

# Form ADV Part 2A Brochure

LexAurum Advisors, LLC

6731 W 121<sup>st</sup> Street, Suite 227

Overland Park, KS 66209

(913) 735-5391

[www.lex-aurum.com](http://www.lex-aurum.com)

October 06, 2016

This Brochure provides information about the qualifications and business practices of LexAurum Advisors, LLC (LexAurum). If you have any questions about the contents of this Brochure, please contact us at (913) 735-5391. 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.

LexAurum is a registered investment adviser. Registration as an investment adviser does not imply any level of skill or training. The oral and written communications of an adviser provide you with information from which you can determine whether to hire or retain an adviser.

## **Item 2 – Material Changes**

This Brochure dated October 06, 2016, represents an amendment to the Brochure for LexAurum Advisors, LLC.

Since the filing of the initial Brochure on May 16, 2016, subsequently amended June 27, 2016, we have moved to 6731 W 121<sup>st</sup> Street, Suite 227, Overland Park, KS, 66209, have updated phone number and ownership information, and have added detail regarding broker dealer representative affiliations. We have also made other minor updates, but no other material changes were made to the Brochure.

Pursuant to regulatory requirements, we will deliver to you a summary of any materials changes to this and subsequent Brochures within 120 days of the close of our fiscal year. We may further provide other ongoing disclosure information about material changes as necessary. All such information will be provided to you free of charge.

Currently, our Brochure may be requested by contacting us at (913) 735-5391.

Additional information about LexAurum is also available via the SEC's web site [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov). The SEC's web site also provides information about any persons affiliated with LexAurum who are registered as investment adviser representatives of the firm.

### Item 3 - Table of Contents

Item 1 – Cover Page.....	i
Item 2 – Material Changes.....	ii
Item 3 - Table of Contents.....	iii
Item 4 – Advisory Business .....	1
Item 5 – Fees and Compensation .....	3
Item 6 – Performance-Based Fees and Side-By-Side Management .....	5
Item 7 – Types of Clients .....	5
Item 8 – Methods of Analysis, Investment Strategies and Risk of Loss .....	6
Item 9 – Disciplinary Information .....	6
Item 10 – Other Financial Industry Activities and Affiliations .....	7
Item 11 – Code of Ethics .....	7
Item 12 – Brokerage Practices .....	8
Item 13 – Review of Accounts .....	10
Item 14 – Client Referrals and Other Compensation .....	11
Item 15 – Custody.....	12
Item 16 – Investment Discretion.....	12
Item 17 – Voting Client Securities .....	13
Item 18 – Financial Information.....	13
Brochure Supplement(s)	

#### **Item 4 – Advisory Business**

LexAurum Advisors, LLC (CRD # 283653) (LexAurum) is registered as an investment adviser with the Securities Exchange Commission. LexAurum is based in Kansas and is organized as a limited liability company under the laws of the State of Kansas. The firm was formed in 2016, and has currently has 2 employees.

LexAurum's principal office and place of business is located at 6731 W 121<sup>st</sup> Street, Suite 227, Overland Park, KS, 66209. Regular business hours are Monday through Friday by appointment. The firm can be contacted by phone at (913) 735-5391 and by fax at (913) 321-5841.

Peter W. Hughes is the firm's majority owner, Chief Executive Officer and Chief Compliance Officer.

#### **Services Offered:**

##### ***Investment Management Services***

LexAurum provides ongoing discretionary and non-discretionary portfolio management services to individuals, families and businesses. For investment management engagement, the firm may manage accounts for clients, may delegate investment management responsibilities to sub-advisers or third party managers, or may refer clients to third party managers.

When managing accounts internally, the firm not only makes recommendations related to investments, but also implements these recommendations and provides ongoing monitoring and reporting. Clients may elect to give the firm discretion to make all decisions (discretionary management), or may prefer to approve all decisions before implementation (non discretionary management).

When accounts are managed by a sub-adviser or third party manager, the sub-adviser or third party manager is generally responsible for security selection, and LexAurum is responsible for general oversight. Engagements can either be discretionary or non discretionary in nature.

##### ***Investment Advisory Services***

LexAurum also provides ongoing investment advisory services to individuals, families and businesses where the firm makes ongoing investment recommendations but the client is responsible for determining whether or not to

implement recommendations, and if they decide to do so, are responsible for actual implementation.

