

**2013 to Current**

## **Privacy Policy**

As a registered investment adviser, Rainsberger Wealth Advisors must comply with SEC Regulation S-P, which requires registered advisers to adopt policies and procedures to protect the "non-public personal information" of natural person consumers and customers and to disclose to such persons policies and procedures for protecting that information.

Further, and as a SEC registered advisory firm, our firm must comply with SEC Regulation S-AM, to the extent that the firm has affiliated entities with which it may share and use consumer information received from affiliates.

Rainsberger Wealth Advisors must also comply with the California Financial Information Privacy Act (SB1) if the firm does business with California consumers.

### **Background Regulation S-P / Privacy Rule**

The purpose of these regulatory requirements and privacy policies and procedures is to provide administrative, technical and physical safeguards which assist employees in maintaining the confidentiality of non-public personal information ("NPI") collected from the consumers and customers of an investment adviser. All NPI, whether relating to an adviser's current or former clients, is subject to these privacy policies and procedures. Any doubts about the confidentiality of client information must be resolved in favor of confidentiality.

For these purposes, NPI includes non-public "personally identifiable financial information" plus any list, description or grouping of customers that is derived from non-public personally identifiable financial information. Such information may include personal financial and account information, information relating to services performed for or transactions entered into on behalf of clients, advice provided by the firm to clients, and data or analyses derived from such NPI.

Regulation S-P implements the GLB Act's requirements with respect to privacy of consumer nonpublic personal information for registered investment advisers, investment companies, and broker-dealers (each, a "financial institution"). Among other provisions, financial institutions are required to provide an **initial** notice to each customer that sets forth the financial institution's policies and practices with respect to the collection, disclosure and protection of customers' nonpublic personal information to both affiliated and nonaffiliated third parties. Thereafter, as long as the customer relationship continues to exist, the financial institution is required to provide an annual privacy disclosure to its customers describing the financial institution's privacy policies and practices unless it meets the requirements for the annual delivery exception as set forth below.

Significantly, on December 4, 2015, the President signed the *Fixing America's Surface Transportation Act* (the "FAST Act") into law. Among other provisions, the FAST Act includes an amendment of the consumer privacy provisions within the GLB Act. The amendment, which went into effect immediately, now provides an exception to the **annual** privacy notice distribution requirement if the financial institution meets the following two criteria: (i) the financial institution does not share nonpublic personal information with nonaffiliated third parties (other than as permitted under certain enumerated exceptions) and (ii) the financial institution's policies and practices regarding disclosure of nonpublic personal information have not changed since the last distribution of its policies and practices to its customers.

### **Regulation S-AM**

SEC Regulation S-AM, effective 9/10/2009, with a postponed compliance date from 1/1/2010 to 6/1/2010, requires SEC investment advisers, and other SEC regulated entities, to the extent relevant, to implement limitations on the firm's use of certain consumer information received from an affiliated entity to solicit that consumer for marketing purposes. Regulation S-AM provides for notice and opt-out procedures, among other things. The compliance date was extended to allow registered firms to establish systems to meet the new regulatory requirements.

### **Responsibility**

Ellis D Rainsberger is responsible for reviewing, maintaining and enforcing these policies and procedures to ensure meeting Rainsberger Wealth Advisors' client privacy goals and objectives while at a minimum ensuring compliance with applicable federal and state laws and regulations. Ellis D Rainsberger may recommend to the firm's principal(s) any disciplinary or other action as appropriate. Ellis D Rainsberger is also responsible for distributing these policies and procedures to employees and conducting appropriate employee training to ensure employee adherence to these policies and procedures.

## **Procedure**

Rainsberger Wealth Advisors has adopted various procedures to implement the firm's policy and conducts reviews to monitor and ensure the firm's policy is observed, implemented properly and amended or updated, as appropriate, which include the following:

### **Non-Disclosure of Client Information**

Rainsberger Wealth Advisors maintains safeguards to comply with federal and state standards to guard each client's non-public personal information ("NPI"). Rainsberger Wealth Advisors does not share any NPI with any nonaffiliated third parties, except in the following circumstances:

- as necessary to provide the service that the client has requested or authorized, or to maintain and service the client's account;
- as required by regulatory authorities or law enforcement officials who have jurisdiction over Rainsberger Wealth Advisors, or as otherwise required by any applicable law; and
- to the extent reasonably necessary to prevent fraud and unauthorized transactions.

