

**Item 1 Cover Page**

**Clear Creek Advisors  
Firm CRD Number: 288335**

**Form ADV Part 2A – Disclosure Brochure**

**Effective: February 12, 2021**

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**This brochure provides information about the qualifications and business practices of Clear Creek Advisors. If you have any questions about the contents of this brochure, please contact us at (720) 642-8348.**

**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. Registration as a registered investment advisor does not imply a certain level of skill or training.**

**Additional information about Clear Creek Advisors, CRD #288335 also is available on the SEC's website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov).**

## **Item 2 Material Changes**

Since the filing of the annual amendment on February 5, 2020, this Brochure has been amended in Item 18: Financial Information, as follows: We recently applied for and received a loan under the Paycheck Protection Program (PPP) authorized pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

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#### **Item 4 Advisory Business**

##### **Description of Advisor Firm.**

Clear Creek Advisors was initially registered as an investment advisor firm with the state of Colorado securities regulators, as April 18, 2017. As of December 3, 2018, the firm transitioned its registration to the Securities and Exchange Commission (SEC). The owners and Partners of the firm are Erik Krom and Matthew Ritter. The firm provides discretionary investment management services to individuals, trusts, estates, charitable organizations, pension and profit sharing plans, corporations and business entities. For more information about these services, see the response below.

##### **Description of Advisory Services Offered**

###### Investment Management Services/Selection of Other Advisors

At the start of the client relationship, Clear Creek Advisors (“CCA” or “Advisor”) will discuss with the client their individual financial circumstances, current investments, goals, objectives, and time horizon. The Advisor will ask the client to complete a Risk Tolerance Questionnaire which will include an Investment Policy Statement. Once completed, the information provided by the client will assist CCA in making a recommendation of a model portfolio that best meets the needs of the client. The model portfolio recommended by CCA, is that of an unaffiliated registered investment advisor (also referred to as “subadvisor”). The Advisor will assist the client with the account opening documents of the custodian to establish the client’s account to be managed by the subadvisor. If the client is in agreement with the recommendation, CCA will work with the subadvisor for management of the client’s portfolio. CCA will continue to have oversight of the client account and ongoing monitoring of the activities of the subadvisor.

The subadvisor will manage the model portfolio and rebalance the portfolio to maintain asset allocation targets described in the Investment Policy Statement. In consideration for such services, the subadvisor will charge a management fee that will be included within the management fee charged by CCA to the client. For more information on our fee, see Item 5.

The client, at the time of entering into an agreement with CCA, will be provided with the recommended subadvisor’s Brochure. In addition, CCA and the client will agree in writing that the client’s account will be managed by that selected subadvisor on a discretionary basis.

###### Co-Advisory Services

CCA also has an engagement with Advisory Alpha, LLC (“Co-Adviser”) to make available to Clients the Model Portfolios and Investment Tools and to serve as the exclusive discretionary Co-Adviser, on a fully disclosed basis, to manage specific investable assets held by Clients in their designated accounts (“Designated Accounts”) with a designated unaffiliated third-party broker-dealer and custodian (“Custodian”). Co-Adviser will only advise and manage those specific assets held in the Designated Accounts without regard to, or responsibility for, any other investable assets that may be advised or managed by CCA for the same clients. CCA is solely responsible for identifying, recommending, and/or selecting suitable Clients to participate in the Co-Advisory program and for determining what Model Portfolios and Investment Tools are suitable for use with a particular Client. CCA will provide initial and on-going primary contact

and communication with all Clients and will provide continuous and regular investment supervisory services with respect to the client-specific suitability of the investments held in the Designated Accounts based on the Investment Tools and/or Investment Policy Statement, as may be applicable. CCA has discretionary authority (without first consulting with you) to change the Model Portfolio utilized by its clients. CCA will be and remain knowledgeable about the Client's Designated Account and be reasonably available to the Client for consultation.

### **Clients Tailored Services and Client Imposed Restrictions**

As stated above, CCA utilizes subadvisors to manage client portfolios. Those subadvisors use model portfolios that are established according to specific asset allocations and targets and cannot be altered, with client imposed restrictions. Clients need to be aware that the subadvisor's model portfolio will not be tailored to the client specifically. Therefore, clients will not be able to impose restrictions on investing in certain securities or types of securities. CCA invites clients to discuss any concerns they may have with any of the holdings in the model portfolios.

