

**WEINGARTEN ASSOCIATES, LLC**  
**11 Overlook Way**  
**Lawrenceville, New Jersey 08648**

A New Jersey Registered Advisory Firm<sup>1</sup>

**FIRM BROCHURE, MARCH 2019**

This brochure provides information about the qualifications and business practices of Weingarten Associates, LLC, (“Weingarten”). If you have any questions about the content of this brochure, please contact us at 1(609) 620-1770 and/or via our website at [www.weingartenassociates.com](http://www.weingartenassociates.com). 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.

Additional information about Weingarten is also available on the SEC’s website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov).

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<sup>1</sup> SEC or State registration does not and should not imply any certain level of skill or training.

Weingarten Associates, LLC (IARD # 127718)

March 2019

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## **MATERIAL CHANGES**

Weingarten has not had any material changes to its investment advisory services or personnel since the filing of its 2018 Annual ADV Amendment.

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## **ADVISORY BUSINESS**

Weingarten was founded in 2003. Weingarten is owned by Ken and Trina Weingarten. Weingarten is managed by its principal, Ken Weingarten.

### **Initial Fixed Fee Financial Planning:**

Weingarten provides its clients with financial planning and consultation services (e.g., review of goals and objectives, analysis and recommendations for cash flow planning, asset allocation/investment planning, income tax planning, insurance planning, estate planning, retirement planning, education planning, real estate/mortgage planning, etc.). Weingarten's fixed fee financial planning and consultation services include three meetings in addition to the introductory meetings, and thirty days of telephone and e-mail support for questions relating to recommendations after presentation of the Financial Plan. Prior to engaging Weingarten to provide this service, the client will generally be required to enter into Weingarten's *Financial Planning Engagement Client Service Agreement* setting forth the terms and conditions of the engagement and describing the scope of the services to be provided.

### **Hourly Financial Planning:**

In addition to the services listed above, Weingarten may provide its clients with a two-hour financial consulting problem solving session specifically tailored to address a client-defined topic of discussion. Weingarten will provide general financial planning and investment advice relative to the client's presented issue, which issue shall be provided in advance of the problem-solving session. Weingarten's services are limited to the general advice communicated during the problem-solving session.

### **Annual Advisory Services:**

Clients previously serviced by Weingarten through Weingarten's Fixed Fee Financial Planning program may engage Weingarten to provide an ongoing service for a fixed annual fee payable in advance that consists of ongoing financial planning, discretionary investment management/consulting, and tax planning.

- 1) **Ongoing Financial Planning Reviews:** Weingarten will review, and revisit Weingarten's initial financial planning recommendations provided through client's engagement of Weingarten's for initial financial planning services pursuant to Weingarten's *Financial Planning Engagement Client Service Agreement*.
- 2) **Investment Management:** Weingarten may provide discretionary or non-discretionary investment management services on a fee-only basis. Currently, Weingarten intends to primarily allocate investment management assets of its client accounts among various mutual funds and/or exchange-traded funds, on a discretionary basis, in accordance with the investment objectives of the client. If requested by the client, Weingarten may recommend a broker-dealer/custodian for the client's investment management account. Factors which Weingarten considers in recommending a broker-dealer/custodian for the client's account includes financial strength, reputation, execution, pricing, research, and service.

**3) Tax Preparation Services:**

Weingarten also offers its clients ongoing accountancy and tax preparation services through Trina Weingarten, a Certified Public Accountant.

**Termination and Refunds:**

As discussed above, prior to engaging Weingarten to provide services, the client will be required to enter into the applicable *Client Service Agreement* setting forth the terms and conditions of the engagement, describing the scope of the services to be provided, and the portion of the fee that is due from the client prior to the commencement of services. In the event the client terminates Weingarten's services, the balance of any unearned fee, if any, shall be refunded to the client.

Weingarten does not maintain any wrap programs.