### ***Financial Planning Services***

Additionally, the firm provides project oriented and ongoing financial planning services to individuals and families where the firm offers advice or other strategic assistance in areas such as education funding, retirement planning, estate planning, risk management, employee benefits planning, tax planning, etc. When engaged to provide financial planning assistance, clients are responsible for determining whether or not to implement a recommendation, and if they decide to do so, are responsible for actual implementation. The actual details of an engagement vary on a case by case basis depending on the complexity of the client's financial situation. Generally however, an engagement involves identification of goals and objectives, collection and analysis of data, formulation of a strategy, and preparation of a written plan.

### ***Retirement Plan Services***

LexAurum also provides retirement plan services to businesses which may include plan level services such as discretionary management services, non-discretionary management services, and investment advisory services related to different types of retirement plans. When providing management services, the firm is responsible for implementing recommendations. When the firm is providing advisory services, the client is responsible for implementation of recommendations.

Regardless of the services provided, each is tailored to the individual needs of a particular client (whether an individual, a family, or a business) through an assessment conducted prior to an engagement. Clients may impose restrictions related to the level of discretion granted, the types of investments used, etc. Terms of an actual engagement, including description of service, limitations and restrictions, fees, etc., are all detailed before any engagement begins in a written client agreement.

The firm does not provide a "wrap fee" program.

As of 12/31/2015, the firm had not been formed and consequently had no assets under management.

## Item 5 – Fees and Compensation

### Investment Management Services

Fees charged for discretionary and non discretionary investment management services may be charged in arrears or in advance, and are generally based on total assets under management at a rate negotiated on a case by case basis depending on the engagement. The firm's maximum fee schedule is as follows:

<u>Market Value of Assets Under Management</u>	<u>Annual Fee</u>
Up to \$1,000,000	2.00%
\$1,000,001 - \$3,000,000	1.50%
Assets over \$3,000,000	1.00%

Fees are generally deducted directly from client accounts on a quarterly basis, but clients may elect to alternatively pay fees by check or wire transfer.

Services may be terminated at any time by either party with 30 days written notice to the other party, and fees will be prorated accordingly. Any payments made in advance will be prorated and refunded to the client.

All management fees paid to LexAurum are separate and unrelated to any fees or expenses assessed by mutual funds or exchange traded funds, or to any trade commission charged by an account custodian. Subadvisory fees are generally paid by LexAurum from its fee, whereas third party management fees are generally paid by client. All fee details however are provided in the client agreement and or other applicable documentation. Information pertaining to fund-generated fees and expenses can be found in mutual fund and exchange traded fund prospectuses.

In instances where clients are referred to a third party manager, the client will pay the third party manager for services and LexAurum may receive a referral fee. The receipt of referral fees creates a conflict in that LexAurum and or its representatives may have an incentive to make a referral based on its own financial interests. In these cases however, the client will receive additional information about the referral arrangement and fees paid in advance, and will not be obligated to use the manager's services.

## **Investment Advisory Services**

Fees charged for advisory services may be charged in advance or in arrears depending on the service provided. Fees are quoted in advance, generally range from .50% to 1.50% annually and may be negotiable. Fees are based on actual services provided rather than being based on the level of assets managed as detailed above for investment management services.

In some cases, fees may be deducted directly from client accounts, but clients generally are billed directly on a quarterly basis.

Services may be terminated at any time by either party with 30 days written notice to the other party, and fees will be prorated accordingly. Any payments made in advance will be prorated and refunded to the client.

All advisory fees paid to LexAurum are separate and unrelated to any fees or expenses assessed by any broker, custodian, or other outside party.

## **Financial Planning Services**

Fees charged for financial planning services are quoted in advance and charged at a fixed amount. Quoted fixed fees will be based on the complexity and level of service provided on a case by case basis. As mentioned above, services may include planning in areas such as education funding, retirement planning, estate planning, risk management, employee benefits planning, tax planning, etc. Since each of these areas can vary in complexity depending on the complexity of the client's financial situation, cost will vary as well. Fees are negotiable depending on the circumstances of the engagement, location, etc.

Fees are generally billed directly to the client in arrears, although a portion of which may be billed in advance.

