

# Adaptive Advisory, LLC

## Firm Brochure - Form ADV Part 2A

This brochure provides information about the qualifications and business practices of Adaptive Advisory, LLC. If you have any questions about the contents of this brochure, please contact us at (913)203-5461 or by email at: [service@adaptiveadvisory.com](mailto:service@adaptiveadvisory.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 Adaptive Advisory, LLC is also available on the SEC's website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov). Adaptive Advisory, LLC's CRD number is: 175232.

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Registration does not imply a certain level of skill or training.

## Item 2: Material Changes

We are required to deliver information about our qualifications and business practices to clients on account opening and at least annually thereafter. Pursuant to state regulations, we will ensure that you receive a summary of any material changes to this and subsequent brochures within 120 days of the close of our fiscal year, December 31st. We may further provide other ongoing disclosure information about material changes as necessary.

**There have been no material changes during the previous year.**

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## Item 4: Advisory Business

### A. Description of the Advisory Firm

Adaptive Advisory, LLC (hereinafter "Adaptive Advisory") is a Limited Liability Company organized in the State of Kansas. The firm was formed in January 2015, and the principal owner is Bryon D Brooks.

### B. Types of Advisory Services

#### ***Portfolio Management Services***

Adaptive Advisory offers ongoing portfolio management services based on the individual goals, objectives, time horizon, and risk tolerance of each client. Adaptive Advisory creates an Investment Policy Statement for each client, which outlines the client's current situation (income, tax levels, and risk tolerance levels). Portfolio management services include, but are not limited to, the following:

- Investment strategy
- Asset allocation
- Risk tolerance
- Personal investment policy
- Asset selection
- Regular portfolio monitoring

Adaptive Advisory evaluates the current investments of each client with respect to their risk tolerance levels and time horizon. Adaptive Advisory will request discretionary authority from clients in order to select securities and execute transactions without permission from the client prior to each transaction; however, it will also provide non-discretionary portfolio management at the client's election. Risk tolerance levels are documented in the Investment Policy Statement, which is given to each client.

Adaptive Advisory seeks to provide that investment decisions are made in accordance with the fiduciary duties owed to its accounts and without consideration of Adaptive Advisory's economic, investment or other financial interests. To meet its fiduciary obligations, Adaptive Advisory attempts to avoid, among other things, investment or trading practices that systematically advantage or disadvantage certain client portfolios, and accordingly, Adaptive Advisory's policy is to seek fair and equitable allocation of investment opportunities/transactions among its clients to avoid favoring one client over another over time. It is Adaptive Advisory's policy to allocate investment opportunities and transactions it identifies as being appropriate and prudent among its clients on a fair and equitable basis over time.

#### ***Financial Planning***

Financial plans and financial planning may include, but are not limited to: investment planning; life insurance; tax concerns; retirement planning; college planning; and debt/credit planning. These are available either on an ongoing basis for a retainer fee or on an hourly basis.

Investment planning involves working with clients to make sure their investments match their respective risk tolerance and goals. Tax concerns are addressed by working with the client to determine and compare effective tax rates for income, capital gains and other earnings or investments, then attempting to allocate the client's resources accordingly.

Life insurance planning entails reviewing the life insurance and/or disability insurance needs of the client, together with any applicable dependents, spouse or other relatives, and assessing appropriate coverage for these individuals. College planning entails helping clients save for higher education, whether for the client or his/her children or other dependents, in the ideal manner to suit the client's overall financial goals and means. Financial planning to address retirement entails making sure clients are financially equipped for retirement in light of the client's anticipated income and expenses, investments, and other assets. Debt/credit planning consists of breaking down client budgets and aiding clients in decision-making as to current debt, anticipated significant expenses and potential debt, and avoiding excessive debt.

### ***Services Limited to Specific Types of Investments***

Adaptive Advisory generally limits its investment advice to fixed income securities, real estate funds (including REITs), equities and ETFs. Adaptive Advisory may use other securities as well to help diversify a portfolio when applicable.

### **C. Client Tailored Services and Client Imposed Restrictions**

Adaptive Advisory offers the same suite of services to all its clients. However, specific client investment strategies and their implementation are dependent upon the client Investment Policy Statement which outlines each client's current situation (income, tax levels, and risk tolerance levels). Clients may not impose restrictions in investing in certain securities or types of securities in accordance with their values or beliefs.