Weingarten currently provides investment management services to approximately \$74,042,607.00 million in assets as follows:

Discretionary Management = \$65,565,175.00 (266 Accounts)

Non-Discretionary Management = \$8,477,432.00 (22 Accounts)

**FEES AND COMPENSATION**

**Initial Financial Planning:**

Weingarten's financial planning fees generally start at \$4,000.00 on a fixed-fee basis and will depend upon the level and scope of the services required. Typically, one-half of Weingarten's fee is due upon signing of the initial *Financial Planning Engagement Client Service Agreement* with the balance due upon presentment of Weingarten's recommendations.

**Hourly Financial Planning Engagement:**

Weingarten's fee under this arrangement is \$250.00 per hour with a two-hour minimum purchase required. The entire fee shall be due at the conclusion of the office consultation. Prior to engaging Weingarten to provide hourly financial planning services, the client will generally be required to enter into Weingarten's *Hourly Financial Planning Client Service Agreement*.

**Annual Advisory Services:**

Weingarten generally imposes a minimum annual fee of \$10,000 for this service. Regular ongoing services are intended for those clients with at least \$1M in investable assets.

In certain circumstances, Weingarten will consider a lower minimum annual fee. This is primarily for family members of existing clients as well as young professionals who have less than \$750,000 of investable assets and are likely to progress to our regular services within four years.

Weingarten does not require the prepayment of fees of more than \$500 and for six months or more in advance. Prior to engaging Weingarten to provide ongoing annual services, the client

will generally be required to enter into Weingarten's *Ongoing and Annual Client Service Agreement*.

The broker-dealer/custodian for the client's account may charge brokerage commissions and/or transaction fees for effecting certain securities transactions (i.e. transaction fees are charged for certain no-load mutual funds, commissions are charged for other securities transactions). In addition to Weingarten's investment management fee, brokerage commissions and/or transaction fees, the client will also incur, relative to all mutual fund purchases, charges imposed at the mutual fund level (e.g. management fees and other fund expenses).

### **PERFORMANCE-BASED FEES and SIDE-BY-SIDE MANAGEMENT**

Weingarten does not charge performance based advisory fees.

### **TYPES OF CLIENTS**

Weingarten provides investment advisory services to the following clients:

- Individuals and High Net Worth Individuals;
- Trusts;
- Charitable Organizations;
- Pension Plans & 401(k)

Weingarten requires a minimum client account size of \$750,000.00. However in certain situations, Weingarten may waive such minimum account size requirements in its sole discretion.

### **METHODS OF ANALYSIS, INVESTMENT STRATEGIES AND RISK OF LOSS**

Weingarten uses an academic-based investment strategy that focuses on using multiple assets classes. A basic assumption is that markets are highly efficient, and they quickly incorporate new information into security prices. Hence, investment strategies focus on using low-cost passively-managed mutual funds and exchange-traded funds. Investors are rewarded in proportion to the risk they take based on three factors: their exposure to the equity markets, their exposure to small company stocks relative to large company stocks, and their exposure to lower-priced (or value) stocks relative to higher-priced (or growth) stocks. Weingarten's investment strategies largely follow the work of Eugene Fama and Kenneth French who developed the framework for the '3-factor model.'

Weingarten does not guarantee the future performance of any account or any specific level of performance, the success of any investment decision or strategy that Weingarten may use, or the success of Weingarten's overall investment management. All investment decisions are subject to various market, currency, economic, political, and business risks, and that those investment decisions will not always be profitable. The client retains absolute discretion over all such implementation decisions and is free to accept or reject any recommendation from Weingarten. Moreover, each client is advised that it remains his/her/its responsibility to promptly notify

Weingarten if there is ever any change in his/her/its financial situation or investment objectives for the purpose of reviewing/evaluating/revising Weingarten's previous recommendations and/or services.

### **DISCIPLINARY INFORMATION**

Weingarten and its personnel ***have not been*** convicted, pled guilty or nolo contendere ("no contest"), been named, charged or been the subject of any order or judgment by any court of competent jurisdictions, SEC or any Self Regulatory Organization (e.g., FINRA) for the any of the following offenses:

- investments or investment related business;
- fraud, false statements or omissions;
- violation of any investment related statute or regulation or SRO rules;
- wrongful taking of property, bribery, perjury, forgery, counterfeiting;
- extortion or conspiracy to commit any of these offenses.

