

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 96595 / December 30, 2022

INVESTMENT ADVISERS ACT OF 1940
Release No. 6209 / December 30, 2022

ADMINISTRATIVE PROCEEDING
File No. 3-21265

In the Matter of

JAMES ALBERT PETTIT,

Respondent.

**ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO SECTION 15(b) OF THE
SECURITIES EXCHANGE ACT OF 1934
AND SECTION 203(f) OF THE
INVESTMENT ADVISERS ACT OF 1940,
MAKING FINDINGS, AND IMPOSING
REMEDIAL SANCTIONS**

I.

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted pursuant to Section 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) and Section 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”) against James Albert Pettit (“Respondent”).

II.

In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (the “Offer”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, and without admitting or denying the findings herein, except as to the Commission’s jurisdiction over him and the subject matter of these proceedings and the findings contained in paragraph III.2 below, which are admitted, Respondent consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 15(b)

of the Securities and Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940, Making Findings, and Imposing Remedial Sanctions (“Order”), as set forth below.

III.

On the basis of this Order and Respondent’s Offer, the Commission finds that

1. On January 20, 2015, Pettit applied for registration as a broker-dealer agent and an investment adviser agent of Ameriprise Financial Services, Inc. (CRD No. 6363). He had previously been registered as a broker-dealer agent and investment adviser agent of Janney Montgomery Scott, LLC (CRD No. 463), between February 2007 and December 17, 2014. On February 23, 2016, Ameriprise Financial Services, Inc. filed to withdraw Pettit’s pending registration. The filing indicated that Janney had been conducting an internal review of Pettit’s outside business activity at the time he terminated his association with Janney. Pettit, 69 years old, is a resident of West Hartford, Connecticut.

2. On September 7, 2022, the Banking Commissioner for the Connecticut Department of Banking entered a Final Consent Order (“Connecticut Order”) in an administrative action entitled *In the Matter of James Albert Pettit CRD No. 733916*, Docket No. NDCDF-17-8218-S. The order made permanent an Order to Cease and Desist issued May 15, 2017, and, for a period of ten years, barred Pettit from transacting business in or from Connecticut as an agent, broker-dealer, broker-dealer agent, investment adviser or investment adviser agent; maintaining a direct or indirect ownership interest in a broker-dealer or an investment adviser registered in Connecticut; and acting in any other capacity requiring a license or registration under laws administered by Connecticut’s Banking Commissioner. The order additionally stayed a \$25,000 fine pending Pettit’s ability to pay, to be waived after three years of inability to pay.

3. The Connecticut Order was the result of an investigation conducted by the Securities and Business Investments Division of the Connecticut Department of Banking which resulted in a notice and order dated May 15, 2017, entitled *Notice of Intent to Deny Registrations as a Broker-Dealer Agent and an Investment Adviser Agent, Order to Cease and Desist, Notice of Intent to Fine, and Notice of Right to Hearing*, Docket No. NDCDF-17-8218-S. The notice and order alleged, among other things, that Pettit had improperly withdrawn money from a client account as a personal loan to himself, improperly borrowed money from two clients to pay personal bills, and engaged in self-dealing by improperly exercising power of attorney over an elderly client without approval and paying himself from her funds both before and after her death.

IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondent Pettit’s Offer.

Accordingly, it is hereby ORDERED pursuant to Section 15(b)(6) of the Exchange Act, and Section 203(f) of the Advisers Act, that Respondent Pettit be, and hereby is barred from

association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization; and

Pursuant to Section 15(b)(6) of the Exchange Act Respondent Pettit be, and hereby is barred from participating in any offering of a penny stock, including: acting as a promoter, finder, consultant, agent or other person who engages in activities with a broker, dealer or issuer for purposes of the issuance or trading in any penny stock, or inducing or attempting to induce the purchase or sale of any penny stock;

with the right to apply for reentry after 10 years to the appropriate self-regulatory organization, or if there is none, to the Commission.

Any reapplication for association by the Respondent will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, compliance with the Commission's order and payment of any or all of the following: (a) any disgorgement or civil penalties ordered by a Court against the Respondent in any action brought by the Commission; (b) any disgorgement amounts ordered against the Respondent for which the Commission waived payment; (c) any arbitration award related to the conduct that served as the basis for the Commission order; (d) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order; and (e) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

By the Commission.

Vanessa A. Countryman
Secretary