

ANNUAL DISCLOSURE STATEMENT

Open to the Public Investing, Inc. (“Public Investing”) is registered with the U.S. Securities and Exchange Commission as a broker-dealer and is a member of the Financial Industry Regulatory Authority (“FINRA”) and Securities Investor Protection Corporation (“SIPC”). We encourage you to review this annual disclosure statement closely, as it contains important information about your account with Public Investing.

Table of Contents

[Form CRS \(“Customer Relationship Summary”\)](#)

[Fee Schedule](#)

[Anti-Money Laundering](#)

[Privacy Notice and Policy](#)

[FINRA Broker Check](#)

[The Securities Investor Protection Corporation \(“SIPC”\)](#)

[Disclosure of Order Routing Information](#)

[Order Routing Practices & Payment for Order Flow](#)

[Fully Paid Securities Lending Program](#)

[Margin Disclosure Statement](#)

[Extended Hours Trading](#)

[Business Continuity Plan Summary](#)

[Trusted Contact Person](#)

[Callable Securities Disclosure](#)

[Apex Clearing’s Annual Disclosure Statement](#)

[Complaints](#)

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.

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.

U.S. 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 Support Department at 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 Support

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's BrokerCheck](#) allows investors to learn about the professional background, business practices, and conduct of FINRA member firms and their brokers. Records of securities professionals currently associated with a member and persons who have been associated with a member within the last two years are available to the public through BrokerCheck. Information is also available for FINRA-registered securities firms. Information is free to private investors for personal use. The telephone number of BrokerCheck is 1-800-289-9999. For more information about FINRA, visit finra.org. An investor brochure describing the BrokerCheck program is also available on request or at brokercheck.finra.org.

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, or by contacting SIPC at (202) 371-8300, or by sending an email request to asksipc@sipc.org.

Disclosure of Order Routing Information

Public Investing publishes quarterly reports with statistical information on the routing of held, non-directed customer orders in exchange-listed stocks and ETFs ("Equity Securities") and standardized options ("Options"). These reports are available [here](#). Among other things, these reports identify the venues to which Public Investing directed customer orders for Equity Securities and Options for execution, and describe the material aspects of Public Investing's relationship with each of those venues.

In accordance with SEC Rule 606(b), you may request a report identifying the venue to which your Equity Securities and Options orders were routed for execution for the six months prior to the request, whether the orders were directed orders or non-directed orders, and the time of the transactions resulting from such orders. Please direct these requests to support@public.com.

Order Routing & Payment for Order Flow Disclosure

When you submit an order to Public Investing, we work to route your order to the execution venue that will give you the best price reasonably available. The execution venues that receive orders from Public Investing include national securities exchanges, alternative trading systems, single-dealer platforms, and wholesalers (aka market makers). How your order is routed depends on several factors, most notably the type of security that you are buying or selling.

As the introducing broker for your brokerage account, Public Investing relays your orders to our fully-disclosed clearing firm, Apex Clearing Corporation ("Apex Clearing"). Apex Clearing then routes your order to an execution venue, where your trade is filled.

Below, we describe how orders are routed once they are received by Apex Clearing as well as the practices of Public Investing with respect to payment for order flow. "Payment for order flow" or "PFOF" is any type of compensation or consideration that we receive from an execution venue in exchange for routing orders to that venue.

- **Order Routing by Type of Security**

- Exchange-listed Stocks and ETFs. With respect to exchange-listed stocks and ETFs, you can choose the route used by Apex Clearing to execute your orders. Those options are:
 - *Wholesale route*. Orders are routed to one of several wholesalers (aka market makers). We receive payment for order flow from the wholesalers who execute your orders.
 - *Smart order route*. Orders are routed to a wide selection of single-dealer platforms, alternative trading systems, and national exchanges. We do not receive PFOF from wholesalers on this route.
 - *Lit exchanges only*. Orders are routed exclusively to the major stock exchanges. The exchanges generally charge us fees to execute your orders, though they do sometimes pay us order rebates.

Please note that your route selection does NOT apply to orders for exchange-listed stocks and ETFs that are placed in connection with your Generated Asset Account, Direct Index Account, or Investment Plan. Generally, Apex Clearing will use the wholesale route for these orders.

- OTC Securities. When you submit a trade for OTC securities to Public Investing, we pass along that order to Apex Clearing. Apex Clearing then routes that order for execution to one of several wholesalers (aka market makers).
- Stock Options & ETF Options. When you submit a trade for a stock or ETF options contract to Public Investing, we pass along that order to Apex Clearing, which then routes that order for execution to one of several wholesalers (aka market makers).
- Index Options. All index options trades are routed to CBOE only. We do not receive payment for order flow on these trades.

Certain route selections may incur an execution fee and certain securities may incur a per-trade or per-contract transaction fee. See our [Fee Schedule](#) to learn more about such fees. See our [Order Routing and PFOF Disclosure](#) to learn more about Public Investing's order routing and PFOF practices.