When CCA recommends a Co-Advisor to a client, clients may impose reasonable restrictions on the management of their account including the designation of particular securities or types of securities that should not be held in the client's account. Any limitation or restrictions applicable to the investments or CCA's services or that of the Co-Advisor should be included in or accompanied by the Investor Assessment.

### **Assets Under Management**

As of December 31, 2020, the Advisor has the following assets under management:

Discretionary:	\$199,016,870
Non-Discretionary:	\$ 12,402,768

### **Item 5 Fees and Compensation**

#### **Method of Compensation and Fee Schedule and Client Payment of Fees**

##### Asset Management Fees

Pursuant to an investment advisory contract signed by each client, the client will pay CCA a quarterly management fee, payable in arrears, based upon the average daily market value of the assets held in the client account over the preceding calendar quarter. The range of the annual management fee is up to 1.50%.

These fees may be negotiated at the discretion of the advisor based on, but not limited to, anticipated future earning capacity, anticipated future additional assets, dollar amount of assets to be managed, related accounts, account composition, negotiations with client, etc. The subadvisor recommended by CCA to the client, will add CCA's investment management fee to the subadvisors fee and will deduct the overall fee from the client account quarterly in arrears based on the market value of the client account at the end of the quarter. Combined, CCA's management fee and the subadvisor's fee, will be deducted from the client account on a quarterly

basis by the qualified custodian. The client will give written authorization permitting the Advisor to be paid directly from the client's account held by the custodian. The custodian will send a quarterly statement to the client. Clients need to be aware that it is their responsibility to verify the accuracy of the fee calculation and that the custodian will not determine whether the fee is properly calculated. The fee deduction and payment as outlined above is the same process for clients when CCA recommends a Co-Advisor.

CCA does not receive a referral fee from the subadvisor for referring the client.

### **Additional Client Fees Charged**

All fees paid to CCA and the subadvisor or the Co-Advisor for investment advisory services are separate and distinct from the internal expenses charged by ETFs and other mutual funds to their shareholders. These fees and expenses are described in each fund's prospectus. These fees will generally include a management fee and other fund expenses.

At no time will the Advisor accept or maintain custody of a client's funds or securities except for authorized fee deduction. Client is responsible for all custodial, securities and brokerage execution fees charged by the custodian. CCA's fee is separate and distinct from the custodian and execution fees. See Item 12 Brokerage Practices, for further information of brokerage and transaction costs.

### **Prepayment of Client Fees**

CCA charges its fees in arrears therefore there is no prepayment of client fees.

### **External Compensation for the Sale of Securities to Clients**

Neither CCA or its supervised persons receive any compensation for the sale of securities.

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

CCA does not charge performance-based fees and therefore does not engage in side-by-side management.

### **Item 7 Types of Clients and Minimum Account Size**

CCA will offer its services to individuals, pension and profit sharing plans, trusts, estates, or charitable organizations, corporations or business entities.

CCA does not have any minimum requirements for opening or maintaining an account.

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

CCA's clients are establishing an account with a custodian where the recommended subadvisor or Co-Advisor has an established relationship and offers the subadvisors/Co-Advisor model portfolios. Clients need to be aware that the subadvisor model portfolio will not be tailored to the client specifically. The subadvisor will manage the model portfolio selected for the client's account. CCA will also monitor the client account and has the discretionary authority to select the subadvisor to manage the client's portfolio, select the model portfolio offered by the subadvisor, change the model portfolio should it not meet the client's needs and has the discretionary authority to hire and fire the subadvisor. The methods of analysis and investment strategies utilized by the subadvisor will be described within that subadvisor's Brochure. CCA will provide clients with the subadvisor's Brochure and is encouraged to review it in its entirety and ask any questions. Clients recommended to a Co-Advisor are allowed to place some restrictions on the particular securities or types of securities as outlined in Item 4.

***Clients need to be aware that investing in securities involves risk of loss that clients need to be prepared to bear.***

### **Investment Strategy and Method of Analysis Material Risks**

The subadvisors and Co-Advisor that CCA refers clients to have their own methods of analysis and investment strategies for each of the model portfolios offered by those subadvisors/Co-Advisors. Clients are encouraged to read the subadvisors/Co-Advisors Brochure carefully to fully understand the subadvisor's Investment Strategy and Method of Analysis as well as Material Risks.

### **Security Specific Material Risks**

Every type of investment, including mutual funds, involves risk. Risk refers to the possibility that you will lose money (both principal and any earnings) or fail to make money on an investment. A fund's investment objective and its holdings are influential factors in determining how risky a fund is. Reading the prospectus will help you to understand the risk associated with that particular fund.