Services may be terminated at any time by either party with 30 days written notice to the other party, and fees will be prorated based on the degree to which services have been completed. Any payments made in advance will be prorated and refunded to the client.

All financial planning fees paid to LexAurum are separate and unrelated to any fees or expenses assessed by any broker, custodian, or other outside party.

## **Retirement Plan Services**

Fees charged for retirement plan services may be charged in advance or in arrears depending on the service provided. Fees may be fixed or asset based (not to exceed 1.50% annually), and are negotiable depending on the complexity of the service. Fee levels (whether fixed or asset based) are primarily based on actual services to be provided.

Fees may be deducted directly from client accounts on a quarterly basis, or clients may elect to alternatively pay fees by check or wire transfer. There is a minimum annual fee of \$1,000 per plan, although the minimum may be waived at the firm's discretion.

Services may be terminated at any time by either party with 30 days written notice to the other party, and fees will be prorated accordingly. Any payments made in advance will be prorated and refunded to the client.

All retirement plan fees paid to LexAurum are separate and unrelated to any fees or expenses assessed by any broker, custodian, or other outside party.

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

LexAurum does not charge performance-based fees (fees based on a share of capital gains on or capital appreciation of the assets of a client), and consequently does not simultaneously manage performance based and non performance based accounts.

## **Item 7 – Types of Clients**

LexAurum provides services to individuals and institutional investors including businesses, retirement plans, foundations, endowments, etc.

For its services, LexAurum does not require a minimum dollar value of assets for establishing or maintaining a client's account, but the firm reserves the right to decline engagements for various reasons including account size.



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

When providing investment management services, investment strategies may be established by LexAurum's Chief Investment Officer, may be established by representatives of LexAurum under the oversight of LexAurum's Chief Investment Officer, or may be established by outside managers to whom management may be delegated.

LexAurum's general investment strategy, consistent with the tenets of modern portfolio theory, is to attempt to reduce risk and volatility by building globally diversified portfolios. To implement this strategy, LexAurum primarily uses fundamental security methods of analysis, as well as market trend and economic cycle analysis. While mutual funds, exchange traded funds, stocks and bonds are the primary investment vehicles used in or recommended for client accounts, we may also use or recommend various other investment vehicles in the implementation of our strategies, including long-term purchases (securities held at least a year), short-term purchases (securities sold within a year), trading (securities sold with 30 days), margin and options.

For information regarding investment strategies and methods of analysis used by outside managers, please refer to the applicable outside manager's ADV Part 2 Disclosure Brochure which is available upon request.

Investing in securities involves risk of loss that clients should be prepared to bear. Such risks include market risk, interest rate risk, currency risk, and political risk, and loss of capital, among others. Additionally, certain trading strategies can affect investment performance through increased brokerage and other transactions. Each client's propensity for risk however is thoroughly evaluated, documented, and considered throughout the portfolio implementation process.

Although LexAurum intends to manage risk through the careful selection of investments, no investment strategy can assure a profit or avoid a loss.

## **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 the evaluation of the firm or the

integrity of its management. LexAurum is currently not subject to, nor has ever been subject to, any legal or disciplinary events of a material nature.

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

Some affiliated persons of LexAurum may also be registered representatives of Broker Dealer Financial Services Corp (BDFS), a securities broker-dealer and member of the Financial Industry Regulatory Authority, Inc. (FINRA). As such, these individuals, in their separate capacities as registered representatives, will be able to effect securities transactions and will receive separate customary compensation for effecting any securities transactions. They may also from time to time receive 12b-1 distribution fees from investment companies in connection with the placement of client funds into investment companies. They do not however receive these fees for investments placed in account which LexAurum manages.

LexAurum may also offer clients advice or recommendations related to insurance products. Some associated persons of LexAurum are licensed insurance agents and may represent various insurance companies. Any insurance product placed through LexAurum or LexAurum associated persons may generate standard and customary insurance commissions and other compensation, a portion of which may be received by LexAurum or associated persons of LexAurum.

While LexAurum will endeavor at all times to put the interest of clients first as part of its fiduciary duty, clients should be aware that the receipt of additional compensation creates a potential conflict of interest, and may affect the judgment of individuals who make recommendations. However, our clients are under no obligation to purchase products recommended by our associated persons or to purchase products through LexAurum or LexAurum associated persons. We believe that our recommendations are in the best interests of our clients, and are consistent with our clients' needs.

