

# **EKS ASSOCIATES**

*Fee-Only Comprehensive Financial Life Planning*

**601 Ewing Street  
Suite A-7  
Princeton, NJ 08540**

**Phone: 609-921-1016**

**Fax: 609-921-2681**

**Web Site: [www.eksassociates.com](http://www.eksassociates.com)**

**March 2020**

## **Form ADV Part 2A Brochure**

This brochure provides information about the qualifications and business practices of EKS Associates. If you have any questions about the contents of this brochure, please contact us at 609-921-1016 or 973-740-2400. 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 EKS Associates also is available on the SEC's website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov). The searchable IARD/CRD number for EKS Associates is 169687.

EKS Associates is a Registered Investment Adviser. Registration with the United States Securities and Exchange Commission or any state securities authority, or the use of the term "registered" does not imply a certain level of skill or training.

## Item 2: Material Changes

This disclosure brochure is an amended brochure filed in connection with our annual updating amendment. It reflects updated assets under management and other changes to the text of the brochure in the following sections: Advisory Business and Code of Ethics, Participation or Interest in Client Transactions and Personal Trading.

## Item 3: Table of Contents

Item 2: Material Changes .....	2
Item 4: Advisory Business .....	4
Financial Planning .....	4
Investment Implementation and Management .....	5
Investment Advisory Services .....	5
Item 5: Fees and Compensation .....	6
Item 6: Performance-Based Fees and Side-by-Side Management .....	7
Item 7: Types of Clients .....	8
Item 8: Methods of Analysis, Investment Strategies and Risk of Loss .....	9
Item 9: Disciplinary Information .....	10
Item 10: Other Financial Industry Activities and Affiliations .....	11
Registered Representative of a Broker Dealer .....	11
Other Investment Adviser .....	11
Tax Preparation .....	11
Item 11: Code of Ethics, Participation or Interest in Client Transactions and Personal Trading .....	12
Item 12: Brokerage Practices .....	14
Item 13: Review of Accounts .....	17
Item 14: Client Referrals and Other Compensation .....	18
Item 15: Custody .....	19
Item 16: Investment Discretion .....	20
Item 17: Voting Client Securities .....	21
Item 18: Financial Information .....	22
Item 19. Requirements for State Registered Advisers .....	23
Item 20. Additional Information .....	24

## Item 4: Advisory Business

The United States Securities and Exchange Commission granted the investment adviser registration of EKS Associates (“EKS”) on August 26, 2014. The company was formed in October 2013. The firm’s principal owners are Darren Zagarola (CRD # 5121491), Howard Milove (CRD # 3230483) and Howard Hook (CRD # 4199828). Tracy A. Hagberg (CRD Number 1841992) is Chief Compliance Officer of the firm. The firm is not publicly owned or traded. The firm manages each client’s portfolio on an individualized basis, tailoring our services to the individual needs of clients. Clients may impose restrictions on investing in certain securities or types of securities. The firm does not sponsor any wrap programs.

### Financial Planning

We provide our clients with a variety of financial planning services regarding the management of their financial resources, based upon an analysis of their needs. Generally, such financial planning services will involve preparing a financial program for you based on your financial circumstances and objectives. This information typically covers present and anticipated assets and liabilities, including insurance, savings, investments and anticipated retirement or other employee benefits.

Our financial planning typically includes general recommendations for a course of activity or specific action that you should take. For example, recommendations may be made that the client obtain insurance or revise existing coverage, establish an individual retirement account, increase or decrease funds held in savings accounts or to invest funds in certain securities.

Some financial planning services that we may provide include ongoing financial counseling, account review, securities research and other advisory services related to investments. If requested by the client, we may recommend the services of other professionals for implementation purposes. However, the client is not obligated to use the services of any recommended professionals; you retain absolute discretion over all such decisions.

The financial planning services to be provided to you will be outlined on the *Client Agreement* that you sign with us. You are encouraged to renew your financial planning services on an annual basis for the purpose of reviewing and updating our previous recommendations and services.

## Investment Implementation and Management

We may provide personalized investment implementation services. We generally maintain an ongoing responsibility to make recommendations based on the financial plan and the needs of the client. We will make specific recommendations and if those recommendations are accepted by the client, we will be responsible for implementing our recommendation by making the purchase or sale. We do not maintain discretionary authority, so all recommendations will be approved by you before they are implemented.