Generally speaking, risk and potential return are related. This is the risk/return trade-off. Higher risks are usually taken with the expectation of higher returns at the cost of increased volatility. While an investment with higher risk has the potential for higher return, it also has the greater potential for losses or negative returns. The school of thought when investing suggests that the longer your investment time horizon is the less affected you should be by short-term volatility. Therefore, the shorter your investment time horizon, the more concerned you should be with short-term volatility and higher risk.

Below is a list of some of the risks to consider when investing in mutual funds.

- **Call Risk.** The possibility that falling interest rates will cause a bond issuer to redeem—or call—its high-yielding bond before the bond's maturity date.
- **Country Risk.** The possibility that political events (a war, national elections), financial problems (rising inflation, government default), or natural disasters (an earthquake, a

poor harvest) will weaken a country's economy and cause investments in that country to decline.

- **Credit Risk.** The possibility that a bond issuer will fail to repay interest and principal in a timely manner. Also called default risk.
- **Currency Risk.** The possibility that returns could be reduced for Americans investing in foreign securities because of a rise in the value of the U.S. dollar against foreign currencies. Also called exchange-rate risk.
- **Income Risk.** The possibility that a fixed-income fund's dividends will decline as a result of falling overall interest rates.
- **Industry Risk.** The possibility that a group of stocks in a single industry will decline in price due to developments in that industry.
- **Inflation Risk.** The possibility that increases in the cost of living will reduce or eliminate a fund's real inflation-adjusted returns.
- **Interest Rate Risk.** The possibility that a bond fund will decline in value because of an increase in interest rates.
- **Manager Risk.** The possibility that an actively managed mutual fund's investment adviser will fail to execute the fund's investment strategy effectively resulting in the failure of stated objectives.
- **Market Risk.** The possibility that stock fund or bond fund prices overall will decline over short or even extended periods. Stock and bond markets tend to move in cycles, with periods when prices rise and other periods when prices fall.
- **Principal Risk.** The possibility that an investment will go down in value, or "lose money," from the original or invested amount.

Other risks to consider when investing include:

#### Asset Class Risk

Securities in your portfolio(s) or in underlying investments such as mutual funds may underperform in comparison to the general securities markets or other asset classes.

#### Concentration Risk

The Advisor recommends a model portfolio to the client, offered by the recommended subadvisor. Those model portfolios may be concentrated in a particular market, industry or asset class therefore your portfolio may be susceptible to loss due to adverse occurrences affecting that market, industry, or asset class.

A client with more than one account can be invested in two or more subadvisor model portfolios. However, a client with only one account, can only be invested in one model portfolio.

#### Growth Securities Risk

Growth companies are companies whose earnings growth potential appears to be greater than the market, in general, and whose revenue growth is expected to continue over an extended period. Stocks of growth companies or "growth securities" have market values that may be more volatile than those of other types of investments. Growth securities typically do not pay a dividend, which may help cushion stock prices in market downturns and reduce potential losses.



### Issuer Risk

Your account's performance depends on the performance of ETFs and ETNs in which your account invests. Any issuers may perform poorly, causing the value of its securities to decline. Poor performance may be caused by poor management decisions, competitive pressures, changes in technology, disruptions in supply, labor problems or shortages, corporate restructurings, fraudulent disclosures, or other factors. Changes to the financial condition or credit rating of an issuer of those securities may cause the value of the securities to decline.

### Market Risk

Your account could lose money over short periods due to short-term market movements and over longer periods during market downturns. The value of a ETFs and ETNs may decline due to general market conditions, economic trends, or events that are not specifically related to the issuer of the security or to factors that affect a particular industry or industries. During a general downturn in the securities markets, multiple asset classes may be negatively affected.

### Political Risk

Government decisions may damage the value of your investments. Changes to social security, benefits law, and tax law may impact your financial decisions. Any foreign investments may be impacted by the decision of their local governments.

### Market Trading Risks

Your investment account faces numerous market trading risks, including the potential lack of an active market for investments held in your account and losses from trading in secondary markets.

### Larger Company Securities Risk

Securities of companies with larger market capitalizations may underperform securities of companies with smaller and mid-sized market capitalizations in certain economic environments. Larger, more established companies might be unable to react as quickly to new competitive challenges, such as changes in technology and consumer tastes. Some larger companies may be unable to grow at rates higher than the fastest growing smaller companies, especially during extended periods of economic expansion.