## **Item 11 – Code of Ethics**

### **Code of Ethics**

LexAurum has adopted a Code of Ethics expressing the firm's commitment to ethical conduct. The LexAurum Code of Ethics describes the firm's fiduciary duties and

responsibilities to clients, and details practices for reviewing the personal securities transactions of supervised persons with access to client information. The Code also requires compliance with applicable securities laws, addresses insider trading, and details possible disciplinary measures for violations. LexAurum will provide a complete copy of its Code of Ethics to any client upon request to the Chief Compliance Officer.

### **Trading Conflicts of Interest**

Individuals associated with LexAurum are permitted to buy or sell securities for their personal accounts identical to or different than those recommended to clients. However, no person employed by LexAurum is allowed to favor his or her own interest over that of a client or make personal investment decisions based on the investment decisions of advisory clients.

In order to address potential conflicts of interest, LexAurum requires that associated persons with access to advisory recommendations provide annual securities holdings reports and quarterly transaction reports to the firm's Chief Compliance Officer. LexAurum also requires prior approval from the Chief Compliance Officer for investing in any IPOs or private placements (limited offerings).

## **Item 12 – Brokerage Practices**

### ***The Custodian and Brokers We Use***

We do not maintain custody of client assets. Instead, we require all client assets be maintained in an account at a non affiliated “qualified custodian,” generally a broker-dealer or bank. The custodian will hold your assets in a brokerage account and will be able to buy and sell securities on your behalf.

While we recommend that you use a particular custodian/broker, you will ultimately decide whether to do so and will open your account by entering into an account agreement directly with them. We cannot actually open accounts for you, but we can assist you in opening an account at whatever custodian/broker you decide to use.

### ***How We Select Custodians and Brokers***

When recommending a custodian or broker for our clients, we consider many different factors including quality of service, types of services offered, overall capability, execution

quality, competitiveness of transaction costs, availability of investment research, reputation of the firm, and financial resources, among other things. In determining the reasonableness of a broker's compensation, we consider the overall cost to you relative to the benefits you receive, both directly and indirectly, from the broker.

#### Your Brokerage and Custody Costs

Our clients receive various services directly from our custodians. For our clients' accounts that they maintain, our custodians generally do not charge separately for custody services but instead are compensated by charging commissions or other fees on trades that they execute or trades that are executed by other brokers to and from custodial accounts. Fees applicable to our client accounts are sometimes negotiated based on the condition that our clients collectively maintain a certain level of assets at a particular custodian. We feel this commitment benefits you because we expect the overall rates you pay will be lower than they might be otherwise.

Since custodians often charge clients a fee for each trade that we have executed by a different broker-dealer, we have the primary custodian execute most trades in order to minimize your trading costs.

We have determined that having custodians execute most trades is consistent with our duty to seek "best execution" of your trades. Best execution means seeking the most favorable terms for a transaction based on all relevant factors, including those listed above.

#### Products and Services Available to Us from Brokers/Custodians

Our primary custodians provide us and our clients with access to its institutional brokerage services like trading, custody, reporting, and related services, many of which are not typically available to retail customers. Our custodians also make available various support services, some of which may help us manage or administer our clients' accounts, while others may help us manage and grow our business.

Other institutional brokerage services which benefit you directly include access to a broad range of investment products, execution of securities transactions, and asset custody. The investment products available through our custodians include some to which we might not otherwise have access or that would require a significantly higher minimum initial investment by our clients.

Our custodians also make available to us other products and services that benefit us but may not directly benefit you or your account. These products and services assist us in managing and administering our clients' accounts. They include investment research, both from custodians/brokers and from third parties. We may use this research to service all or a substantial number of our clients' accounts, including accounts not maintained at a particular custodian. In addition to investment research, our custodians may also make available software and other technology that provide access to client account data, facilitates trade execution 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.

Our custodians also offer other services intended to help us manage and further develop our business. These services include educational conferences and events, consulting on technology, compliance, legal, and business needs, publications and conferences on practice management and business succession, and access to employee benefits providers, human capital consultants, and insurance providers.

The availability of these services from our custodians benefit us because we do not have to produce or purchase them. Of course, this may give us an incentive to recommend that you maintain your account with a custodian based on our interests rather than yours, which is a potential conflict of interest. We believe, however, that our selection of our custodians and brokers is in the best interests of our clients, and is primarily supported by the scope, quality, and price of services provided and not the custodians' services that benefit only us.

