



STATE OF MISSOURI  
OFFICE OF SECRETARY OF STATE

IN THE MATTER OF: )  
)  
BEACON CAPITAL DISTRIBUTORS, ) Case No. AP-20-17  
INC., CRD #169468; ROBERT D. KILIVRIS, )  
CRD #1678242; and KEITH HARRIS, )  
CRD #5831728, )  
*Respondents.* )

**CONSENT ORDER**

SUMMARY OF SECURITIES DIVISION'S ALLEGATIONS

1. The Missouri Securities Division of the Office of Secretary of State ("the Securities Division"), through Director of Enforcement Douglas M. Jacoby, alleges that Beacon Capital Distributors, Inc. ("Beacon"), transacted business in the State of Missouri through an individual required to be registered in violation of Section 409.4-403(d)<sup>1</sup> and failed to maintain at least one (1) registered investment adviser representative in Missouri in violation of 15 CSR 30-51.010(2). The Securities Division further alleges that Robert D. Kilivris ("Kilivris") and Keith Harris ("Harris") (with Beacon, "Respondents") transacted business in the State of Missouri without being registered or exempt from registration in violation of Section 409.4-404(a). The Securities Division alleges that these violations constitute grounds to issue an order in accordance with Section 409.6-604.
2. Respondents and the Securities Division desire to settle the allegations and the matters raised by the Securities Division relating to Respondents' alleged violations of Sections 409.4-403 and 409.4-404.

CONSENT TO JURISDICTION

3. Respondents and the Securities Division stipulate and agree that the Missouri Commissioner of Securities ("the Commissioner") has jurisdiction over Respondents and these matters pursuant to the Missouri Securities Act of 2003, Chapter 409, *et seq.*
4. Respondents and the Securities Division stipulate and agree that the Commissioner has authority to enter this Order pursuant to Section 409.6-604(h), which provides:

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<sup>1</sup> Unless otherwise specified, all statutory references are to the 2016 Revised Statutes of Missouri.

“The commissioner is authorized to issue administrative consent orders in the settlement of any proceeding in the public interest under this act.”

#### WAIVER AND EXCEPTION

5. Respondents waive any rights to a hearing with respect to this matter.
6. Respondents waive any rights that they may have to seek judicial review or otherwise challenge or contest the terms and conditions of this Order. Respondents specifically forever release and holds harmless the Missouri Office of the Secretary of State, Secretary of State, Commissioner, and their respective representatives and agents from any and all liability and claims arising out of, pertaining to, or relating to this matter.
7. Respondents stipulate and agree with the Securities Division that, should the facts contained herein prove to be false or incomplete, the Securities Division reserves the right to pursue any and all legal or administrative remedies at its disposal.

#### CONSENT TO COMMISSIONER'S ORDER

8. Respondents and the Securities Division stipulate and agree to the issuance of this Consent Order without further proceedings in this matter, agreeing to be fully bound by the terms and conditions specified herein.
9. Respondents agree not to take any action or to make or permit to be made any public statement creating the impression that this Order is without factual basis. Nothing in this paragraph affects Respondents' (a) testimonial obligations; (b) right to take legal or factual positions in defense of litigation or in defense of other legal proceedings in which the Commissioner is not a party; or (c) right to make public statements that are factual.
10. Respondents agree that they are not the prevailing party in this action since the parties have reached a good faith settlement.
11. Respondents neither admit nor deny the allegations made by the Securities Division or the Findings of the Commissioner, but consent to the Commissioner's Findings of Fact, Conclusions of Law, and Order as set forth below solely for the purposes of resolving this proceeding and any proceeding that may be brought to enforce the terms of this Consent Order.

#### THE COMMISSIONER'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

##### I. FINDINGS OF FACT

12. Beacon is an Ohio-based investment adviser with an address of 4000 Embassy Parkway, Suite 208, Akron, Ohio 44333. Beacon is registered with the Central Registration Depository (“CRD”) system with number 169468. Beacon has been a registered investment adviser in the State of Missouri continuously since January 5, 2017.

