

Phoenix Financial Services — Privacy Policy

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1. Who We Are and What This Covers

1.1

This Privacy Policy explains what personal information Phoenix Financial Services collects, why, who we share it with, how long we keep it, and what rights you have over it.

1.2

Phoenix Financial Services is a broker-dealer registered with the U.S. Securities and Exchange Commission (“SEC”) and a member of the Financial Industry Regulatory Authority (“FINRA”) and the Securities Investor Protection Corporation (“SIPC”), CRD number **144403**.

1.3

Phoenix Financial Services and PHX Financial, Inc. are the same company. The names “Phoenix Financial Services,” “PHX Financial, Inc.,” “Phoenix Financial,” and “PHX” all refer to that one registered broker-dealer. In this Policy, “**PHX,**” “**we,**” “**us,**” and “**our**” mean that company together with its affiliate **Kese Technologies LLC. We are the controller of your personal information.**

1.4

Axos Clearing LLC is our clearing firm and is a separate, unaffiliated company. It is not included in “we,” “us,” or “our,” and it handles your information under its own arrangements. See section 9.

1.5

This Policy covers our mobile applications for iOS and Android, our website at **www.phoenixinc.com**, our application status site at **www.phoenixinc.app**, the Phoenix Investor Portal, our broker portal, and our communications with you (together, the “Services”).

2. Information We Collect

2.1 Information you give us

Category	Examples
Identity and contact	Name, date of birth, address, email address, telephone number
Government identifiers	Social Security number or taxpayer identification number; passport, driver’s licence, alien identification card, or other government-issued identification
Financial and suitability	Net worth, annual income, liquid assets, source of wealth, investment objectives, experience, risk tolerance, time horizon

Category	Examples
Eligibility	Accredited Investor status and the evidence supporting it; whether you meet our net worth requirement
Employment and regulatory status	Occupation, employer, whether you are an officer, director, or 10% shareholder of a public company, whether you are affiliated with a FINRA member, Control Person status under Rule 144
Entity information	For entity accounts: principal place of business, employer identification number, formation documents, business licence, partnership or trust agreement
Tax certifications	IRS Form W-9 or the applicable Form W-8
Account activity	Holdings, transactions, balances, instructions, and your correspondence with us
Credentials	Username, password, and multi-factor authentication details

2.2 Information collected automatically

Category	Examples
Device information	Device model, operating system and version, app version, device identifiers
Technical and usage data	IP address, diagnostic and crash reports, error logs, performance measurements, and how you use the Services
Push notification token	An identifier issued by the platform notification service so we can deliver notifications you enable
Location	Your device's location, where you permit it — see section 5
Cookies and similar technologies	On our websites — see our Cookie Policy

2.3

We collect what is reasonably necessary to provide our services, verify your identity and eligibility, execute transactions, and meet our legal and regulatory obligations.

3. Where We Get It

3.1

- **From you**, when you apply for an account, use the Services, or communicate with us.
- **From your representative** — a legal or financial representative, or an employer, acting on your behalf.
- **Automatically**, from your device when you use the Services.
- **From our clearing firm**, Axos Clearing LLC, regarding clearing, settlement, custody, and balances.
- **From identity verification, credit reporting, and screening providers**, including sanctions and anti-money-laundering screening.
- **From regulators and public sources**, including FINRA BrokerCheck, public records, and public filings.

4. Why We Use It, and Our Legal Basis

4.1

We use your information for the purposes below. Where privacy law requires us to identify a legal basis for processing, the basis is shown alongside.

What we use it for	Legal basis
Opening, maintaining, and servicing your account; executing and settling transactions; providing the Services you request	Performance of a contract
Verifying your identity and Accredited Investor status; assessing suitability	Performance of a contract; legal obligation
Anti-money-laundering, sanctions and OFAC screening, customer identification, suspicious activity reporting, recordkeeping, tax reporting, and responding to regulators, subpoenas, and courts	Legal obligation
Securing the Services, authenticating you, preventing and detecting fraud and unauthorised access	Legitimate interests — protecting you, us, and the integrity of the platform
Diagnosing faults, measuring performance, and improving the Services	Legitimate interests — operating and improving a reliable service
Confirming that the Services are available in your region	Legitimate interests — offering the Services only where we are permitted to
Sending you service communications, notices, statements, and confirmations	Performance of a contract; legal obligation
Sending you marketing communications	Consent , where required, otherwise legitimate interests — you may opt out at any time
Establishing, exercising, or defending legal claims	Legitimate interests

4.2

Providing some information is a legal or contractual requirement. Identity, tax, and verification information is required by law or by our agreement with you. **If you do not provide it, we may be unable to open your account, may be unable to carry out transactions, and may have to close an existing account.**

4.3

Where we rely on **consent**, you may withdraw it at any time. Withdrawal does not affect processing carried out before you withdrew it, and does not affect processing on another basis.