### **Aggregation of Transactions**

LexAurum may, from time to time, aggregate client orders into blocks in order to facilitate more efficient account management and execution. When aggregating orders, an average price is given to all participants in the block, or other measures are taken, in order to treat all accounts fairly.

## **Item 13 – Review of Accounts**

### **Review of Accounts**

Account holdings are typically reviewed on a continuous basis by the portfolio manager. Accounts are subject to a more general review on a periodic basis (i.e. monthly, quarterly, semi-annual basis, etc.) depending on the type of account. Account reviews typically

involve addressing investment objectives, risk tolerances or asset allocations, but may be more detailed in scope, depending on circumstances. The level of detail of the review is generally triggered by factors such as market, political, or economic conditions, or the client's individual financial situation. Clients should notify the firm of any material personal financial changes.

Information about reviews conducted by outside managers may be found in the outside manager's Form ADV Part 2 Disclosure Brochure, which is available upon request.

### **Regular Reports Provided to Clients**

In addition to the monthly statements and confirmations of transaction that clients receive from the custodian, LexAurum may provide other reports directly to the client from time to time depending on the type of engagement. Investment management clients for example may receive periodic performance related reports. Financial planning clients may receive a planning analysis but do not receive regular reports from LexAurum. LexAurum urges clients to carefully review custodial statements and compare to the reports which we may provide.

Information about reports provided by outside managers may be found in the outside manager's Form ADV Part 2 Disclosure Brochure, which is available upon request.

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

LexAurum may compensate outside parties for client referrals, but when doing so, would be required to structure such referral arrangements to comply with applicable regulatory requirements. For example, the firm would be required to provide referred clients with a solicitor's disclosure statement which provides details related to the referral arrangement.

LexAurum does not receive any sales award or prizes in connection with providing advisory services to clients. LexAurum does however receive economic benefits from our custodian in the form of the support products and services that are made available to us and to other independent investment advisors. These products and services, how they benefit us, and the related conflicts of interest are described in Item 12 above. The availability to us of our custodian's products and services is not based on us giving particular investment advice, such as buying particular securities for our clients.

LexAurum and its representatives may also qualify for referral fees when referring clients to outside managers. These referral arrangements would be required to be structured to comply with applicable regulatory requirements, including providing clients with a solicitor's disclosure statement. Acceptance of referral fees creates a conflict of interest because the firm or its representatives may have an incentive to recommend which outside manager to use based on referral fees received. However, when referring clients to an outside manager, the firm will not only disclose compensation received but will also strive to be cognizant of the client's best interest at all times. Moreover, engagement of an outside manager is always at the client's discretion.

### **Item 15 – Custody**

As noted in Item 12, LexAurum recommends that clients' assets be held by a qualified custodian. Although we do not hold assets, we may have limited control in some instances to trade on your behalf, to deduct our advisory fees from your account with your authorization, or to request disbursements to you.

You will receive account statement directly from your custodian at least quarterly, which will be sent to the email or postal mailing address you provide. LexAurum urges clients to carefully review custodial statements and compare to any account reports that we might provide.

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

LexAurum will accept discretionary authority to manage securities accounts on behalf of clients, although we will also accept non discretionary accounts.

When granted authority to manage accounts, LexAurum customarily has the authority to determine which securities and the amounts that are bought or sold, or may delegate such authority to outside managers. Any discretionary authority accepted by LexAurum however is subject to the client's risk profile and investment objectives, and may be limited by any other limitations provided by the client in writing.

LexAurum will not exercise any discretionary authority until it has been given authority to do so in writing. Such authority is granted in the written agreement between LexAurum and the client, and in the written agreement with the third party custodian.

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

LexAurum does not vote proxies on behalf of clients.

### **Item 18 – Financial Information**

Registered investment advisers are required in some cases to provide certain financial information and or disclosures about their financial condition. For example, if the firm requires prepayment of fees for six months in advance, has custody of client funds, or has a condition that is reasonably likely to impair its ability to meet its contractual commitments to its clients, it must provide financial information and make disclosures.

LexAurum has no financial or operating conditions which trigger such additional reporting requirements.