In addition, Weingarten and its personnel ***are not*** the subject of any pending matters in connection with any of the above-identified offenses.

### **OTHER FINANCIAL INDUSTRY AFFILIATIONS**

Weingarten is not affiliated with any other financial institution

### **CODE OF ETHICS, PARTICIPATION IN CLIENT TRANSACTIONS AND PERSONAL TRADING**

Weingarten has implemented an investment policy relative to personal securities transactions. This investment policy is part of Weingarten's overall Code of Ethics which serves to establish a standard of business conduct for all of Weingarten's Associated Persons that is based upon fundamental principles of openness, integrity, honesty and trust, a copy of which is available upon request.

In accordance with Section 204A of the Investment Advisers Act of 1940, Weingarten also maintains and enforces written policies reasonably designed to prevent the misuse of material non-public information by Weingarten or any person associated with Weingarten.

Weingarten has adopted procedures to implement the firm's policy on personal securities transactions and reviews to monitor and ensure the firm's policy is observed, implemented properly and amended or updated, as appropriate.

## **BROKERAGE PRACTICES**

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

Although not a material consideration when determining whether to recommend that a client utilize the services of a particular broker-dealer/custodian, Weingarten may receive from a broker-dealer/custodian (or a mutual fund company), without cost (and/or at a discount) support services and/or products, certain of which assist Weingarten to better monitor and service client accounts maintained at such institutions. Included within the support services that may be obtained by the Weingarten may be investment-related research, pricing information and market data, software and other technology that provide access to client account data, compliance and/or practice management-related publications, discounted or gratis consulting services, discounted and/or gratis attendance at conferences, meetings, and other educational and/or social events, marketing support, computer hardware and/or software and/or other products used by Weingarten in furtherance of its investment advisory business operations.

As indicated above, certain of the support services and/or products that *may* be received assist Weingarten in managing and administering client accounts. Others do not directly provide such assistance, but rather assist Weingarten to manage and further develop its business enterprise.

Weingarten' clients do not pay more for investment transactions effected and/or assets maintained at a particular broker-dealer/custodian as a result of this arrangement. There is no corresponding commitment made by Weingarten to any particular broker-dealer/custodian or to any other entity to invest any specific amount or percentage of client assets in any specific mutual funds, securities or other investment products as a result of the above arrangement.

### **2. Brokerage for Client Referrals:**

Weingarten does not receive client referrals from any broker-dealer custodian.

### **3. Directed Brokerage:**

The client may direct Weingarten to use a particular broker-dealer (subject to Weingarten' right to decline and/or terminate the engagement) to execute some or all transactions for the client's account. In such event, the client will negotiate terms and arrangements for the account with that broker-dealer, and Weingarten will be unable to seek better execution services or prices from other broker-dealers. As a result, client may pay higher commissions or other transaction costs or greater spreads, or receive less favorable net prices, on transactions for the account than would otherwise be the case. Weingarten seeks to execute orders for its clients fairly and equitably.



## **REVIEW OF ACCOUNTS**

Weingarten does not review accounts for clients who only engage Weingarten for an initial financial planning engagement only. For those clients to whom Weingarten provides annual advisory services, Weingarten's Managing Member, Ken Weingarten reviews accounts on a quarterly basis. The purpose of this review is to rebalance the client portfolio if it is found to be outside the parameters that were established in the client's investment policy statement. For clients with non-retirement accounts, we will also consider tax-loss harvesting strategies if it is advantageous to the client.

Directed brokerage clients are responsible for providing Weingarten with account statements or reports from their investment custodian in order to properly review these accounts.

## **CLIENT REFERRALS AND OTHER COMPENSATION**

Weingarten does not currently have any contractual engagement with any solicitors or pay any compensation for the receipt of client referrals.

