

## Annual Disclosure Statement

Open to the Public Investing, Inc. (“Public Investing”) is an SEC- and FINRA-registered broker-dealer and a member of SIPC. We encourage you to review this annual disclosure statement closely, as it contains important information about your account with Public Investing.

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### **Form CRS (“Customer Relationship Summary”)**

The Form CRS is an easy-to-read disclosure document intended to enhance investor protection by providing an important relationship summary about an advisor or broker. Reading a Form CRS can help you decide if an advisor or broker is right for you. You may view Public Investing’s Form CRS at [https://files.brokercheck.finra.org/crs\\_127818.pdf](https://files.brokercheck.finra.org/crs_127818.pdf).

### **Fee Schedule**

We want to make sure our customers fully understand what products and services we offer — and how much they cost! You should always check Public Investing’s [Fee Schedule](#) before placing trades in your account.

## **Anti-Money Laundering**

To help the government fight money laundering and the funding of terrorism, federal laws and regulations require all financial institutions to obtain, verify and record information that identifies each person who opens an account.

When opening an account, Public Investing is required to obtain your name, address, tax information and other information and documentation required to verify your identification. Public Investing may also request to see a valid government issued form of identification evidencing nationality or residence and bearing a photograph such as a driver's license, passport or other identifying documents.

US Department of the Treasury, Securities and Exchange Commission, FINRA and NYSE regulation currently require you to provide additional information, such as net worth, annual income, occupation, employment information, investment experience and objectives, and risk tolerance.

As required by federal law, if Public Investing is unable to verify your identity, Public Investing will not be able to open an account or establish a relationship with you. Public Investing reserves the right to request additional information or documentation at any time at its sole discretion. Material changes in account information should be sent in writing to Public Investing's Customer Experience Department at [support@public.com](mailto:support@public.com) or the following address:

Open to the Public Investing, Inc.  
228 Park Ave. S  
Suite 97716  
New York, NY 10003  
Attention: Customer Experience

## **Privacy Notice and Policy**

Public Investing's Privacy Policy is available [here](#). For a helpful summary of our privacy practices, see our US consumer privacy notice [here](#). We've also included a copy of that notice at the end of this Annual Disclosure Statement.

## **FINRA Broker Check**

FINRA BrokerCheck is a free tool that assists investors by providing background and regulatory information on current and former FINRA member firms and registered representatives. This information can be obtained at <https://brokercheck.finra.org/>. If you need assistance, you may call the BrokerCheck Help Line at (800) 289-9999, send an email to [BrokerCheck@finra.org](mailto:BrokerCheck@finra.org) or complete the BrokerCheck Survey [here](#). A copy of an investor brochure that includes information describing FINRA BrokerCheck can be obtained by calling the BrokerCheck Hotline number or accessing the BrokerCheck website.

## **Information on the Securities Investor Protection Corporation ("SIPC")**

SIPC was created by the Securities Investor Protection Act of 1970 ("SIPA") and its primary purpose is to provide protection within the limits of the SIPA to securities clients of failed brokers or dealers who are members of the SIPC. Public Investing is a member of the SIPC, which protects securities of its customers up to \$500,000 (including \$250,000 for claims for cash).

Information on SIPC and the SIPC Brochure is available at either [www.sipc.org](http://www.sipc.org), or by contacting SIPC at (202) 371-8300, or by sending an email request to [asksipc@sipc.org](mailto:asksipc@sipc.org).

### **Disclosure of Order Routing Information**

SEC Rule 606(a) requires every brokerage firm to publish quarterly reports with statistical information regarding the routing of held, non-directed customer orders in NMS stocks and listed options.

Public Investing's most recent quarterly SEC Rule 606 order routing information is available at <https://public.s3.com/rule606/ttsi/>. The report identifies the venues to which Public Investing routed the relevant orders and, for each venue, the required statistical information broken down by order type (i.e., market order, marketable limit order, non-marketable limit order and other orders). Each section of the report also contains information regarding the material aspects of Public Investing's relationship, if any, with each venue.

In accordance with SEC Rule 606(b), you may request a report identifying the venue to which your orders in national market system (NMS) stocks and NMS listed options were routed for execution in the six months prior to the request, whether the orders were directed orders or non-directed orders, and the time of the transactions, if any, resulting from such orders. Please direct these requests to [support@public.com](mailto:support@public.com).

### **Order Routing Practices & Payment for Order Flow**

SEC Rule 607 requires broker-dealers to disclose, upon opening a new customer account and on an annual basis thereafter, their policies regarding payment for order flow in connection with the routing of customer orders for NMS stocks (i.e. exchange-listed stocks and ETFs) and standardized options. "Payment for order flow" or "PFOF" is any type of remuneration, compensation, or consideration paid to a broker-dealer by another broker-dealer or exchange in return for routing orders.

As the introducing broker for your account, Public Investing routes your orders for NMS stocks and standardized options to our fully-disclosed clearing firm, Apex Clearing Corporation ("Apex Clearing"). Apex Clearing then routes your order to a national securities exchange, alternative trading system, or another broker-dealer for execution.