The investment implementation and asset management services we provide will be outlined on the *Client Agreement* that you will sign with us.

## Investment Advisory Services

We may provide investment advisory services which are designed to construct portfolios that are intended to achieve the highest returns possible without exceeding the client's tolerance for risk. We shall be responsible for the review of the client's allocation of assets and shall provide the client with advice in respect thereof, including, but not limited to, quarterly reports, continuous and regular supervisory and/or management services, telephone consultations regarding financial affairs, monitoring of investments being overseen by the adviser, economic advisory letters, articles of interest and other written materials which the adviser may send out from time to time, and advice with respect to the investment and reinvestment of those assets of the client designated by the client to be subject to the advisor's monitoring.

We will not require an account minimum for investment advisory services. The annual fee for these services shall not exceed 1.5% of the market value of the assets and shall be negotiated and agreed upon at the time the *Investment Advisory Management Agreement* is executed. The fees shall be paid on either a monthly or quarterly basis, in advance. Both the client and EKS shall have the right to terminate the *Investment Advisory Management Agreement*, at any time, upon written notice. This service is offered on a discretionary or non-discretionary basis, pursuant to the terms of the *Investment Advisory Management Agreement*. We will utilize discretion in determining the securities to be bought or sold and/or the amount of the securities to be bought or sold for the client's account if the client has authorized such discretion in the *Investment Advisory Management Agreement*. If the client has not given authorization to have such discretion, we will provide the client with recommendations and will execute transactions only with the client's prior authorization.

The amount of our assets under management as of December 31, 2019 is \$300,375,305 which represents 263 accounts.

## Item 5: Fees and Compensation

For the provision of its services, the firm is compensated on the basis of either an hourly rate or flat fee.

Financial Planning fees are currently billed at a rate of \$375 per hour or a flat fee for services rendered. Depending on the information outlined in your *Client Agreement*, you will receive a bill either quarterly, semi-annually or annually. The *Client Agreement* may be terminated at any time and a refund of the unearned fees will be made based on the time and effort expended by the firm before termination, with the exception that a full refund of any fees paid will be made if the contract is terminated within five business days of signing the *Client Agreement* or as otherwise may be required by applicable law.

Our fees may differ from client to client; however, our fees are generally non-negotiable.

Clients may incur certain charges imposed by the custodians that hold their assets or that relate to holdings in a client's account that are imposed by third parties. These fees include, but are not limited to, custodial fees, transaction fees, charges imposed directly by a mutual fund or exchange traded fund ("ETF") in the account, deferred sales charges, wire transfer and electronic fund fees. Such charges and fees are exclusive of and in addition to the fees charged by EKS. EKS does not receive any portion of these fees.

Please see Item 12 for more information on Brokerage Practices.

One of EKS's associated persons, Howard Milove, is a registered representative of Purshe Kaplan Sterling Investments ("PKS") an SEC registered broker-dealer, Member of FINRA and the Municipal Rulemaking Board and as such has the ability to accept compensation for the sale of securities or other investment products. We do not believe that this causes a conflict of interest because Howard Milove will not accept compensation for the sale of securities or other investment products to the clients of EKS.

## Item 6: Performance-Based Fees and Side-by-Side Management

Performance-based fees are fees based on a share of capital gains on or capital appreciation of the assets of a client. We do not charge performance-based fees.

## Item 7: Types of Clients

*EKS* generally provides its services to individuals and high net worth individuals. However, we may also offer our services to pension and profit-sharing plans, trusts, estates, charitable organizations, corporations and other business entities.

We do not impose a minimum portfolio size but all clients are required to enter into a formal services agreement outlining the services to be provided.



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

Financial planning involves a long-term perspective. After reviewing a client's short-term cash needs, emergency fund and insurance coverage, we will design and propose an investment strategy to assist the client in achieving their long-term financial goals.

We strive to make sure that our client's investments harmonize their stated financial objectives. We design and propose an investment portfolio to assist our clients in attaining future financial security.