## **CUSTODY**

Weingarten does not maintain physical custody of client assets. All client assets are custodied with nationally recognized, SEC registered, and FINRA member broker-dealer/custodians. Weingarten is deemed to have custody to the extent it can debit its advisory fees directly from the custodian otherwise Weingarten has no ability to access client assets.

## **INVESTMENT DISCRETION**

Weingarten primarily provides advisory services on a discretionary basis. As such, prior to engaging Weingarten to provide any investment management services, the client will be required to enter into a formal *Investment Advisory Agreement* with Weingarten setting forth the terms and conditions which under which Weingarten shall manage client's assets.

## **VOTING CLIENT SECURITIES**

Weingarten does not vote client proxies. Weingarten's clients maintain exclusive responsibility for: (1) directing the manner in which proxies solicited by issuers of securities beneficially owned by the client shall be voted, and (2) making all elections relative to any mergers, acquisitions, tender offers, bankruptcy proceedings or other type events pertaining to the client's investment assets. Weingarten and the client shall correspondingly instruct each custodian of the assets to forward to the client copies of all proxies and shareholder communications relating to the client's investment assets.

With respect to shareholder class action litigation and similar matters, Weingarten generally will not make any filings in connection with any shareholder class action lawsuits involving securities currently or previously held in clients' accounts. Weingarten recommends that its clients promptly review these materials, as they identify important deadlines and may require action in the client's part. Weingarten will not be required to notify third party custodians or

clients who utilize third party custodians of shareholder class action lawsuits and similar matters.

### **FINANCIAL INFORMATION**

Based upon Weingarten's business practices, use of a qualified custodian and advisory fee procedures, the SEC does not require the disclosure of financial information. Please be advised that there are no known financial conditions that would impair Weingarten's ability to meet contractual commitments to clients. Weingarten has not been the subject of a bankruptcy petition.

### **STATE REGISTERED ADVISORS – SUPPLEMENTAL DISCLOSURE**

The Firm's Principal, Ken Weingarten *has not been* the subject of a bankruptcy petition or involved in any of the events listed below.

- a) An award or otherwise being found liable in an arbitration claim alleging damages in excess of \$2,500, involving any of the following: or
- b) An award or otherwise being found liable in a civil, self-regulatory organization, or administrative proceeding involving any of the following:
  - investments or investment related business;
  - fraud, false statements or omissions;
  - violation of any investment related statute or regulation or SRO rules;
  - wrongful taking of property, bribery, perjury, forgery, counterfeiting;
  - extortion or conspiracy to commit any of these offenses.

**WEINGARTEN ASSOCIATES, LLC**  
**11 Overlook Way**  
**Lawrenceville, New Jersey 08648**

A New Jersey Registered Advisory Firm<sup>2</sup>

**Supervised Person(s)**

Ken Weingarten, MBA, CFP, President  
Frank Fernandez

**BROCHURE SUPPLEMENT, MARCH 2019**

This brochure supplement provides information about the investment advisory representatives that supplements the Weingarten Associates, LLC, (“Weingarten”) brochure. You should have received a copy of that brochure. Please contact Weingarten at (609) 620-1770 and/or via our website at [www.weingartenassociates.com](http://www.weingartenassociates.com) if you did not receive Weingarten’s brochure or if you have any questions about the content of this supplement.

Additional information about the above-referenced Supervised Persons is available on the SEC’s website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov).

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<sup>2</sup> SEC or State registration does not and should not imply any certain level of skill or training.

## **KEN WEINGARTEN, MBA,CFP**

### **1) Educational and Business Background**

- Born: 1967
- Education:
  - Drew University, Madison, NJ, BA Political Science (1989)
  - Rider University, Lawrenceville, NJ, MBA (1999)
  - College for Financial Planning, Denver, CO, Certificate/Financial Planning (2003)
- Business Background:
  - Dataram Corporation, Princeton, NJ, Account Executive (1993-1997)
  - StorNet, West Chester, PA, Account Executive (1997-2003)
  - Trina Weingarten, CPA, Lawrenceville, NJ, Associate (2001-2003)
  - Weingarten Associates, L.L.C., Lawrenceville, NJ, President (2003-present)

### **2) Disciplinary Information:**

Weingarten is required to disclose the pertinent facts regarding any legal or disciplinary events material to a client's evaluation of Ken Weingarten. Weingarten has no information to disclose in relation to this Item.