### Liquidity Risk

An ETF or ETN may not be able to be sold at the time desired without adversely affecting the price.

### Regulatory Risk

Changes in government regulations may adversely affect the value of a security. An insufficiently regulated industry or market might also permit inappropriate practices that adversely affect an investment.

### Smaller Company Securities Risk

ETFs and ETNs of companies with smaller market capitalizations, historically, tend to be more volatile and less liquid than larger company ETFs and ETNs. Smaller companies may have no or relatively short operating histories, or be newly public companies. Some of these companies

have aggressive capital structures, including high debt levels, or are involved in rapidly growing or changing industries and/or new technologies, which pose additional risks.

#### Exchange-Traded Funds (ETFs).

ETFs are typically investment companies that are legally classified as open end mutual funds or UITs. However, they differ from traditional mutual funds, in particular, in that ETF shares are listed on a securities exchange. Shares can be bought and sold throughout the trading day like shares of other publicly-traded companies. ETF shares may trade at a discount or premium to their net asset value. This difference between the bid price and the ask price is often referred to as the “spread.” The spread varies over time based on the ETF’s trading volume and market liquidity, and is generally lower if the ETF has a lot of trading volume and market liquidity and higher if the ETF has little trading volume and market liquidity. Although many ETFs are registered as an investment company under the Investment Company Act of 1940 like traditional mutual funds, some ETFs, in particular those that invest in commodities and foreign holdings, are not registered as an investment company.

#### Exchange-Traded Notes (ETNs).

An ETN is a senior unsecured debt obligation designed to track the total return of an underlying market index or other benchmark. ETNs may be linked to a variety of assets, for example, commodity futures, foreign currency and equities. ETNs are similar to ETFs in that they are listed on an exchange and can typically be bought or sold throughout the trading day. However, an ETN is not a mutual fund and does not have a net asset value; the ETN trades at the prevailing market price. Some of the more common risks of an ETN are as follows. The repayment of the principal, interest (if any), and the payment of any returns at maturity or upon redemption are dependent upon the ETN issuer’s ability to pay. In addition, the trading price of the ETN in the secondary market may be adversely impacted if the issuer’s credit rating is downgraded. The index or asset class for performance replication in an ETN may or may not be concentrated in a specific sector, asset class or country and may therefore carry specific risks.

#### Hedge Funds.

Hedge funds are available for purchase in the program by clients meeting certain qualification standards. Investing in these funds involves additional risks including, but not limited to, the risk of investment loss due to the use of leveraging and other speculative investment practices and the lack of liquidity and performance volatility. In addition, these funds are not required to provide periodic pricing or valuation information to investors and involve complex tax structures and delays in distributing important tax information. Client need to be aware that these funds are not liquid as there is no secondary trading market available.

At the absolute discretion of the issuer of the fund, there can be certain repurchase offers made from time to time. However, there is no guarantee that the client will be able to redeem the fund during the repurchase offer.

#### Private Placements under Regulation D.

A securities offering exempt from registration with the SEC is sometimes referred to as a *private placement* or an *unregistered offering*. Under the federal securities laws, a company may not

offer or sell securities unless the offering has been registered with the SEC or an exemption from registration is available.

Generally speaking, private placements are not subject to some of the laws and regulations that are designed to protect investors, such as the comprehensive disclosure requirements that apply to registered offerings. Private and public companies engage in private placements to raise funds from investors. Hedge Funds and other private funds also engage in private placements.

As an individual investor, you may be offered an opportunity to invest in an unregistered offering. The securities involved may be, among other things, common or preferred stock, limited partnerships interests, a membership interest in a limited liability company, or an investment product such as a note or bond. **Keep in mind that private placements can be very risky and any investment may be difficult, if not virtually impossible to sell.**

Unregistered offerings often can be identified by capitalized legends placed on the offering documents and on the certificates or other instruments that represent the securities. The legends will state that the offering has not been registered with the SEC and the securities have restrictions on their transfer. **You should read the offering documents carefully to understand the risks involved.**

When reviewing private placement documents, you may see a reference to *Regulation D*. Regulation D includes three SEC rules—*Rules 504, 505 and 506*—that issuers often rely on to sell securities in unregistered offerings. The entity selling the securities is commonly referred to as the *issuer*. Each rule has specific requirements that the issuer must meet.

**It is important for you to obtain all the information that you need to make an informed investment decision.** Investors need to fully understand what they are investing in and fully appreciate what risks are involved.

Some things to consider.