We design investment portfolios, customized for each client's cash needs and risk tolerance, using asset allocation techniques. We generally use mutual funds and *ETFs*, taking into account the client's investment holdings, regardless of whether or not they are overseen by *EKS*. We will recommend the purchase of individual bonds or certificates of deposit to provide for a client's cash needs from their portfolio. We do not recommend the purchase of individual stocks for a client's portfolio and will recommend selling a portion of some or all of any individual stock holdings if those holdings represent greater than 10% of the total value of the portfolio.

Investing in securities involves risk of loss which the client must be prepared to bear.

## Item 9: Disciplinary Information

We are required to disclose any legal or disciplinary events that are material to a client's or prospective client's evaluation of our advisory business or the integrity of our management. We do not have any required disclosures to this Item.

## Item 10: Other Financial Industry Activities and Affiliations

We are required to disclose any relationship or arrangement that is material to our advisory business with certain related persons.

### Registered Representative of a Broker Dealer

As discussed in Items 5 and 12, one of *EKS's* associated persons, Howard Milove, is a registered representative of *PKS*. Please see those sections for additional disclosures related to this relationship.

### Other Investment Adviser

Darren Zagarola, Howard Milove and Howard Hook are owners and Investment Advisory Representatives (IAR) of *Access Wealth*. *Access Wealth* is an SEC registered investment adviser that provides financial planning and investment advisory services. *EKS* and *Access Wealth* are parties to an agreement whereby *EKS* has hired *Access Wealth* to provide back office and administrative services and support for a fee.

### Tax Preparation

All associated persons of *EKS* are Certified Public Accountants ("CPAs"). Howard Hook prepares tax returns for individuals who are not clients of *EKS*. His tax business is not promoted through *EKS*. We do not believe that this outside business creates a material conflict of interest.

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

As a fiduciary, EKS and its associates have a duty of utmost good faith to act solely in the best interests of each client. Our clients entrust us with their funds and personal information, which in turn places a high standard on our conduct and integrity. Our fiduciary duty is a core aspect of our Code of Ethics and represents the expected basis of all of our dealings.

### ***Code of Ethics Description***

This code does not attempt to identify all possible conflicts of interest, and literal compliance with each of its specific provisions will not shield associated persons from liability for personal trading or other conduct that violates a fiduciary duty to advisory clients. A summary of the Code of Ethics' Principles is outlined below.

- Integrity – Associated persons shall offer and provide professional services ethically, honestly, and fairly.
- Objectivity – Associated persons shall be objective in providing professional services to clients.
- Competence – Associated persons shall provide services to clients competently and maintain the necessary knowledge and skill to continue to do so in those areas in which they are engaged.
- Fairness – Associated persons shall perform professional services in a manner that is fair and reasonable to clients and shall disclose conflict(s) of interest in providing such services.
- Confidentiality – Associated persons shall not disclose confidential client information without the specific consent of the client unless in response to proper legal process, or as required by law.

We periodically review and amend our Code of Ethics to ensure that it remains current, and we require all firm access persons to attest to their understanding of and adherence to the Code of Ethics at least annually. Our firm will provide of a copy of its Code of Ethics to any client or prospective client upon request.

***Participation or Interest in Client Transactions***

Our firm and its “related persons” (associates, their immediate family members, etc.) may buy or sell securities the same as, similar to, or different from, those we recommend to clients for their accounts. A recommendation made to one client may be different in nature or in timing from a recommendation made to a different client. Clients often have different objectives and risk tolerances. At no time, however, will our firm or any related party receive preferential treatment over our clients.

***Personal Trading***

In an effort to reduce or eliminate certain conflicts of interest involving the firm or personal trading, our policy may require that we restrict or prohibit associates’ transactions in specific securities transactions. Any exceptions or trading pre-clearance must be approved by our Chief Compliance Officer in advance of the transaction in an account, and we maintain the required personal securities transaction records per regulation.