### **D. Wrap Fee Programs**

A wrap fee program is an investment program where the investor pays one stated fee that includes management fees, transaction costs, fund expenses, and other administrative fees. Adaptive Advisory does not participate in any wrap fee programs.

### **E. Assets Under Management**

***Adaptive Advisory has the following assets under management:***

<b>Discretionary Amounts:</b>	<b>Non-discretionary Amounts:</b>	<b>Date Calculated:</b>
\$3,800,000	\$0	March 2020

## Item 5: Fees and Compensation

### A. Fee Schedule

#### *Asset-Based Fees for Portfolio Management*

Total Assets Under Management	Tiered Annual Fee
\$20,000-\$40,000	\$400
\$40,000 - \$250,000	1.00%
\$250,000 - \$1,000,000	0.95%
\$1,000,000 - And Up	0.90%

Adaptive Advisory bills based on the balance on the first day of the billing period. These fees are generally negotiable, and the final fee schedule is attached as Exhibit II of the Investment Advisory Agreement (“IAA”). Clients may terminate the agreement without penalty for a full refund of Adaptive Advisory's fees within five business days of signing the IAA. Thereafter, clients may terminate the IAA generally with 5 days' written notice.

#### *Financial Planning Fees*

While the portfolio management will have a minimal level of financial planning to ensure clients are invested in an optimal way for their future, there may be times clients will want more detailed financial planning services. These services can include any of the following: Retirement Planning, Social Security Analysis, Saving for College, and/or Budgeting.

One-time services will have either an hourly fee or a one-time project fee. The hourly fee for these services is \$50. Fees are charged in arrears upon completion.

For ongoing financial planning services, Adaptive Advisory will charge a monthly or quarterly retainer fee. Fees for these services are between \$50 and \$1,000. Fees are paid monthly or quarterly in arrears and may be paid by check or bank transfer.

Clients may terminate the agreement without penalty for a full refund of Adaptive Advisory's fees within five business days of signing the Financial Planning Agreement. Thereafter, clients may terminate the Financial Planning Agreement generally upon written notice.

### B. Payment of Fees

#### *Payment of Asset-Based Portfolio Management Fees*

Asset-based portfolio management fees are withdrawn directly from the client's accounts with client's written authorization on a quarterly basis. Fees are paid in advance.

### ***Payment of Financial Planning Fees***

Hourly financial planning fees are paid in arrears upon completion by check, wire or bank transfer.

Retainer fees for ongoing financial planning services are paid quarterly in arrears and may be paid by check, wire or bank transfer.

### **C. Client Responsibility For Third Party Fees**

Clients are responsible for the payment of all third-party fees (i.e. custodian fees, brokerage fees, mutual fund fees, transaction fees, etc.). Those fees are separate and distinct from the fees and expenses charged by Adaptive Advisory. Please see Item 12 of this brochure regarding broker- dealer/custodian.

### **D. Prepayment of Fees**

Adaptive Advisory collects portfolio management fees in advance. Refunds for fees paid in advance will be returned within fourteen days to the client via check or return deposit back into the client's account.

For all asset-based fees paid in advance, the fee refunded will be equal to the balance of the fees collected in advance minus the daily rate\* times the number of days elapsed in the billing period up to and including the day of termination. (\*The daily rate is calculated by dividing the annual asset-based fee rate by 365.)

### **E. Outside Compensation For the Sale of Securities to Clients**

Neither Adaptive Advisory nor its supervised persons accept any compensation for the sale of securities or other investment products, including asset-based sales charges or service fees from the sale of mutual funds.

## **Item 6: Performance-Based Fees and Side-By-Side Management**

Adaptive Advisory does not accept performance-based fees or other fees based on a share of capital gains on or capital appreciation of the assets of a client.

## **Item 7: Types of Clients**

Adaptive Advisory generally provides advisory services to the following types of clients:

- ❖ Individuals
- ❖ High-Net-Worth Individuals

For clients without a Financial Planning Agreement, Adaptive Advisory will require at least \$20,000 for portfolio management services. For clients that have an ongoing Financial Planning Agreement, Adaptive Advisory will waive its minimum asset requirement.

## **Item 8: Methods of Analysis, Investment Strategies, and Risk of Loss**

### **A. Methods of Analysis and Investment Strategies**

#### ***Methods of Analysis***

Adaptive Advisory's uses fundamental, technical, and quantitative analysis.