- What do the financial statements, if provided, tell you about the business?
- Are the claims and expectations reasonable?
- How reasonable is the issuer's reliance on a particular technology, customer, product or natural resources claim?
- Who are the issuer's competitors?
- What is the experience and background of management?
- How long has the issuer been in business and has the issuer conducted prior offerings?
- How does the issuer plan to use the money raised?
- If the securities you are investing in have transfer restrictions, when will and how may the restrictions be lifted?

It is important to note that no methodology or investment strategy is guaranteed to be successful or profitable. Investing in securities involves the risk of loss that clients should be prepared to bear.

## **Item 9 Disciplinary Information**

Clients should be aware that neither CCA nor its management persons have had any legal or disciplinary events, currently or in the past.

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

### **Material Relationships Maintained by this Advisory Business and Conflicts of Interest**

Erik Krom and Matthew Ritter are also partners of an affiliated entity, Clear Creek Insurance, LLC. Erik Krom, Partner, is licensed and registered as an insurance agent to sell life and health insurance for various insurance companies through the affiliated entity, Clear Creek Insurance, LLC. Therefore, he will be able to purchase insurance products for any client in need of such services and will receive separate, yet typical compensation in the form of commissions for the purchase of insurance products. This creates a conflict of interest. A conflict of interest exists because Mr. Krom can recommend products for which he can receive additional compensation, i.e. insurance. Clients always have the right to decide whether to purchase insurance recommended by Mr. Krom and if they do purchase insurance, clients have the right to decide from whom to purchase insurance. In recommending an insurance product, Mr. Krom will always act in the client's best interest under his fiduciary duty. Clients are not obligated to use Clear Creek Insurance, LLC or its representatives for insurance product services. However, in such instances, there is no advisory fee associated with these insurance products. Mr. Krom will each spend approximately 15% of his time on insurance related activities.

Mathew Ritter, Partner with Clear Creek Advisors is also the Principal and Founding Partner of Pinnacle Real Estate Advisors LLC, which offers real estate services. Mr. Ritter does not provide investment advice to clients of CCA. Mr. Ritter does not accept clients of CCA at Pinnacle Real Estate Advisors LLC. Therefore, no conflict of interest exists.

Robert Klaess and Eric S. Freehling are Investment Advisor Representatives with CCA, and are licensed and registered as insurance agents to sell life and health insurance for various insurance companies through the affiliated entity, Clear Creek Insurance, LLC. Therefore, they will be able to purchase insurance products for any client in need of such services and will receive separate, yet typical compensation in the form of commissions for the purchase of insurance products. This creates a conflict of interest. A conflict of interest exists because Mr. Klaess and Mr. Freehling can recommend products for which they can receive additional compensation, i.e. insurance. Clients always have the right to decide whether to purchase insurance recommended by Mr. Klaess and Mr. Freehling and if they do purchase insurance, clients are not obligated to use Clear Creek Insurance, LLC or its representatives for insurance product services. However, in such instances, there is no advisory fee associated with these insurance products. Mr. Klaess will spend approximately 75% of his time on insurance related activities. Mr. Freehling will spend approximately 30% of his time on insurance related activities.

### **Recommendation or Selection of Other Investment Advisers and Conflicts of Interest**

CCA recommends subadvisors/Co-Advisors for clients. The unaffiliated subadvisor/Co-Advisor that CCA recommends to clients are required to be registered as an investment advisor. Before recommending a subadvisor/Co-Advisor to a client, CCA will first ensure that the subadvisor/Co-Advisor is appropriately registered and/or notice-filed, or exempt from registration within your state of residence. As referenced in Item 4 of this Brochure, each firm is compensated for their respective services by the client through a portion of the asset-based fee that is assessed. CCA has an incentive to recommend one subadvisor/Co-Advisor over another if less favorable compensation or service arrangements were to be offered to CCA by another subadvisor/Co-Advisor. CCA has a fiduciary duty to act in our client's best interest at all times and will do so when recommending a subadvisor/Co-Advisor to our clients.

Additionally, there is the potential for clients' fees assessed via these engagements to be higher than had a client obtained them directly from the subadvisor/Co-Advisor or the client were able to purchase similar underlying investments on their own. Clients are encouraged to review the subadvisor's/Co-Advisor's Brochure which will include all of the services offered and a description of the models offered by the subadvisor/Co-Advisor and their stated fees prior to the engagement. Clients have the right to purchase recommended or similar investments through their own provider. It should be noted that certain subadvisors/Co-Advisors and/or underlying investments may not be available to self-directed investors or at the same cost.