Employees are prohibited, either during or after termination of their employment, from disclosing NPI to any person or entity outside Rainsberger Wealth Advisors, including family members, except under the circumstances described above. An employee is permitted to disclose NPI only to such other employees who need to have access to such information to deliver our services to the client.

### **Safeguarding and Disposal of Client Information**

Rainsberger Wealth Advisors restricts access to NPI to those employees who need to know such information to provide services to our clients.

Any employee who is authorized to have access to NPI is required to keep such information in a secure compartments or receptacle on a daily basis as of the close of business each day. Any conversations involving NPI, if appropriate at all, must be conducted by employees in private, and care must be taken to avoid any unauthorized persons overhearing or intercepting such conversations.

Safeguarding standards encompass all aspects of the Rainsberger Wealth Advisors that affect security. This includes not just computer security standards but also such areas as physical security and personnel procedures. Such safeguards include but are not limited to:

- access controls on customer information systems, including controls to authenticate and permit access only to authorized individuals and controls to prevent employees from providing customer information to unauthorized individuals who may seek to obtain this information through fraudulent means (e.g., requiring employee use of user ID numbers and passwords, etc.);
- access restrictions at physical locations containing customer information, such as buildings, computer facilities, and records storage facilities to permit access only to authorized individuals;
- monitoring systems and procedures to detect actual and attempted attacks on or intrusions into customer information systems;
- measures to protect against destruction, loss, or damage of customer information due to potential environmental hazards, such as fire and water damage or technological failures (e.g., use of fire resistant storage facilities and vaults; backup and store off site key data to ensure proper recovery); and
- information systems incorporate system audits and monitoring, security of physical facilities and personnel, the use of commercial or in-house services (such as networking services), and contingency planning.

Any employee who is authorized to possess "consumer report information" for a business purpose is required to take reasonable measures to protect against unauthorized access to or use of the information in connection with its disposal. Reasonable' measures include:

- assessing the sensitivity of the consumer report information we collect;
- the nature of our advisory services and the size of our operation;
- evaluating the costs and benefits of different disposal methods; and
- researching relevant technological changes and capabilities.

Some methods of disposal to ensure that the information cannot practicably be read or reconstructed that Rainsberger Wealth Advisors may adopt include:

- procedures requiring the shredding of papers containing consumer report information;
- procedures to ensure the destruction or erasure of electronic media

### **Privacy Notices**

Rainsberger Wealth Advisors will provide each natural person client with initial notice of the firm's current policy when the client relationship is established. Rainsberger Wealth Advisors shall also provide each such client with a new notice of the firm's current privacy policies at least annually. If Rainsberger Wealth Advisors shares non-public personal information ("NPI") relating to a non-California consumer with a nonaffiliated company under circumstances not covered by an exception under Regulation S-P, the firm will deliver to each affected consumer an opportunity to opt out of such information sharing. If Rainsberger Wealth

Advisors shares NPI relating to a California consumer with a nonaffiliated company under circumstances not covered by an exception under SB1, the firm will deliver to each affected consumer an opportunity to opt in regarding such information sharing. If, at any time, Rainsberger Wealth Advisors adopts material changes to its privacy policies, the firm shall provide each such client with a revised notice reflecting the new privacy policies. The Compliance Officer is responsible for ensuring that required notices are distributed to the Rainsberger Wealth Advisors' consumers and customers.

***Identity Theft / Red Flags Rules***

As Rainsberger Wealth Advisors is not a financial institution or creditor for purposes of Regulation S-ID, Rainsberger Wealth Advisors is not required to adopt a written identity theft prevention program. However, Rainsberger Wealth Advisors has adopted policies and procedures as set forth in this manual.