such conflict of interest, Clarity manages this conflict of interest by monitoring the suitability of such insurance products as a portion of the client's investment needs, by utilizing insurance products only where it is in the client's best interest, and after consultation with the client regarding the insurance products, which consultation includes the disclosure of such potential conflicts in accordance with our fiduciary duty as the client's adviser.

## **ITEM 11 - CODE OF ETHICS, PARTICIPATION IN CLIENTS TRANSACTIONS AND PERSONAL TRADING**

Clarity has prepared a firm wide Code of Ethics for our investment professionals; the Code emphasizes the obligations of our firm and its employees to act in the best interests of our clients in providing investment advice. The Code of Ethics also specifies conduct prohibited by Clarity. Violations of the Code are cause for disciplinary action. The Code also requires vigorous enforcement of the Code. A full and complete copy of the Code of Ethics will be provided to our clients and to prospective clients on their request.

Clarity will not normally participate in client transactions. The investments that we recommend will normally be:

- mutual funds or ETF's operated by unrelated fund managers;
- widely traded equities or bonds;
- money market funds; or
- other broadly traded investments in which Clarity or its affiliates have no financial interest.

Recommending that a client invest in an entity that a Clarity employee has a material (more than 1%) interest will be absolutely prohibited.

There can be rare circumstances in which a cross agency trade happens (this is where one customer buys or sells a security that another customer owns or is acquiring); any cross agency trades will be executed by the clearing firm or other custodial entity and take place at prevailing market prices. Clarity will be limited in any potential cross agency trading involving customer securities.

Clarity employee trading will be monitored and recorded. Our Code of Ethics prohibits trading ahead of a customer order or using any other scheme to obtain a better price on securities than the price a customer would pay when we have a customer ratification of an order in hand.

### **ERISA Conflicts of Interest**

We act in a fiduciary capacity as required by SEC and state Regulations. If a conflict of interest arises between us and you, we shall make every effort to resolve the conflict in your favor. Conflicts of interest may also arise in the allocation of investment opportunities among the accounts that we advise. We will seek to allocate investment opportunities according to what we believe is appropriate for each account. We also adhere to the fiduciary standards of ERISA for all ERISA accounts. We adhere to the Impartial Conduct

Standards which includes the “best interest” standard, reasonable compensation and no misrepresentation of information. We have policies and procedures in place to monitor our adherence to our fiduciary obligation. We strive to do what is in the best interests of all the accounts we advise.

## **ITEM 12 - BROKERAGE PRACTICES**

Clarity has custodial and trade execution arrangements in place with unaffiliated firms; including TD Ameritrade and Fidelity. Clarity does not receive any special compensation or other economic benefit from advisory clients using any of the custodial firms with whom we have arrangements.

Clarity can suggest which custodian the client should use at the beginning of the advisory relationship, but the decision for which broker to execute trades and act as custodian of assets rests with the client.

Aggregation of orders. The client assets under direct management of Clarity are managed in accordance with a specific strategy and customized for each individual client. It can be advantageous if Clarity aggregates orders for purchases or sales of securities. If that is done, all clients would receive the same price, typically an average price, on the securities purchased in an aggregate order.

## **ITEM 13 - REVIEW OF ACCOUNTS**

It is Clarity policy to formally review each customer account at least once a year and in most cases, the review will be done each quarter. Clarity will review for investment performance, conformance with the clients’ portfolio model, and accuracy of charges assessed to the client. Clients will generally receive monthly reports from the custodian detailing their individual assets and all activity in the client’s account, unless the client requests a more frequent basis. Some less active accounts receive quarterly reports from the custodian.

Any items needing follow-up will be documented and brought to the attention of the customer, if necessary. Clarity customers may request an account review at any time.

Reviews will be done by Connie Mack, Managing Member and CCO.

## **ITEM 14 - CLIENT REFERRALS AND OTHER COMPENSATION**

At this time, we have no plans to pay other advisory firms or 3<sup>rd</sup> parties for client referrals. We do have an arrangement with one other registered investment adviser for any referrals made to a pooled investment vehicle that is managed by that adviser. Clarity has not referred any persons to the other advisor during the life of the agreement.

In the future, Clarity may receive some soft dollar compensation from our custodial brokers, but we do not receive such compensation at this time. "Soft Dollars" are services or price breaks that Clarity would get from brokers for keeping our accounts with them or trading through their firm. The soft dollars can take the form of reduced ticket charges, which can be advantageous to our customers (depending on how we price their trading charges) or being given research, software, or equipment that we would normally pay for; these goods and services generally do not provide any direct or indirect benefit to our customers.

If we do receive soft dollars, the impact to the customer may be subtle. The main problem with this arrangement is the potential for soft dollars to influence our choice in brokerage firms and the firm that we use not being the best value for order execution, service, or soundness when compared to other brokerage firms. We will disclose to our customers any services or goods given to us by any 3<sup>rd</sup> party; this includes soft dollar arrangements.

## **ITEM 15 - CUSTODY**

Clarity does not custody any of our clients' assets. All client assets, in direct management situations, will be held at Fidelity, TD Ameritrade, or other qualified custodians with whom we have such arrangements, if the client accepts our recommendation to use brokers with whom we have an existing business arrangement.

If the client does not accept Clarity's recommendation for a broker, the client will be advised to select their own custodial broker with whom to place their account. The client will also be told that in this case, they will have the responsibility for executing any investment advice; in other words the client will need to place buy or sell orders with their own broker to receive the full benefit of our investment advice.

Any requests for fund withdrawals must be directed to the broker holding the client's funds.

Clarity does not bill clients more than \$1200.00 and 6 months in advance.

## **ITEM 16 - INVESTMENT DISCRETION**

Clarity normally manages client accounts on a discretionary basis. Clients can request that the account be managed on a non-discretionary basis, but due to market conditions, this can impair Clarity's ability to make rapid changes in a customer's account should market conditions warrant quick changes of allocations and investments. All accounts, whether they are managed with discretion or without, are frequently reviewed for performance, compliance with the investment plan, and adherence to any special instructions given to us by the account owner.

## **ITEM 17 - VOTING CLIENT SECURITIES**

Clarity does not vote proxies and or provide any advice or inducement to clients on any proxy vote. For clients with accounts that are directly managed by Clarity, client equity securities will be held at another custodial institution. Our clients will have a brokerage account at the other institution that will forward proxies to clients or vote proxies in accordance with rules covering voting of proxies for securities not held in street name.

## **ITEM 18 - FINANCIAL INFORMATION**

We are required to provide you with certain financial information or disclosures about financial condition which would impede our ability to provide the advisory services described herein. Clarity has no financial commitment that impairs its ability to meet contractual and fiduciary commitments to clients, and has not been the subject of a bankruptcy proceeding.