### **3) Other Business Activities:**

Weingarten may provide its clients with ongoing accountancy and tax preparation services through Weingarten's affiliated Certified Public Accountant, Trina Weingarten (spouse). Mrs. Weingarten may provide tax preparation services to individuals, families, and small business owners. Mrs. Weingarten does not provide investment advisory services to any of Weingarten's clients.

### **4) Additional Compensation:**

Mr. Weingarten does not receive compensation from non-clients for providing advisory services.

### **5) Supervision:**

Weingarten generally requires that all investment advisors have acquired, at a minimum, a college degree with a major in finance or accounting, and a designation relative to investments such as a Certified Financial Planner (CFP) and Chartered Financial Analyst (CFA). Ken Weingarten is responsible for the supervision of Weingarten's investment advisory representatives (IARs). Mr. Weingarten's supervision includes a review of correspondence, (e.g., email, letters), advertising, client accounts statements and such other documentation to ensure that Weingarten's IARs are conducting themselves in accordance with its compliance and supervisory procedures and applicable investment advisory rules and regulations.

### **6) Requirements for State-Registered Advisers**

Weingarten is required to disclose the material facts regarding Ken Weingarten's involvement in certain civil, self-regulatory organization or administrative proceedings, arbitration awards or findings, or bankruptcy proceedings. Weingarten has no information to disclose in relation to this Item.

## **FRANK FERNANDEZ**

### **1) Educational and Business Background**

- Born: 1984
- Education:  
William Patterson University, Union, NJ – BS. Financial Planning (2017)
- Business Background:  
Signet Financial Management LLC, Mendham, NJ, Financial Planner (2017-2018)  
Weingarten Associates, L.L.C., Lawrenceville, NJ, Financial Planner (2018-present)

### **2) Disciplinary Information**

Weingarten is required to disclose the pertinent facts regarding any legal or disciplinary events material to a client's evaluation of Frank Fernandez. Weingarten has no information to disclose in relation to this Item.

### **3) Other Business Activities**

Mr. Fernandez does not engage in any other business activities.

### **4) Additional Compensation**

Mr. Fernandez does not receive compensation from non-clients for providing advisory services.

### **5) Supervision**

Weingarten generally requires that all investment advisors have acquired, at a minimum, a college degree with a major in finance or accounting, and a designation relative to investments such as a Certified Financial Planner (CFP) and Chartered Financial Analyst (CFA). Mr. Weingarten is responsible for the supervision of Weingarten's investment advisory representatives (IARs). Mr. Weingarten's supervision includes a review of correspondence, (e.g., email, letters), advertising, client accounts statements and such other documentation to ensure that Weingarten's IARs are conducting themselves in accordance with its compliance and supervisory procedures and applicable investment advisory rules and regulations.

### **6) Requirements for State-Registered Advisers**

Weingarten is required to disclose the material facts regarding Mr. Fernandez's involvement in certain civil, self-regulatory organization or administrative proceedings, arbitration awards or findings, or bankruptcy proceedings. Weingarten has no information to disclose in relation to this Item.

## **FINANCIAL DESIGNATION EXPLANATION**

### **The *CERTIFIED FINANCIAL PLANNER*(tm).**

CFP and federally registered CFP (with flame design) marks (collectively, the "CFP marks") are professional certification marks granted in the United States by Certified Financial Planner Board of Standards, Inc. ("CFP Board"). The CFP certification is a voluntary certification; no federal or state law or regulation requires financial planners to hold CFP certification. It is recognized in the United States and a number of other countries for its (1) high standard of professional education; (2) stringent code of conduct and standards of practice; and (3) ethical requirements that govern professional engagements with clients. Currently, more than 62,000 individuals have obtained CFP certification in the United States.