**Fundamental analysis** involves the analysis of financial statements, the general financial health of companies, and/or the analysis of management or competitive advantages.

**Technical analysis** involves the analysis of past market data; primarily price and volume.

**Quantitative analysis** deals with measurable factors as distinguished from qualitative considerations such as the character of management or the state of employee morale, such as the value of assets, the cost of capital, historical projections of sales, and so on.

### ***Investment Strategies***

Adaptive Advisory uses long term trading.

**Investing in securities involves risk of loss that you, client, must be prepared to bear.**

## **B. Material Risks Involved**

### ***Methods of Analysis***

**Fundamental analysis** concentrates on factors that determine a company's value and expected future earnings. This strategy would normally encourage equity purchases in stocks that are undervalued or priced below their perceived value. The risk assumed is that the market will fail to reach expectations of perceived value.

**Technical analysis** attempts to predict the direction of a stock price based on market trends. The assumption is that the market follows discernible patterns and if these patterns can be identified then a prediction can be made. The risk is that markets do not always follow patterns or new patterns that emerge over time.

**Quantitative Model Risk:** Investment strategies using quantitative models may perform differently than expected as a result of, among other things, the factors used in the models, the weight placed on each factor, changes from the factors' historical trends, and technical issues in the construction and implementation of the models.

### ***Investment Strategies***

Long term trading will experience both higher return and risk. Due to its nature, the long-term investment strategy can expose clients to various types of risk that will typically surface at various intervals during the time the client owns the investments. These risks include but are not limited to inflation (purchasing power) risk, interest rate risk, economic risk, market risk, and political/regulatory risk.

**Investing in securities involves risk of loss that you, client, must be prepared to bear.**

## **C. Risks of Specific Securities Utilized**

Clients should be aware that there is a material risk of loss using any investment strategy. The investment types listed below are not guaranteed or insured by the FDIC or any other government agency.

**Equity** investment generally refers to buying shares of stocks in return for receiving a future payment of dividends and/or capital gains if the value of the stock increases. The value of equity securities may fluctuate in response to specific situations for each company, industry conditions and the general economic environments.

**Fixed income** investments generally pay a return on a fixed schedule, though the amount of the payments can vary. This type of investment can include corporate and government debt securities, leveraged loans, high yield, and investment grade debt and structured products, such as mortgage and other asset-backed securities, although individual bonds may be the best-known type of fixed income security. Fixed income securities carry interest rate risk, inflation risk, liquidity risk, call risk, and credit and default risks for both issuers and counterparties. The risk of default on treasury inflation protected bonds is dependent upon the US Treasury defaulting; Risks of investing in foreign fixed income securities also include the general risk of non-US investing.

**Exchange Traded Funds (ETFs):** An ETF is an investment fund traded on stock exchanges, similar to stocks. Investing in ETFs carries the risk of capital loss (sometimes up to a 100% loss in the case of a stock holding bankruptcy). Areas of concern include the lack of transparency in products and increasing complexity, conflicts of interest and the possibility of inadequate regulatory compliance.

**Real Estate** funds (including REITs) face several kinds of risk that are inherent in the real estate sector, which historically has experienced significant fluctuations in performance. Performance may be adversely affected by: changes in local real estate market conditions due to changes in national or local economic conditions; competition from other properties offering the similar services; changes in interest rates; change in the state of debt and equity credit markets; the ongoing need for capital improvements; changes in real estate tax rates; adverse changes in governmental rules and fiscal policies; adverse changes in zoning laws; the impact of present or future environmental legislation.

**Past performance is not indicative of future results. Investing in securities involves risk of loss that you, client, must be prepared to bear.**

## Item 9: Disciplinary Information

### A. Criminal or Civil Actions

There are no criminal or civil actions to report.

### B. Administrative Proceedings

There are no administrative proceedings to report.

### C. Self-regulatory Organization (SRO) Proceedings

There are no self-regulatory organization proceedings to report.

## Item 10: Other Financial Industry Activities and Affiliations

### A. Registration as a Broker/Dealer or Broker/Dealer Representative

Neither Adaptive Advisory nor its representatives are registered as, or have pending applications to become, a broker/dealer or a representative of a broker/dealer.

### B. Registration as a Futures Commission Merchant, Commodity Pool Operator, or a Commodity Trading Advisor

Neither Adaptive Advisory nor its representatives are registered as or have pending applications to become either a Futures Commission Merchant, Commodity Pool Operator, or Commodity Trading Advisor or an associated person of the foregoing entities.