## Item 12: Brokerage Practices

### **Suggestion of Broker**

We may recommend that clients establish brokerage accounts with TD Ameritrade Institutional, a division of TD Ameritrade, Inc., Member FINRA/SIPC/NFA ("*TDAM*"). *TDAM* is an SEC-registered broker-dealer, FINRA-member that is independent of, and unaffiliated with, *EKS*. *TDAM* offers services to *EKS* on a non-exclusive basis (i.e., *TDAM* offers the same services to *EKS* as it offers to other investment advisers) which includes custody of cash and securities, trade execution and settlement of transactions. *EKS* participates in the *TDAM* Institutional program and may recommend *TDAM* to clients for custody and brokerage services. There is no direct link between *EKS*'s participation in the program and the investment advice it gives to its clients, although *EKS* receives economic benefits through its participation in the program that are typically not available to *TDAM* retail investors. These benefits include, but are not limited to, the following products and services (provided without cost): receipt of duplicate client statements and confirmations, research related products and tools, consulting services, access to a trading desk serving *EKS* personnel for client transactions, access to an electronic communications network for client order entry and account information, access to mutual funds with no transaction fees and to certain institutional money managers. Some of the products and services made available by *TDAM* through the program may benefit *EKS* but may not benefit its client accounts. These products or services may assist *EKS* in managing and administering client accounts, including accounts not maintained at *TDAM*. Other services made available by *TDAM* are intended to help *EKS* manage and further develop its business enterprise. The benefits received by *EKS* or its personnel through participation in the program do not depend on the amount of brokerage transactions directed to *TDAM*. As part of its fiduciary duties to clients, *EKS* endeavors at all times to put the interests of its clients first. Clients should be aware, however, that the receipt of economic benefits by the firm or its related persons in and of itself creates a potential conflict of interest (due, in part, to the fact that *EKS* does not have to produce or pay for the benefits received) and may indirectly influence *EKS*'s choice of *TDAM* for custody and brokerage services because *EKS* may have an incentive to select to recommend *TDAM* based on *EKS*'s interest in receiving those benefits, rather than on a client's interest in receiving most favorable execution.

*EKS* may also recommend that clients establish brokerage accounts with Schwab Institutional, a division of Charles Schwab & Co., Inc. ("*Schwab*"), a FINRA-registered broker-dealer, member SIPC, independent of, and unaffiliated with, *EKS*, to maintain custody of clients' assets and to affect trades for their accounts. Although *EKS* may recommend that clients establish accounts at *Schwab*, it is the client's decision to custody assets with *Schwab*. *EKS* is independently owned and operated and not affiliated with *Schwab*.

*Schwab* provides *EKS* with access to its institutional trading and custody services, which are typically not available to *Schwab* retail investors. These services generally are available to independent investment advisors on an unsolicited basis, at no charge to them so long as a total of at least \$10 million of the advisor's clients' assets are maintained in accounts at *Schwab*. These services are not contingent upon *EKS* committing to *Schwab* any specific amount of business. *Schwab's* brokerage services include the execution of securities transactions, custody, research and access to mutual funds and other investments that are otherwise generally available only to institutional investors or would require a significantly higher minimum initial investment.

For *EKS* client accounts maintained in its custody, *Schwab* generally does not charge separately for custody services but is compensated by account holders through commissions and other transaction-related or asset-based fees for securities trades that are executed through *Schwab* or that settle into *Schwab* accounts.

*Schwab* also makes available to *EKS* other products and services that benefit *EKS* but may not directly benefit its clients' accounts. Many of these products and services may be used to service all or some substantial number of *EKS* accounts, including accounts not maintained at *Schwab*.

*Schwab's* products and services that assist *EKS* in managing and administering clients' accounts include software and other technology that (i) provide access to client account data (such as trade confirmations and account statements); (ii) facilitate trade execution; (iii) provide research, pricing and other market data; (iv) facilitate payment of *EKS* fees from its clients' accounts; and (v) assist with back-office functions, recordkeeping and client report.

*Schwab* also offers other services intended to help *EKS* manage and further develop its business enterprise. These services include: (i) compliance, legal and business consulting; (ii) publications and conferences on practice management and business succession; (iii) access to employee benefits providers, human capital consultants and insurance providers. *Schwab* may make available, arrange and/or pay third-party vendors for the types of services rendered to *EKS*. *Schwab* may discount or waive fees it would otherwise charge for some of these services or pay all or part of the fees of a third-party providing these services to *EKS*. *Schwab* may also provide other benefits such as educational events or occasional business entertainment for *EKS* personnel. In evaluating whether to recommend that client's custody their assets at *Schwab*, *EKS* may take into account the availability of some of the foregoing products and services and other arrangements as part of the total mix of factors it considers and not solely the nature, cost or quality of custody and brokerage services provided by *Schwab*, which may create a potential conflict of interest. However, as part of its fiduciary duties to clients, *EKS* endeavors at all times to put the interests of its clients first. Clients should be aware, however, that