13. Kilivris, an Ohio resident, is an investment adviser representative for Beacon and is also the President, Chief Executive Officer, and Chief Compliance Officer. Kilivris is registered with the CRD system with number 1678242, but has never been registered with the State of Missouri. Kilivris previously applied for registration as an investment adviser representative with the State of Missouri, but withdrew his application on March 23, 2018.
14. Harris, an Illinois resident, is an investment adviser representative for Beacon and registered with the CRD system with number 5831728. Harris has been registered with the States of California and Illinois with Beacon since March 2016, but has never been registered with the State of Missouri. Harris applied for registration as an investment adviser representative with the State of Missouri on June 17, 2020.
15. During a routine inquiry from the Securities Division, Beacon disclosed that it has serviced client accounts for and provided investment advice to Missouri residents, through Kilivris and Harris, continuously since its initial registration in 2017, despite neither Kilivris nor Harris being registered with Missouri.
16. Additionally, while Beacon had once employed an individual who was a Missouri-registered investment adviser representative, the individual was only employed by Beacon from February 23, 2019, to September 3, 2019, leaving Beacon, as a Missouri-registered investment adviser, without a Missouri-registered investment adviser representative for the periods January 5, 2017, through February 22, 2019, and September 4, 2019, to the present.

## II. CONCLUSIONS OF LAW

17. **THE COMMISSIONER CONCLUDES** that Respondent Beacon Capital Distributors, Inc., employed unregistered investment adviser representatives in violation of Section 409.4-403(d).
18. **THE COMMISSIONER CONCLUDES** that Respondent Beacon Capital Distributors, Inc., failed to maintain at least one (1) registered investment adviser representative in Missouri in violation of 15 CSR 30-51.010(2).
19. **THE COMMISSIONER CONCLUDES** that Respondents Kilivris and Harris transacted business as unregistered investment adviser representatives in violation of Section 409.4-404(a).
20. **THE COMMISSIONER CONCLUDES** that the violations above are sufficient to issue an order in accordance with Section 409.6-604.
21. The Commissioner, after consideration of the stipulations set forth above and on consent of the Respondents and the Securities Division, finds and concludes that the Commissioner has jurisdiction over Respondent in this matter and that the following order is in the public interest, necessary for the protection of public investors, and consistent with the purposes intended by Chapter 409.

## III. ORDER

NOW, THEREFORE, it is hereby Ordered that:

1. Respondent Beacon Capital Distributors, Inc., its agents, employees and servants, and all other persons participating in the above-described violations with knowledge of this order are permanently enjoined and restrained from violating Section 409.4-403(d), Section 409.4-404(a), and 15 CSR 30-51.010(2);
2. Respondents are ordered to pay \$6,000 to the Missouri Secretary of State Investor Education and Protection Fund, joint and several. This payment should be sent to the Securities Division at 600 W. Main Street, Jefferson City, Missouri 65101, and shall be payable to the Missouri Secretary of State's Investor Education and Protection Fund. The Securities Division will send the money to the Missouri Secretary of State's Investor Education and Protection Fund; and
3. Respondents shall pay their own costs and attorneys' fees with respect to this matter.

**SO ORDERED:**

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY,  
MISSOURI THIS 2nd DAY OF ~~NOVEMBER~~ DECEMBER, 2020.



JOHN R. ASHCROFT  
SECRETARY OF STATE

DAVID M. MINNICK  
COMMISSIONER OF SECURITIES

Consented to by:

THE MISSOURI SECURITIES DIVISION

Douglas M. Jacoby  
Director of Enforcement

RESPONDENT

BEACON CAPITAL DISTRIBUTORS, INC.

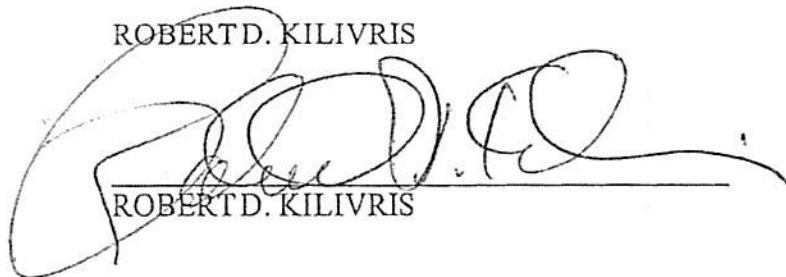
By: Beacon Capital Distributors Inc.

Name: Robert Kilivris

Title: President

RESPONDENT

ROBERT D. KILIVRIS

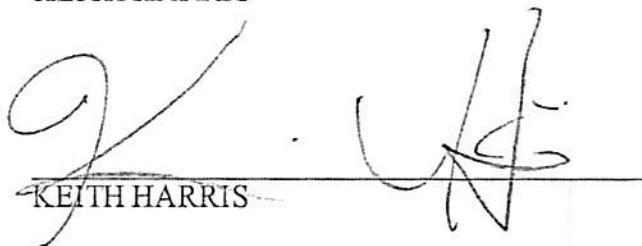


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ROBERT D. KILIVRIS

RESPONDENT

KEITH HARRIS



A handwritten signature in black ink, appearing to read 'Keith Harris', written over a horizontal line.

KEITH HARRIS