### **C. Registration Relationships Material to this Advisory Business and Possible Conflicts of Interests**

Neither Adaptive Advisory nor its representatives have any material relationships to this advisory business that would present a possible conflict of interest.

### **D. Selection of Other Advisers or Managers and How This Adviser is Compensated for Those Selections**

Adaptive Advisory does not utilize nor select third-party investment advisers. All assets are managed by Adaptive Advisory management.

## **Item 11: Code of Ethics, Participation or Interest in Client Transactions and Personal Trading**

### **A. Code of Ethics**

Adaptive Advisory has a written Code of Ethics that covers the following areas: Prohibited Purchases and Sales, Insider Trading, Personal Securities Transactions, Exempted Transactions, Prohibited Activities, Conflicts of Interest, Gifts and Entertainment, Confidentiality, Service on a Board of Directors, Compliance Procedures, Compliance with Laws and Regulations, Procedures and Reporting, Certification of Compliance, Reporting Violations, Compliance Officer Duties, Training and Education, Recordkeeping, Annual Review, and Sanctions. Adaptive Advisory's Code of Ethics is available free upon request to any client or prospective client.

### **B. Recommendations Involving Material Financial Interests**

Adaptive Advisory does not recommend that clients buy or sell any security in which a related person to Adaptive Advisory or Adaptive Advisory has a material financial interest.

### **C. Investing Personal Money in the Same Securities as Clients**

From time to time, representatives of Adaptive Advisory may buy or sell securities for themselves that they also recommend to clients. This may provide an opportunity for representatives of Adaptive Advisory to buy or sell the same securities before or after recommending the same securities to clients resulting in representatives profiting off the recommendations they provide to clients. Such transactions may create a conflict of interest. Adaptive Advisory will always document any transactions that could be construed as conflicts of interest and will never engage in trading that operates to the client's disadvantage when similar securities are being bought or sold.

### **D. Trading Securities At/Around the Same Time as Clients' Securities**

From time to time, representatives of Adaptive Advisory may buy or sell securities for themselves at or around the same time as clients. This may provide an opportunity for representatives of Adaptive Advisory to buy or sell securities before or after recommending securities to clients resulting in representatives profiting off the recommendations they provide to clients. Such transactions may create a conflict of interest; however, Adaptive Advisory will never engage in trading that operates to the client's disadvantage if representatives of Adaptive Advisory buy or sell securities at or around the same time as clients.

## Item 12: Brokerage Practices

### A. Factors Used to Select Custodians and/or Broker/Dealers

Custodians/broker-dealers will be recommended based on Adaptive Advisory's duty to seek "best execution," which is the obligation to seek execution of securities transactions for a client on the most favorable terms for the client under the circumstances. Clients will not necessarily pay the lowest commission or commission equivalent. Adaptive Advisory will never charge a premium or commission on transactions, beyond the actual cost imposed by the broker- dealer/custodian.

Adaptive Advisory will require clients to use a custodian that the firm selects currently: FOLIOfn Investments, Inc. or Marsco Investment Corporation. However, Adaptive Advisory is currently looking at other custodians. So, this may change.

#### ***Research and Other Soft-Dollar Benefits***

Adaptive Advisory receives no soft dollar. Soft dollars are when a custodian or broker-dealer will provide research or services to an advisory firm in exchange for the advisor using the custodian or broker-dealer.

#### ***Brokerage for Client Referrals***

Adaptive Advisory receives no referrals from a broker-dealer or third party in exchange for using that broker-dealer or third party.

### Clients Directing Which Broker/Dealer/Custodian to Use

Adaptive Advisory will require clients to use a specific broker-dealer to execute transactions. Not all advisers require clients to use a particular broker-dealer.

### B. Aggregating (Block) Trading for Multiple Client Accounts

If Adaptive Advisory buys or sells the same securities on behalf of more than one client, then it may (but would be under no obligation to) aggregate or bunch such securities in a single transaction for multiple clients in order to seek more favorable prices, lower brokerage commissions, or more efficient execution. In such case, Adaptive Advisory would determine the appropriate number of shares and would place an aggregate order with the broker on behalf of all such clients in order to ensure fairness for all clients. Trades would be reviewed periodically to ensure that accounts are not systematically disadvantaged by Adaptive Advisory's block trading policy.