the receipt of economic benefits by the firm or its related persons in and of itself creates a potential conflict of interest (due, in part, to the fact that *EKS* does not have to produce or pay for the benefits received) and may indirectly influence *EKS*'s choice of *Schwab* for custody and brokerage services because *EKS* may have an incentive to select to recommend *Schwab* based on *EKS*'s interest in receiving those benefits, rather than on a client's interest in receiving most favorable execution.

*EKS* does not have any Soft Dollar Arrangements with *TDAM* or *Schwab*.

As discussed above, one of *EKS*'s associated persons Howard Milove is a registered representative of *PKS* and as such has the ability to accept compensation for the sale of securities or other investment products. We do not believe that this causes a conflict of interest because Howard Milove will not sell commissionable products to the clients of *EKS*.



## Item 13: Review of Accounts

### **Financial Planning Services**

At the time you engage the firm, it will be determined whether you are one of three different types of clients: Quarterly Retainer, Semi-Annual Retainer or Update.

As a Quarterly Retainer client, we will review your situation on a quarterly basis. We will meet to update your goals, objectives and overall financial condition. We will make additional recommendations as needed.

As a Semi-Annual Retainer client, we will review your situation on a semi-annual basis. We will meet to update your goals, objectives and overall financial condition. We will make additional recommendations as needed.

As an Update Client we will meet as often as you deem appropriate. We will meet to update your goals, objectives and overall financial condition. We will make additional recommendations as needed.

In all cases a detailed written financial plan is prepared and presented with our initial thoughts and recommendations. It is the responsibility of one of three Investment Advisory Representatives ("IAR") to conduct the reviews.

## Item 14: Client Referrals and Other Compensation

We receive an economic benefit from both *TDAM* and *Schwab* in the form of the support products and services they make available to us and other independent investment advisors that have their clients maintain accounts at *TDAM* and *Schwab*. These products and services, how they benefit us, and the related conflicts of interest are described above (see above in Item 12 - Brokerage Practices). The availability to us of *TDAM* and *Schwab* products and services is not based on us giving particular investment advice, such as buying particular securities for our clients.

## Item 15: Custody

Under government regulations, we are deemed to have custody of your assets, if, for example, you grant us authority to move your money to another person's account.

Both *TDAM* and *Schwab* maintain actual custody of your assets. You will receive account statements directly from *TDAM* and *Schwab* at least quarterly. They will be sent to the email or postal mailing address you provided to them. You should carefully review those statements promptly when you receive them. We also urge you to compare the *TDAM* and *Schwab* account statements with the portfolio reports you receive from us.

## Item 16: Investment Discretion

*EKS* may be given the authority to exercise direction on behalf of investment advisory clients. We are considered to exercise investment discretion over a client's account if we can effect transactions for the client without first having to seek the client's consent.

Clients may give us discretionary authority when they sign the *Investment Advisory Agreement* and they may limit this authority by giving us written instructions. Clients may also change or amend such limitations by providing us with written instructions.

We will take discretion over the following activities:

- The securities to be purchased or sold;
- The amount of securities to be purchased or sold; and
- The timing of when recommendations are implemented.

## Item 17: Voting Client Securities

As a matter of firm policy, *EKS* does not vote proxies on behalf of clients. Clients are expected to vote their own proxies. Proxies and solicitations are received by clients from either the custodian or issuing company directly.

When assistance on voting proxies is requested, we will provide recommendations to the client with respect to the assistance requested by the client. If a conflict of interest exists, it will be disclosed to the client.

## Item 18: Financial Information

*EKS* does not have any financial impairment that will preclude it from meeting contractual commitments to its clients.

A balance sheet is not required to be provided because we do not serve as a custodian for client funds or securities and do not require prepayment of fees of more than \$1,200 per client and six months or more in advance.

## Item 19. Requirements for State Registered Advisers

Not applicable.

## Item 20. Additional Information

*EKS* is the doing business as (dba) name of DHH Advisors, LLC.



