

**THE DISCIPLINARY AND ETHICS COMMISSION
CERTIFIED FINANCIAL PLANNER BOARD OF STANDARDS, INC.**

In the Matter of

Brian T. Harris,

Respondent.

CFP Board Case No. 2022-63549

February 25, 2026

ORDER

Certified Financial Planner Board of Standards, Inc. (“CFP Board”) granted Respondent the right to use the CFP®, CERTIFIED FINANCIAL PLANNER®,  and  certification marks (“CFP® marks”) on December 9, 2020, and he has been certified since that date. (DEC Book at 6.)¹

I. PROCEDURAL BACKGROUND

On May 13, 2025, CFP Board’s Enforcement Counsel filed a Complaint with CFP Board’s Disciplinary and Ethics Commission (“Commission”) alleging grounds to sanction Respondent for violating Standards E.2.a and E.3.i of CFP Board’s *Code of Ethics and Standards of Conduct* (“*Code and Standards*”). (*Id.* at 6-9.) The Complaint alleges: (1) Respondent’s August 2023 misdemeanor plea to Battery Causing Serious Bodily Injury proves Respondent engaged in criminal conduct that reflects adversely on his integrity or fitness as a CFP® professional, on the CFP® marks, or on the profession (Standard E.2.a); and (2) Respondent failed to provide written notice to CFP Board within thirty calendar days of the California Department of Real Estate restricting Respondent’s real estate license (Standard E.3.i). (*Id.*)

In his Answer to the Complaint, Respondent admits to the material allegations in the Complaint. (*Id.* at 185-90.)

On December 11, 2025, a hearing panel formed under Article 10.6 of the *Procedural Rules* convened virtually to hear testimony and to review and consider documents, information, and argument. (Transcript of Hearing of Brian T. Harris, December 11, 2025 (“Tr.”) at 1.) DEC Counsel appeared for the hearing panel and for the Commission; Enforcement Counsel appeared for CFP Board; and Respondent appeared on his own behalf. (*Id.* at 2.)

On January 16, 2026, at the request of the hearing panel, Respondent made a supplemental submission to the record. (Respondent’s Supplemental Submission.)

¹ The DEC Book, hearing transcripts, and any other exhibits to this Order will not be published under Article 17.7 of the *Procedural Rules*. The *Procedural Rules* are available on CFP Board’s website at: www.cfp.net/ethics/enforcement/procedural-rules.

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The Commission has considered the hearing panel's recommendation and issues this final order.

II. FINDINGS OF FACT

A. Background

Respondent has passed the Series 7 – General Securities Representative Examination (2008, 2025), Series 63 – Uniform Securities Agent State Law Examination (2008, 2025), Series 66 – Uniform Combined State Law Examination (2014), and Securities Industry Essential Examination (2018). (DEC Book at 185.)

Respondent has been a registered representative with his current advisory firm since October 2024. (*Id.*) Respondent worked previously as a financial consultant with another advisory firm from October 2008 until March 2022. (*Id.* at 57.)

Respondent holds restricted licenses to sell real estate and insurance in California. (DEC Book at 187; Tr. at 25.)

B. Respondent's Plea to Misdemeanor Battery Causing Serious Bodily Injury

In February 2022, Respondent was arrested and charged with felony Battery with Serious Bodily Injury in violation of California Penal Code 243(d) and misdemeanor Vandalism in violation of California Penal Code 594(a)(b)(2)(A). (DEC Book at 186.)

The arrest and charges stemmed from the events of the night of November 22, 2021, when Respondent was out drinking with friends at a bar where he became engaged in two altercations. (DEC Book at 185; Tr. at 110-11.)

Respondent testified that the first altercation occurred inside the bar. (Tr. at 110-11.) After attending the restroom, Respondent was unable to exit because "it appeared someone had been leaning up against the door." (*Id.*) Respondent forcibly opened the door, damaging it in the process. (*Id.*) Respondent testified that upon exiting the restroom he saw four "kids" mocking him, leading to an altercation where Respondent shoved one of them and "clipped" his chin. (*Id.* at 112.) Respondent reported the incident to the bar manager, apologized, and stated he would be leaving the bar. (*Id.* at 113.) Respondent testified that the bar manager thanked him for reporting the incident and agreed that he should leave. (*Id.*)

The second altercation occurred outside the bar. (DEC Book at 185.) Respondent testified that as he was leaving the bar to meet his rideshare, another patron, who was not involved in the first altercation and was much larger than Respondent, purposefully bumped into him. (DEC Book at 185; Tr. at 113-14.) Respondent says the patron then followed him and his friend outside of the bar, heckled and

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called Respondent names, aggressively approached Respondent, and pushed Respondent to the ground. (DEC Book at 185-86; Tr. at 110, 113-14.)