Public Investing does not receive payment for order flow on customer trades for NMS stocks. Apex Clearing may receive payment for order flow in connection with such trades, but any such payments are not shared by Apex Clearing with Public Investing. Public Investing and Apex Clearing route customer orders for NMS stocks to national securities exchanges, alternative trading systems, and other broker-dealers based on a number of factors, including but not limited to, applicable order protection rules, price, liquidity, venue reliability, cost of execution, likelihood of execution and potential for price improvement. Some market centers or broker-dealers may execute orders at prices superior to the publicly quoted market.

Public Investing routes options trades to Apex Clearing, which in turn sends those trades to unaffiliated broker-dealers for execution. Each executing market center pays Apex Clearing a flat rate for each option contract, a portion of which is shared with Public Investing. If a customer is enrolled in our [Options Order Flow Rebate Program](#), then they will share half of the PFOF that is received by Public Investing as a rebate on each option trade. The Rebate Program is subject to change.

A more detailed description of the payment for order flow Public Investing receives can be found in its quarterly Rule 606(a) reports, which can be found at <https://public.s3.com/rule606/ttsi/>.

### **Fully Paid Securities Lending Program**

When you open an account with Public Investing, you can choose to participate in Apex's fully-paid securities lending program. You are not eligible to participate in the program if you (i) have less than \$5,000 in your Public brokerage account; (ii) have less than \$50,000 in annual income, investable assets, and net worth; (iii) have a stated investing goal to preserve capital; and (iv) have no stated investing experience. We may revise these eligibility criteria in the future.

If you are enrolled in the Apex securities lending program, whole shares of securities in your account may be lent out by Apex. Apex earns a fee for lending your securities. A portion of that fee is shared with Public Investing, and a portion is shared with you. Apex's securities lending program creates a conflict of interest for us because we earn revenue from securities lending and there are some risks to you from participating in the program.

You may opt-out of Apex's Fully Paid Securities Lending Program at any time by sending an email to us at [support@public.com](mailto:support@public.com) with "Securities Lending Opt-Out" in the subject.

Please see Apex's [Fully Paid Securities Lending Disclosures](#) and [Master Securities Lending Agreement](#) for more information on the mechanics and risks of participating in the Apex Fully Paid Securities Lending Program.

### **Margin Disclosure Statement**

Securities purchased on margin are the firm's collateral for the loan to you. If the securities in your account decline in value, so does the value of the collateral supporting your loan, and, as a result, the firm can take action, such as issue a margin call and/or sell securities or other assets in any of your accounts held with the firm, in order to maintain the required equity in the account. It is important that you fully understand the risks involved in trading securities on margin. These risks include the following:

- You can lose more funds than you deposit in the margin account.
- The firm can force the sale of securities or other assets in your account(s).
- The firm can sell your securities or other assets without contacting you.
- You are not entitled to choose which securities or other assets in your
- account(s) are liquidated or sold to meet a margin call.
- The firm can increase its "house" maintenance margin requirements at any time and is not required to provide you advance written notice.
- You are not entitled to an extension of time on a margin call.

For more information, please see the [Apex Margin Disclosure Statement](#).

### **Extended Hours Trading**

You may be able to engage in Extended Hours Trading. Extended hours trades for US-listed stocks and ETFs are free for Premium members. There is a \$2.99 transaction fee for extended

hours trades for non-Premium members. Extended Hours Trading is available from 8:00 a.m. EST - 9:29:59 a.m. EST and 4:00:01 p.m. EST - 8:00 p.m. EST Monday through Friday. There are unique risks to Extended Hours Trading and, by participating in this type of trading, you are deemed to understand and agree to accept such risks, including those set out in the [Extended Hours Trading Disclosure](#).

### **Business Continuity Plan Summary**

Public Investing maintains Business Continuity Plans to guide our response to events that may significantly disrupt our business. Since the timing, nature, and impact of disasters and disruptions is unpredictable, it's important for us to be flexible in responding to actual events as they occur. Please see Public Investing's [Business Continuity Plan Summary](#) for more information.

### **Trusted Contact Person**

You can add or change a Trusted Contact Person for your account at any time. Pursuant to FINRA regulations, Public Investing is authorized to contact the "Trusted Contact Person" (as defined by FINRA Rule 4512) designated for your account and to disclose information about your account to address possible financial exploitation, to confirm the specifics of your current contact information, health status, or the identity of any legal guardian, executor, trustee or holder of a power of attorney, or as otherwise permitted by FINRA Rule 2165.

If you would like to add or change a Trusted Contact Person on your account, you may do so by going to the "Account Settings" section in your account, selecting "Account Information" and then selecting "Trusted Contact."

### **Apex Clearing's Annual Disclosure Statement**

Public Investing is an introducing broker. Our clearing and carrying broker is Apex Clearing Corporation ("Apex Clearing"); your account is introduced to Apex Clearing on a fully-disclosed basis. Apex Clearing provides certain important services to you, including custodying your brokerage assets (both cash and securities) and executing your trades.