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

### **Code of Ethics Description**

CCA is registered with the Securities and Exchange Commission and has adopted as an industry best practice a Code of Ethics. The Advisor has adopted a Code of Ethics that sets forth the basic policies of ethical conduct for all managers, officers, and employees of the adviser. In addition, the Code of Ethics governs personal trading by each employee of CCA deemed to be an Access Person and is intended to ensure that securities transactions effected by Access Persons of the Advisor are conducted in a manner that avoids any conflict of interest between such persons and clients of the adviser or its affiliates. The Advisor collects and maintains records of securities holdings and securities transactions effected by Access Persons. These records are reviewed to identify and resolve conflicts of interest. CCA maintains a code of ethics and will provide a copy to any client or prospective client upon request.

### **Advisory Firm Purchase of Same Securities Recommended to Clients and Conflicts of Interest**

CCA and/or its investment advisory representatives may from time to time purchase or sell products that they may recommend to clients. This practice could present a conflict where, because of the information the Adviser has, CCA or its related person are in a position to trade in a manner that could adversely affect clients (e.g. place their own trades before or after client trades are executed in order to benefit from any price movements due to the clients' trades). In addition to affecting the Adviser's or its related person's objectivity, these practices by the Adviser or its related person may also harm clients by adversely affecting the price at which the clients' trades are executed. To mitigate this conflict, CCA and/or its investment advisory

representatives have a fiduciary duty to put the interests of their clients ahead of their own. The Adviser has adopted the following procedures in an effort to mitigate such conflicts: The Adviser requires its related persons/access persons to preclear all transactions in their personal accounts with the Chief Compliance Officer, Amy Bratsch, who may deny permission to execute the transaction if such transaction will have any adverse economic impact on one of its clients. All of the Adviser's related persons are required to disclose their securities transactions on a quarterly basis and holdings on an annual basis. All of the Adviser's related persons are also required to provide broker confirmations of each transaction in which they engage and a monthly certification of such transactions. Trading in employee accounts will be reviewed by the Chief Compliance Officer and compared with transactions for the client accounts. Also, the investment advisory representatives are required to adhere to CCA's Code of Ethics as outlined above in Item 11.

## **Item 12 Brokerage Practices**

### **Factors Used to Select Broker-Dealers for Client Transactions**

CCA does not recommend broker-dealers or custodians to clients. The subadvisor/Co-Advisor that CCA refers clients to will have established custodial relationships in place for their model portfolios.

### **Research and Other Soft Dollar Benefits.**

CCA does not receive research or other products or services other than execution from a custodian or third party as a result of client securities transactions.

### **Brokerage for Client Referrals.**

CCA does not receive client referrals from any custodian or third party.

### **Directed Brokerage.**

The subadvisor/Co-Advisor that CCA refers clients to will have established custodial relationships in place for their model portfolios. As such, the subadvisor/Co-Advisor will require that all clients invested in their model portfolios utilize the custodian(s) where the subadvisor/Co-Advisor has the established relationship. Clients will be allowed to direct brokerage to any of the custodial relationships that the subadvisor/Co-Advisor has in place. Clients will not be allowed to direct brokerage outside of those established custodial relationships.

### **Aggregating Securities Transactions for Client Accounts**

CCA does not aggregate trades because client accounts are managed by the subadvisor/Co-Advisor.

## **Item 13 Review of Accounts**

The firm reviews client accounts on an annual basis, or when conditions would warrant a review based on market conditions or changes in client circumstances. Triggering factors may include CCA becoming aware of a change in client's investment objective, a change in market conditions, change of employment, or a change in recommended asset allocation weightings in the account that exceed a predefined guideline.

Client accounts are reviewed by Erik Krom, Partner. The client must notify the Advisor and Investment Advisor Representative if changes occur in his/her personal financial situation that might materially affect his/her investment plan.

CCA does not provide written reports to clients.

The client will receive written statements no less than quarterly from the custodian. In addition, the client will receive other supporting reports from mutual funds, asset managers, trust companies or other custodians, insurance companies, broker-dealers and others who are involved with client accounts.

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

CCA does not currently have any client referral arrangements. CCA does not pay for client referrals nor is CCA compensated for client referrals.