## Item 13: Reviews of Accounts

### A. Frequency and Nature of Periodic Reviews and Who Makes Those Reviews

All client accounts for Adaptive Advisory's advisory services provided on an ongoing basis are reviewed at least quarterly by Bryon D Brooks, President with regard to clients' respective investment policies and risk tolerance levels. All accounts at Adaptive Advisory are assigned to this reviewer.

All financial planning accounts are reviewed upon financial plan creation and plan delivery by Bryon D Brooks, President. There is only one level of review for financial planning, and that is the total review conducted to create the financial plan.

## **B. Factors That Will Trigger a Non-Periodic Review of Client**

Reviews may be triggered by material market, economic or political events, or by changes in client's financial situations (such as retirement, termination of employment, physical move, or inheritance).

With respect to financial plans, Adaptive Advisory's services will generally conclude upon delivery of the financial plan.

## **C. Content and Frequency of Regular Reports Provided to Clients**

Each client of Adaptive Advisory's advisory services provided on an ongoing basis will receive a quarterly report detailing the client's account, including assets held, asset value, and calculation of fees. This written report will come from the custodian. Adaptive Advisory will also provide at least quarterly a separate written statement to the client.

Each financial planning client will receive the financial plan upon completion.

## **Item 14: Client Referrals and Other Compensation**

### **A. Economic Benefits Provided by Third Parties for Advice Rendered to Clients (Includes Sales Awards or Prizes)**

Adaptive Advisory does not receive any economic benefit, directly or indirectly from any third party for advice rendered to Adaptive Advisory's clients.

### **B. Compensation to Non – Advisory Personnel for Client Referrals**

Adaptive Advisory does not directly or indirectly compensate any person who is not advisory personnel for client referrals.

## **Item 15: Custody**

When advisory fees are deducted directly from client accounts at client's custodian, Adaptive Advisory will be deemed to have limited custody of client's assets and must have written authorization from the client to do so. Clients will receive all account statements and billing invoices that are required in each jurisdiction, and they should carefully review those statements for accuracy.

## **Item 16: Investment Discretion**

Adaptive Advisory provides discretionary and non-discretionary investment advisory services to clients. The Investment Advisory Agreement established with each client sets forth the discretionary authority for trading. Where investment discretion has been granted, Adaptive Advisory generally manages the client's account and makes investment decisions without consultation with the client as to when the securities are to be bought or sold for the account, the total amount of the securities to be bought/sold, what securities to buy or sell, or the price per share.

## **Item 17: Voting Client Securities (Proxy Voting)**

Adaptive Advisory will not ask for, nor accept voting authority for client securities. Clients will receive proxies directly from the issuer of the security or the custodian. Clients should direct all proxy questions to the issuer of the security.

## Item 18: Financial Information

### A. Balance Sheet

Adaptive Advisory neither requires nor solicits prepayment of more than \$500 in fees per client, six months or more in advance, and therefore is not required to include a balance sheet with this brochure.

### B. Financial Conditions Reasonably Likely to Impair Ability to Meet Contractual Commitments to Clients

Neither Adaptive Advisory nor its management has any financial condition that is likely to reasonably impair Adaptive Advisory's ability to meet contractual commitments to clients.

### C. Bankruptcy Petitions in Previous Ten Years

Adaptive Advisory has not been the subject of a bankruptcy petition in the last ten years.

## Item 19: Requirements For State Registered Advisers

### A. Principal Executive Officers and Management Persons; Their Formal Education and Business Background

Adaptive Advisory currently has only one management person: Bryon David Brooks. Education and business background can be found on the individual's Form ADV Part 2B brochure supplement.

### B. Other Businesses in Which This Advisory Firm or its Personnel are Engaged and Time Spent on Those

Other business activities for each relevant individual can be found on the Form ADV Part 2B brochure supplement for each such individual.

### C. Calculation of Performance-Based Fees and Degree of Risk to Clients

Adaptive Advisory does not accept performance-based fees or other fees based on a share of capital gains on or capital appreciation of the assets of a client.

### D. Material Disciplinary Disclosures for Management Persons of this Firm

There are no civil, self-regulatory organization, or arbitration proceedings to report under this section.

### E. Material Relationships That Management Persons Have With Issuers of Securities

See Item 10.C and 11.B.

## **Addendum: Professional Liability Insurance**

Disclosure for clients and prospective clients residing in Kansas: Please be advised that the investment advisory firm does not have professional liability insurance coverage for its investment advisory services.