Although the record is not entirely clear on the sequence of events, the Commission understands from Respondent's and his witness's testimony that Respondent stood up and asked the patron not to put his hands on him again, at which point the patron aggressively advanced, placing Respondent's friend in between Respondent and the patron. (Tr. at 39, 109.) Respondent mistook the patron's attempt to remove his retainer as further aggression, and Respondent swung and punched the patron once, knocking the patron to the ground where he hit his head and was rendered unconscious. (Tr. at 39-40, 44, 109-10.) Respondent testified the entire altercation lasted less than sixty seconds. (Tr. at 109-10.)

A crowd came outside the bar and other patrons urged Respondent to leave the scene. (DEC Book at 186.) Respondent's rideshare arrived. (*Id.*) Respondent initially declined to leave the scene but ultimately did after further urging from the crowd, a decision which, in hindsight, he deeply regrets. (*Id.*; Tr. at 42.) Respondent departed before first responders arrived. (DEC Book at 186.)

Afterwards, Respondent did not attempt to check on the health of the patron or to report the incident to the police. (Tr. 118-20.) The patron suffered serious injuries and was hospitalized for four days and was unable to work for a month. (DEC Book 260-61; Tr. at 120.)

On August 23, 2023, Respondent pleaded guilty to misdemeanor Battery Causing Serious Bodily Injury. (DEC Book at 186-87.) Respondent was committed to the custody of the sheriff for one day and ordered to complete one year of probation, pay an \$860 fine, and pay the bar and patron \$1,610 and \$22,000 in restitution, respectively. (DEC Book at 88, 187.)

Respondent satisfied his restitution to the bar and is paying the patron \$100 per month. (DEC Book at 88, 109.)

C. Failure to Disclose Restricted Real Estate License

On January 29, 2025, Respondent entered into a Stipulation and Agreement with the California Department of Real Estate in which he consented to findings that his misdemeanor conviction constituted cause for the suspension or revocation of his real estate license. (*Id.* at 102-08, 187-88.) California barred Respondent from obtaining an unrestricted real estate license for two years, effective January 29, 2025, and ordered Respondent to pay fees of \$2,322. (*Id.*)

Respondent admits that he failed to disclose the Stipulation and Agreement to CFP Board within thirty calendar days, as required under the *Code and Standards*. (*Id.* at 188.)

D. The Hearing

During the hearing, Respondent expressed remorse and took full responsibility for his poor judgment on November 22, 2021, for striking the patron, and for leaving the scene before first responders arrived. (Tr. at 14, 42-43.)

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Respondent testified that he intentionally limited his alcohol intake and was sober that night because he intended to attend church the next morning with his father. (Tr. 122-23.) Respondent says that his judgment was not affected by alcohol and that he punched the patron out of fear in a “fight or flight” response. (Tr. 14, 123.) Respondent says he now avoids “high risk” environments by not going out to socialize as frequently and monitoring his alcohol intake. (Tr. at 123.)

Respondent testified that he did not go to trial and accepted the misdemeanor plea on the advice of counsel because he was not able to obtain video evidence of the fight. (Tr. 35.)

Respondent acknowledged that, in 2005, he pleaded guilty to a misdemeanor charge in Florida for using a false driver’s license. (Tr. at 100-01.)

Respondent testified that he applied for his California real estate license in 2023 and disclosed his criminal charges at the time of his application. (Tr. at 84-85.) Respondent admits that he did not update the California real estate regulator after he accepted the plea deal but testified that this oversight was not intentional. (*Id.* at 85.) Respondent testified that he also failed to disclose his misdemeanor conviction to the California Department of Insurance. (Tr. 95-96.) Respondent testified that he failed to disclose his January 2025 Stipulation and Agreement to CFP Board because he was not aware he had a duty to do so. (*Id.* at 85.)

Respondent testified that between 2002 and 2024 he sustained himself financially and paid for his criminal defense by withdrawing from his 401(k), resulting in penalties and tax liabilities. (Tr. at 87.) Respondent is currently on a payment plan with the Internal Revenue Service and California State Franchise Tax Board to pay those taxes. (*Id.*)

Respondent’s friend who accompanied him to the bar on November 22, 2021, testified during the hearing about the events of that evening. The Commission found her recollection questionable and that her testimony did not add anything material to its determination. (Tr. at 38-60.)

At the panel’s request, Respondent, after the hearing, submitted signed copies of letters attesting to his character that he had previously submitted unsigned. (Respondent’s Supplemental Submission.)