# **EKS ASSOCIATES**

---

*Fee-Only Comprehensive Financial Life Planning*

**601 Ewing Street, Suite A-7  
Princeton, NJ 08540**

**Phone: 609-921-1016  
Fax: 609-921-2681**

**March 2020**

## **Form ADV Part 2B Brochure Supplement**

**Darren Zagarola  
Howard Hook  
Howard Milove**

This brochure supplement provides information about the above listed individuals that supplements the EKS Associates brochure. You should have received a copy of that brochure. Please contact Tracy A. Hagberg, Chief Compliance Officer if you did not receive EKS Associates brochure or if you have any questions about the contents of this supplement. Additional information about the above named supervised persons is available on the SEC's website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov).

## Item 1: Table of Contents

Item 2 - Educational Background and Business Experience.....	3
Item 3 - Disciplinary Information .....	6
Item 4 - Other Business Activities .....	7
Item 5 - Additional Compensation .....	8
Item 6 – Supervision .....	9
Item 7 - Requirements for State-Registered Advisors .....	10

## Item 2 - Educational Background and Business Experience

### **Darren L. Zagarola, CPA, CFP®**

Born – 1971

#### Formal Education after High School:

King's College – BS in Accounting

#### Business Background for the preceding five years:

DHH Advisors, LLC – November 2013 - Present

EKS Associates – January 2009 - Present

Access Wealth – August 2005 – Present

EJ Brooks Company – December 2000 – April 2007

Ernest & Young – October 1993 – November 2000

### **Howard M. Hook, CPA, CFP®**

Born – 1965

#### Formal Education after High School:

State University of NY at Binghamton – BS in Accounting

#### Business Background for the preceding five years:

DHH Advisors, LLC – November 2013 - Present

EKS Associates – January 2013 - Present

Access Wealth – July 2001 – Present

Royal Alliance Associates, Inc. – August 2000 – December 2012

Access Financial Planning, Inc. – August 2000 – June 2001

### **Howard Scott Milove, CPA, PFS**

Born – 1973

#### Formal Education after High School:

Syracuse University – BS in Accounting

#### Business Background for the preceding five years:

DHH Advisors, LLC – November 2013 - Present

Purshe Kaplan Sterling Investments – May 2015 – Present

Access Wealth – July 2001 – Present

Royal Alliance Associates, Inc. – December 2000 – April 2015

Access Financial Planning, Inc. – December 2000 – June 2001

The CERTIFIED FINANCIAL PLANNER®, CFP® and federally registered CFP (with flame design) marks (collectively, the “CFP® marks”) are professional certification marks granted in the United States by Certified Financial Planner Board of Standards, Inc. (“CFP Board”).

The CFP® certification is a voluntary certification; no federal or state law or regulation requires financial planners to hold CFP® certification. It is recognized in the United States and a number of other countries for its (1) high standard of professional education; (2) stringent code of conduct and standards of practice; and (3) ethical requirements that govern professional engagements with clients. Currently, more than 62,000 individuals have obtained CFP® certification in the United States.

To attain the right to use the CFP® marks, an individual must satisfactorily fulfill the following requirements:

- Education – Complete an advanced college-level course of study addressing the financial planning subject areas that CFP Board’s studies have determined as necessary for the competent and professional delivery of financial planning services, and attain a Bachelor’s Degree from a regionally accredited United States college or university (or its equivalent from a foreign university). CFP Board’s financial planning subject areas include insurance planning and risk management, employee benefits planning, investment planning, income tax planning, retirement planning, and estate planning;
- Examination – Pass the comprehensive CFP® Certification Examination. The examination, administered in 10 hours over a two-day period, includes case studies and client scenarios designed to test one’s ability to correctly diagnose financial planning issues and apply one’s knowledge of financial planning to real world circumstances;
- Experience – Complete at least three years of full-time financial planning-related experience (or the equivalent, measured as 2,000 hours per year); and
- Ethics – Agree to be bound by CFP Board’s Standards of Professional Conduct, a set of documents outlining the ethical and practice standards for CFP® professionals.