#### **Item 15 Custody**

CCA is deemed to have custody of client assets if the client authorizes us to instruct the qualified custodian to deduct our advisory fees directly from the client account. The qualified custodian utilized by CCA maintains actual custody of client assets. The client will receive written statements no less than quarterly from the custodian. The custodian will send a quarterly statement to the client including the amount of the advisory fees withdrawn from the client account. CCA encourages clients to carefully review their account statements for any inaccuracies. Any discrepancies should be immediately brought to the firm's attention. See the response to Item 5 above for fee information.

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

CCA is given the authority to exercise discretion on behalf of clients to:

- Select a subadvisor or Co-Advisor to manage the client's portfolio;
- Select the model portfolio offered by the subadvisor or Co-Advisor;
- Change the model portfolio should it not meet the client's needs;
- And, CCA has the discretionary authority to hire and fire the subadvisor.

The subadvisor or Co-Advisor will have discretionary authority to purchase, sell, exchange, redeem, convert, or other disposition of investments, income, or proceeds deposited and held in the client's account. The subadvisor or Co-Advisor may periodically rebalance the asset allocation in the client's account on at least a quarterly basis based on the allocation targets described within the client's Investment Policy Statement.

## **Item 17 Voting Client Securities**

CCA will not vote, nor advise clients how to vote, proxies for securities held in client accounts. The client clearly keeps the authority and responsibility for the voting of these proxies. Also, CCA cannot give any advice or take any action with respect to the voting of these proxies. The client and CCA agree to this by contract. Clients will receive proxy solicitations from their custodian and/or transfer agent.

## **Item 18 Financial Information Balance Sheet**

CCA does not require or solicit prepayment of more than \$1,200 in fees per client, six months or more in advance. Therefore, a balance sheet is not included with this Brochure.

We recently applied for and received a loan in the principal amount of \$74,200 under the Paycheck Protection Program (PPP) authorized pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The PPP is a forgivable loan available to businesses who, because of the current and continuing economic uncertainty, desire to retain and continue paying employees and so use the loan to support ongoing operations. Market volatility has the potential to adversely impact our business. In addition, state-issued “stay at home” and related orders, including work-place protocols for safely conducting business going forward, have and will continue to require significant unanticipated operating expenses to be incurred and interruption of business activities. Like thousands of small businesses who have been adversely impacted by the pandemic, we took advantage of the CARES Act’s support and obtained a forgivable PPP loan in order to meet these extraordinary challenges. Without the PPP loan, we could have been forced to reduce our staff and or reduce compensation. We used the proceeds of the PPP loan to pay for payroll and other expenses specifically permitted under the PPP. We do not believe we would have been unable to meet any contractual commitment absent our receipt of the PPP loan.



## Privacy Policy

# Clear Creek Advisors

Effective: June 02, 2017

### Our Commitment to You

Clear Creek Advisors (“CCA” or “Advisor”) is committed to safeguarding the use of your personal information that we have as your Investment Advisor. CCA (referred to as "we", "our" and "us" throughout this notice) protects the security and confidentiality of the personal information we have and make efforts to ensure that such information is used for proper business purposes in connection with the management or servicing of your account. Our relationship with you is our most important asset. We understand that you have entrusted us with your private information, and we do everything we can to maintain that trust.

We do not sell your non-public personal information to anyone. Nor does CCA provide such information to others except for discrete and proper business purposes in connection with the servicing and management of your account as discussed below.

Details of our approach to privacy and how your personal non-public information is collected and used are set forth in this privacy policy.

### The Information We Collect About You

You typically provide personal information when you complete the paperwork required to become our Client. This information may include the following:

Driver’s License number	Date of Birth
Social security or taxpayer identification number	Assets and liabilities
Name, address and phone number(s)	Income and expenses
E-mail address(es)	Investment activity
Account information (including other institutions	Investment experience and goals

In addition, we may collect non-public information about you from the following sources:

- Information we receive on Brokerage Agreements, Managed Account Agreements and other Subscription and Account Opening Documents;
- Information we receive in the course of establishing a customer relationship including, but not limited to, applications, forms, investment questionnaires;
- Information about your transactions with us or others

### Information about You That CCA Shares

CCA works to provide products and services that benefit our customers. We may share non-public personal information with non-affiliated third parties (such as brokers and custodians) as necessary for us to provide agreed services and products to you consistent with applicable law.

We may also disclose non-public personal information to other financial institutions with whom we have joint business arrangements for proper business purposes in connection with the management or servicing of your account. In addition, your non-public personal information may also be disclosed to you, persons we believe to be your authorized agent or representative, regulators in order to satisfy CCA's regulatory obligations, and is otherwise required or permitted by law. Lastly, we may disclose your non-public personal information to companies we hire to help administrate our business. Companies we hire to provide services of this kind are not allowed to use your personal information for their own purposes and are contractually obligated to maintain strict confidentiality. We limit their use of your personal information to the performance of the specific service we have requested.