III. DISCUSSION

To impose a sanction on Respondent, the Commission must find grounds for a sanction. The Commission found grounds for a sanction based on Respondent’s violations of CFP Board’s *Code and Standards*.

Respondent was a CFP® professional at all times relevant to the following violations.

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First Grounds for Sanction

Standard E.2.a of the *Code and Standards* states that a CFP® professional may not engage in conduct that reflects adversely on his or her integrity or fitness as a CFP® professional, upon the CFP® marks, or upon the profession. Such conduct includes, but is not limited to, conduct that results in a Felony or Relevant Misdemeanor conviction, or admission into a program that defers or withholds the entry of a judgment of conviction for a Felony or Relevant Misdemeanor.

Article 7.1 of the *Procedural Rules* states that a record from any court of criminal jurisdiction indicating that Respondent has been convicted of a crime in that court or admitted into a program that defers or withholds entry of a judgment of conviction (“Criminal Conviction”) is conclusive proof of the commission of the crime and that Respondent has engaged in the criminal conduct that led to the Criminal Conviction.

On August 23, 2023, Respondent pleaded guilty to misdemeanor Battery Causing Serious Bodily Injury. (DEC Book at 87-89.) This misdemeanor conviction is a record from the State Court of California, a court of criminal jurisdiction, and for the purposes of this disciplinary proceeding conclusively establishes Respondent’s commission of the underlying crime.

Therefore, there are grounds to sanction Respondent for a violation of Standard E.2.a of the *Code and Standards*.

Second Grounds for Sanction

Standard E.3.i of the *Code and Standards* states that a CFP® professional must provide written notice to CFP Board within thirty (30) calendar days after the CFP® professional, or an entity over which the CFP® professional was a Control Person, has had a professional license, certification, or membership suspended, revoked, or materially restricted because of a violation of rules or standards of conduct.

Respondent admits that he did not provide written notice to CFP Board within thirty calendar days of the January 29, 2025 Stipulation and Agreement he entered with the California Department of Real Estate barring him from obtaining an unrestricted real estate license for two years. (DEC Book at 188.)

Therefore, there are grounds to sanction Respondent for violating Standard E.3.i of the *Code and Standards*.

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IV. THE COMMISSION'S DECISION

CFP Board has issued non-binding *Sanction Guidelines*² intended to serve as guidance for determining appropriate sanctions. The Commission has considered the following categories of conduct (and recommended sanctions) from the *Sanction Guidelines*:

Conduct/Underlying Rule Violation	Sanction Guideline
Conviction within the last 10 years of a Felony or any Relevant Misdemeanor involving a jail sentence	Suspension for at least one year and one day
Failure to timely report information to CFP Board (Standard E.3)	Public Censure

The Commission finds the following factors to be mitigating here:

1. Respondent acknowledges the misconduct resulting in his misdemeanor conviction and the harm that it caused.
2. Respondent offered plausible testimony that he was acting in self-defense the night of his altercation but did not advance that defense at trial on his counsel's advice due to his inability to obtain video evidence of the fight.

The Commission finds the following factors to be aggravating here:

1. Respondent demonstrated a pattern of poor judgment, including leaving the scene of the altercation and not following up with the police or the victim.
2. Respondent's conduct resulted in significant harm.
3. Respondent has a 2005 misdemeanor conviction for using a false driver's license.
4. Respondent failed to disclose information relevant to his conviction to two regulatory agencies as well as to CFP Board.

While not binding on the outcome in this case, disciplinary Case Histories indicate that a suspension is appropriate here. *See* CH 45459 (2025, imposing four-year suspension on respondent that pleaded guilty to misdemeanor convictions, including an assault, and failed to disclose information to CFP Board); ACH 21533 (2024, imposing a one-year-and-one-day suspension on respondent that was convicted of a misdemeanor DUI that resulted in serious bodily injury and respondent left the scene of the incident).

² The *Sanction Guidelines* are available here: <https://www.cfp.net/ethics/enforcement/sanction-guidelines>.

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In consideration of the foregoing, the Commission finds it appropriate in this case to aggravate upward from the baseline sanctions and issues this Order imposing a **Suspension of Two Years** on Respondent.

Respondent will not be eligible for reinstatement unless (a) Respondent has met the requirements for reinstatement eligibility set out in CFP Board's *Procedural Rules*, and (b) Respondent would be eligible for certification under the applicable *Fitness Standards* if Respondent were an applicant for CFP® certification.

In any petition for reinstatement, Respondent must also demonstrate that:

1. Respondent has met his obligations in providing restitution to the victim of his crime.
2. Respondent has no outstanding tax liabilities.

SO ORDERED

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