Individuals who become certified must complete the following ongoing education and ethics requirements in order to maintain the right to continue to use the CFP® marks:

- Continuing Education – Complete 30 hours of continuing education hours every two years, including two hours on the Code of Ethics and other parts of the Standards of Professional Conduct, to maintain competence and keep up with developments in the financial planning field; and
- Ethics – Renew an agreement to be bound by the Standards of Professional Conduct. The Standards prominently require that CFP® professionals provide financial planning services at a fiduciary standard of care. This means CFP® professionals must provide financial planning services in the best interests of their clients.

CFP® professionals who fail to comply with the above standards and requirements may be subject to CFP Board's enforcement process, which could result in suspension or permanent revocation of their CFP® certification.

Certified Public Accountant (CPA) CPAs are licensed and regulated by their state boards of accountancy. While state laws and regulations vary, the education, experience and testing requirements for licensure as a CPA generally include minimum college education (typically 150 credit hours with at least a baccalaureate degree and a concentration in accounting), minimum experience levels (most states require at least one year of experience providing services that involve the use of accounting, attest, compilation, management advisory, financial advisory, tax or consulting skills, all of which must be achieved under the supervision of or verification by a CPA), and successful passage of the Uniform CPA Examination. In order to maintain a CPA license, states generally require the completion of 40 hours of continuing professional education (CPE) each year (or 80 hours over a two year period or 120 hours over a three year period). Additionally, all American Institute of Certified Public Accountants (AICPA) members are required to follow a rigorous Code of Professional Conduct which requires that they act with integrity, objectivity, due care, competence, fully disclose any conflicts of interest (and obtain client consent if a conflict exists), maintain client confidentiality, disclose to the client any commission or referral fees, and serve the public interest when providing financial services. The vast majority of state boards of accountancy have adopted the AICPA's Code Professional Conduct within their state accountancy laws or have created their own.

Personal Financial Specialist (PFS) The PFS credential demonstrates that an individual has met the minimum education, experience and testing required of a CPA in addition to a minimum level of expertise in personal financial planning. To attain the PFS credential, a candidate must hold an unrevoked CPA license, fulfill 3,000 hours of personal financial planning business experience, complete 80 hours of personal financial planning CPE credits, pass a comprehensive financial planning exam and be an active member of the AICPA. A PFS credential holder is required to adhere to AICPA's Code of Professional Conduct, and is encouraged to follow AICPA's Statement on Responsibilities in Financial Planning Practice. To maintain their PFS credential, the recipient must complete 60 hours of financial planning CPE credits every three years. The PFS credential is administered through the AICPA.

### Item 3 - Disciplinary Information

*EKS* is required to disclose the facts of any legal or disciplinary events that are material to a client's evaluation of its advisory business or the integrity of management. *EKS* does not have any required disclosures.

## Item 4 - Other Business Activities

As discussed in Items 5 and 12 of the DHH Form ADV Part 2A, one of DHH's associated persons, Howard Milove, is a registered representative of Purshe Kaplan Sterling Investments ("PKS"). Please see those Items for additional disclosures related to this relationship.

Certain associated persons are also Investment Advisory Representatives (IAR) of Access Wealth. Access Wealth is a Registered Investment Advisory firm. We do not believe that our relationship with Access Wealth creates a material conflict of interest.

The Members of *DHH* are all Certified Public Accountants. Howard Hook prepares tax returns for individuals who are not clients of *DHH*. His tax business is not promoted through *DHH*. We do not believe that this outside business creates a material conflict of interest.

## Item 5 - Additional Compensation

Certain of the firms associated persons may receive compensation from the business activities referenced in the section above entitled "Other Business Activities".



## Item 6 – Supervision

The investment advisory and financial planning activities are supervised by Darren Zagarola, Managing Member. This is accomplished through random review of client's accounts, review of trading, email and correspondence.

Howard Hook and Howard Milove, Members of DHH, supervise Darren Zagarola's activities. This is accomplished through random review of client's accounts, review of trading, email and correspondence.

The contact information for each is listed below:

Darren Zagarola

Telephone # 609-921-1016

[dzagarola@eksassociates.com](mailto:dzagarola@eksassociates.com)

Howard Hook

Telephone # 609-921-1016

[hhook@eksassociates.com](mailto:hhook@eksassociates.com)

Howard Milove

Telephone # 973-740-2400

[hmilove@eksassociates.com](mailto:hmilove@eksassociates.com)

## Item 7 - Requirements for State-Registered Advisors

Not applicable.