- **Factors Considered when Determining an Execution Venue**

In the section above, we described the routes and types of venues that Apex Clearing uses to execute your order, which routes depend largely on the type of security you are buying or selling. To determine which particular venue on a route will receive any particular order, Apex Clearing uses a systematic, automated routing algorithm. That automated logic takes into consideration several factors, including, among other things:

- Trading characteristics of the security and character of the market for the security (e.g., price, volatility, and relative liquidity)
- Size and type of transaction
- Number of primary markets checked
- Transaction costs
- Opportunity for price improvement
- Accessibility of quotation sources including speed of execution

- Any special handling instructions guiding the execution of the order

Fully Paid Securities Lending Program

When you open an account with Public Investing, you can choose to participate in Apex Clearing'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 Investing 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 Apex' Fully Paid Securities Lending Program, whole shares of securities in your Public Investing brokerage 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 Fully Paid 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 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 Public Premium members. There is a \$2.99 transaction fee for extended hours trades for non-Premium members. Extended Hours Trading is available from 4:00 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 is 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."

Callable Securities Disclosure

Certain securities may be called or redeemed prior to maturity. In the event of a total redemption of a security, all securities will be redeemed and the terms of the redemption will be executed. In the event of a partial redemption or call by the issuer, not all holders of the subject security may participate in the redemption, and not all shares held may be called. Apex Clearing uses an impartial lottery system by which it allocates among its clients the securities to be selected as called or redeemed on a statistically random basis.

- **Eligibility for Redemption and Redemption Process – Most Callable Securities**

Eligibility for the random lottery process is based on the securities call classification of "favorable redemption call" or "unfavorable redemption call." The term favorable or unfavorable is based on a comparison between the call price and the market price. When the comparison between the call price and market price are beneficial to the client, the call is deemed favorable. Favorable redemption calls will exclude any account in which Apex, or its associated persons have an interest until all other customers' positions in such securities have been satisfied.

An unfavorable redemption call is when the comparison between the call price and market price are not as beneficial to the client and therefore deemed unfavorable. Apex will not exclude its positions or those of its associated persons (including those persons performing solely clerical and ministerial functions) from the pool of any securities deemed unfavorable and eligible to be called.

A determination will be made as to which redemption call the security is subject to (favorable or unfavorable) prior to commencement of the lottery process.

Once the terms of the call have been determined and eligible accounts have been selected, the random lottery process will occur to select accounts for the partial call redemption. A random start and jump number is executed at the beginning of the lottery to ensure the process is impartial, fair and consistent with the call allocation. When the redemption call has ended for each security, Apex is notified of the called account by its vendor and will inform Public Investing, who may notify the customer of the account status.

- **Eligibility for Redemption and Redemption Process – Whole and Fractional Bonds**

Certain bonds include provisions that allow the bond's issuer to repay either a portion or the whole amount of the bond at certain points prior to the bond's maturity. A bond is more likely to be called in a declining interest rate environment because the bond's issuer may be able to save money by calling its bonds and issuing new bonds at lower rates. In the event a bond is called, a bondholder will receive the "call price" of the bond, which is set by the applicable bond agreement.

In the event of a total redemption of a bond, both whole and fractional bond positions held by customers of Public Investing will be redeemed.

In the event a bond is partially redeemed, whole bond positions are subject to the lottery process described above. However, certain features of fractional bonds require Public Investing to pay you the applicable "call price" for your entire fractional bond position, regardless of whether the issuer calls a portion of the bond or the whole amount.

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 or the following address:

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

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

Why?	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.
What?	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"> ■ Social Security number and income ■ Account balances and checking account information ■ Email address and employment information
How?	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?
For our everyday business purposes— such as to process your transactions, maintain your account(s), respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes— to offer our products and services to you	Yes	No
For joint marketing with other financial companies	No	We do not share
For our affiliates' everyday business purposes— information about your transactions and experiences	Yes	No
For our affiliates' everyday business purposes— information about your creditworthiness	No	We do not share
For our affiliates to market to you	Yes	Yes
For nonaffiliates to market to you	No	We do not share

To limit our sharing or for questions	Email privacy@public.com or support@public.com
--	--

Who we are	
Who is providing this notice?	Open to the Public Investing, Inc. ("Public Investing")
What we do	
How does Public Investing protect my personal information?	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 www.public.com/privacy-policy .
How does Public Investing collect my personal information?	We collect your personal information, for example, when you <ul style="list-style-type: none"> ■ open an account or give us your contact information ■ deposit funds or give us account information ■ direct us to buy and sell securities or cryptocurrency products
Why can't I limit all sharing?	Federal law gives you the right to limit only <ul style="list-style-type: none"> ■ sharing information about your creditworthiness with our affiliates for their everyday business purposes ■ affiliates from using your information to market to you ■ sharing for nonaffiliates to market to you State laws and individual companies may give you additional rights to limit sharing. See below for more on your rights under state law.

Definitions

Affiliates	Companies related by common ownership or control. They can be financial and nonfinancial companies. <ul style="list-style-type: none">■ <i>Our affiliates include Public Holdings, Inc., the parent company of Public Investing, and its other subsidiaries.</i>
Nonaffiliates	Companies not related by common ownership or control. They can be financial and nonfinancial companies. <ul style="list-style-type: none">■ <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>
Joint marketing	A formal agreement between nonaffiliated financial companies that together market financial products or services to you. <ul style="list-style-type: none">■ <i>Public does not jointly market.</i>

Other important information

California Residents. 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.

Nevada Residents. 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 *To limit our sharing* 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: BCPINFO@ag.state.nv.us.

Vermont Residents. 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 www.public.com/privacy-policy.

North Dakota Residents. We will not share information we collect about you with nonaffiliates unless the law allows.