You should also review Apex Clearing's [Annual Disclosure Statement](#) for important information regarding your account.

### **Complaints**

Any complaints may be directed to [support@public.com](mailto:support@public.com) or the following address:

Open to the Public Investing, Inc.  
228 Park Ave. S  
Suite 97716  
New York, NY 10003  
Attention: Customer Experience

Additional terms and disclosures, including Public Investing's fee schedule, can be found at <https://public.com/disclosures>. By using Public Investing you agree to these terms and disclosures.

You are welcome to contact us via email at [support@public.com](mailto:support@public.com) if you have any questions regarding this Annual Disclosure Statement.

Check out our [Help & Support Center!](#)  
Chat with [Public Investing Support!](#)

*Securities trading offered by Open to the Public Investing, Inc. ("Public Investing") member FINRA & SIPC.*

**FACTS****WHAT DOES PUBLIC INVESTING DO WITH YOUR PERSONAL INFORMATION?**

<b>Why?</b>	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
<b>What?</b>	The types of personal information we collect and share depend on the product or service you have with us. This information can include: <ul style="list-style-type: none"> <li>■ Social Security number and income</li> <li>■ Account balances and checking account information</li> <li>■ Email address and employment information</li> </ul>
<b>How?</b>	All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons Public chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information	Does Public share?	Can you limit this sharing?
<b>For our everyday business purposes—</b> such as to process your transactions, maintain your account(s), respond to court orders and legal investigations, or report to credit bureaus	Yes	No
<b>For our marketing purposes—</b> to offer our products and services to you	Yes	No
<b>For joint marketing with other financial companies</b>	No	We do not share
<b>For our affiliates' everyday business purposes—</b> information about your transactions and experiences	Yes	No
<b>For our affiliates' everyday business purposes—</b> information about your creditworthiness	No	We do not share
<b>For our affiliates to market to you</b>	Yes	Yes
<b>For nonaffiliates to market to you</b>	No	We do not share

<b>To limit our sharing or for questions</b>	Email <a href="mailto:privacy@public.com">privacy@public.com</a> or <a href="mailto:support@public.com">support@public.com</a>
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<b>Who we are</b>	
<b>Who is providing this notice?</b>	Open to the Public Investing, Inc. ("Public Investing")
<b>What we do</b>	
<b>How does Public Investing protect my personal information?</b>	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings.  For more information, visit <a href="http://www.public.com/privacy-policy">www.public.com/privacy-policy</a> .
<b>How does Public Investing collect my personal information?</b>	We collect your personal information, for example, when you <ul style="list-style-type: none"> <li>■ open an account or give us your contact information</li> <li>■ deposit funds or give us account information</li> <li>■ direct us to buy and sell securities or cryptocurrency products</li> </ul>
<b>Why can't I limit all sharing?</b>	Federal law gives you the right to limit only <ul style="list-style-type: none"> <li>■ sharing information about your creditworthiness with our affiliates for their everyday business purposes</li> <li>■ affiliates from using your information to market to you</li> <li>■ sharing for nonaffiliates to market to you</li> </ul> State laws and individual companies may give you additional rights to limit sharing. See below for more on your rights under state law.

Definitions	
<b>Affiliates</b>	<p>Companies related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> <li>■ <i>Our affiliates include Public Holdings, Inc., the parent company of Public Investing, and its other subsidiaries.</i></li> </ul>
<b>Nonaffiliates</b>	<p>Companies not related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> <li>■ <i>Nonaffiliates we share with include vendors and business partners, data processors and advertisers. We do not share with nonaffiliates so they can market to you.</i></li> </ul>
<b>Joint marketing</b>	<p>A formal agreement between nonaffiliated financial companies that together market financial products or services to you.</p> <ul style="list-style-type: none"> <li>■ <i>Public does not jointly market.</i></li> </ul>
Other important information	
<p><b>California Residents.</b> Under California law, we will not share information we collect about you with nonaffiliates unless the law allows. Effective January 1, 2020, the California Consumer Privacy Act (CCPA) permits consumers who are California residents to (a) ask a covered business which categories and pieces of personal information it collects and how the information is used; (b) request deletion of the information; and (c) opt out of the sale of such information, if applicable. These provisions of the CCPA do not apply to personal information collected, processed, shared, or disclosed by financial institutions pursuant to federal law. If you are a California resident and would like to learn more, please see our CCPA Notice located in our Privacy Policy.</p> <p><b>Nevada Residents.</b> We are providing you this notice pursuant to state law. You may be placed on our internal Do Not Call List by following directions in the <i>To limit our sharing</i> section. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington Street, Suite 3900, Las Vegas, NV 89101; Phone number: 702.486.3132; email: <a href="mailto:BCPINFO@ag.state.nv.us">BCPINFO@ag.state.nv.us</a>.</p> <p><b>Vermont Residents.</b> We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures. Additional information concerning our privacy policies can be found at <a href="http://www.public.com/privacy-policy">www.public.com/privacy-policy</a>.</p> <p><b>North Dakota Residents.</b> We will not share information we collect about you with nonaffiliates unless the law allows.</p>	