To repeat, we do not sell your non-public personal information to anyone.

### **Information about Former Clients**

CCA does not disclose, and does not intend to disclose, non-public personal information to non-affiliated third parties with respect to persons who are no longer our clients.

### **Confidentiality and Security**

Our employees are advised about the firm's need to respect the confidentiality of our customers' non-public personal information. Additionally, we maintain physical, procedural and electronic safeguards in an effort to protect the information from access by unauthorized parties.

### **We'll keep you informed**

We will send you notice of our privacy policy annually for as long as you maintain an ongoing relationship with us. Periodically we may revise our privacy policy, and will provide you with a revised policy if the changes materially alter the previous privacy policy. We will not, however, revise our privacy policy to permit the sharing of non-public personal information other than as described in this notice unless we first notify you and provide you with an opportunity to prevent the information sharing. You may obtain a copy of our current privacy policy by contacting us at (720) 642-8348.

**Item 1 Form ADV Part 2B Brochure Supplement – Erik Krom**

Erik Krom, Partner  
Personal CRD Number: 5998349

Clear Creek Advisors  
Firm CRD Number: 288335

7800 E Union Ave #585  
Denver, CO 80237  
Phone: (720) 642-8348  
Fax: (720) 834-0441

February 12, 2021

**This brochure supplement provides information about Erik Krom that supplements the Clear Creek Advisors brochure. You should have received a copy of that brochure. Please contact Amy Bratsch, Chief Compliance Officer if you did not receive Clear Creek Advisors' brochure or if you have any questions about the contents of this supplement.**

**Additional information about Erik Krom, CRD #5998349 is available on the SEC's website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov).**

## **Item 2 Educational Background/Business Experience**

Erik Krom, born 1979, graduated from Linfield College with a B.S. in Business Administration, 2001. Mr. Krom is a Partner with Clear Creek Advisors as of May 2017 and a Partner with Clear Creek Insurance, LLC as of March 2017. He was an Investment Advisor Representative with TFO-TDC, LLC from January 2015 to July 2017. Mr. Krom was an Investment Advisor Representative with Retirement Wealth Advisors, Inc. from April 2014 to March 2015; and, he was employed with Paradigm Group as a Wealth Advisor from June 2008 to January 2017.

## **Item 3 Disciplinary Information**

There are no legal or disciplinary events or proceedings to report concerning Mr. Krom.

## **Item 4 Other Business Activities**

Erik Krom is a Partner of an affiliated entity, Clear Creek Insurance, LLC. Erik Krom, Partner, is licensed and registered as an insurance agent to sell life and health insurance for various insurance companies through the affiliated entity, Clear Creek Insurance, LLC. Therefore, he will be able to purchase insurance products for any client in need of such services and will receive separate, yet typical compensation in the form of commissions for the purchase of insurance products. This creates a conflict of interest. A conflict of interest exists because Mr. Krom can recommend products for which he can receive additional compensation, i.e. insurance. Clients always have the right to decide whether to purchase insurance recommended by Mr. Krom and if they do purchase insurance, clients have the right to decide from whom to purchase insurance. In recommending an insurance product, Mr. Krom will always act in the client's best interest under his fiduciary duty. Clients are not obligated to use Clear Creek Insurance, LLC or its representatives for insurance product services. However, in such instances, there is no advisory fee associated with these insurance products. Mr. Krom will each spend approximately 15% of his time on insurance related activities.

## **Item 5 Additional Compensation**

Mr. Krom does not receive compensation or other economic benefit from anyone for providing advisory services to clients of CCA, other than what has been described in the CCA's Brochure.

## **Item 6 Supervision**

Amy Bratsch, Chief Compliance Officer, monitors the investment advisory activities, personal investing activities, and adherence to the Advisor's compliance program and code of ethics of CCA's supervised persons on a continuous basis using various methods, including periodic inspection and review of client securities positions and transaction activity, obtaining certifications of compliance with company policies and procedures from those supervised, and obtaining and reviewing brokerage statements or transactions and holdings reports of the supervised persons. To provide adequate oversight of CCA personnel, Erik Krom, Partner, will provide the same oversight activities over the Chief Compliance officer. Amy Bratsch can be reached at (720) 642-8348.