5. Location Information

5.1

We collect your device's location to confirm that the Phoenix app is available in your region. That is the primary purpose, and it is why the app asks for location permission.

5.2

Secondarily, location may be used to help detect and prevent fraud and unauthorised access to your account.

5.3

Location permission is optional and you control it. You can grant or revoke it at any time in your device settings — see section 6. If you decline it, some features may be unavailable.

6. Mobile App Permissions

6.1

Permission	What it is used for	How to change it
Location	Confirming regional availability of the app; secondarily, fraud prevention	iOS: Settings → Phoenix → Location. Android: Settings → Apps → Phoenix → Permissions → Location
Notifications	Delivering push notifications you have enabled	iOS: Settings → Phoenix → Notifications. Android: Settings → Apps → Phoenix → Notifications

6.2

You can revoke any permission at any time without losing access to your account, though features depending on it will stop working.

7. Information Stored on Your Device

7.1

The app stores your **sign-in credentials and session tokens in the platform’s secure keychain or keystore**, encrypted by the operating system, and your **settings and preferences** in ordinary app storage.

7.2

Deleting the app removes what is stored on your device. It does not delete information we hold, and it does not delete records we are required to keep — see section 13.

7.3

The app does not use browser cookies. Our websites do. See our **Cookie Policy**.

8. Who We Share It With

8.1 Our clearing firm

Axos Clearing LLC — see section 9.

8.2 Service providers

We share information with providers who perform functions on our behalf, under contract, and who are not permitted to use it for their own purposes:

Provider	Purpose
Microsoft Azure , including Microsoft Entra External ID	Cloud hosting, authentication, and identity management
Microsoft Azure Application Insights	Diagnostic, error, and performance telemetry, including IP address
Google Firebase Cloud Messaging	Delivery of push notifications
Twilio	Telephone number verification
Microsoft Azure AI Foundry, OpenAI, Anthropic, and Microsoft Copilot	Artificial intelligence features — see section 8.3

Provider	Purpose
Identity verification, credit reporting, and screening providers	Identity verification, anti-money-laundering and sanctions screening
Professional advisers and auditors	Legal, accounting, audit, and compliance services

8.3

If you use an AI feature, the content of your request may be transmitted to and processed by an AI provider listed above. Do not enter account numbers, government identification numbers, passwords, or other sensitive information into an AI feature. See our AI Tools Risk Disclosure.

8.4 Our affiliate

We share information with **Kese Technologies LLC** for the everyday business purposes described in this Policy. See section 18 for your right to limit certain affiliate sharing.

8.5 Regulators, law enforcement, and legal process

We disclose information where required or permitted by law, including to the SEC, FINRA, state securities regulators, tax authorities, and law enforcement; in response to subpoenas, court orders, examinations, and investigations; and in connection with suspicious activity reporting.

8.6 Business transfers

In a merger, acquisition, financing, reorganisation, sale of assets, or bankruptcy, information may be transferred as a business asset, subject to confidentiality obligations and to this Policy or a successor policy.

8.7 At your direction

We share information with anyone you authorise, including a representative or adviser you appoint.

9. Axos Clearing LLC

9.1

We are a fully disclosed broker-dealer, and Axos Clearing LLC carries your account. To do that, we share your identity, financial, and transaction information with Axos.

9.2

Axos uses it to provide clearing, settlement, and custody, to issue your **account statements and trade confirmations**, and to meet its own regulatory and recordkeeping obligations.

9.3

Axos is a separate company and handles your information under its own privacy arrangements. Those arrangements are provided to you by Axos and are not governed by this Policy.

10. We Do Not Sell Your Information or Track You for Advertising

10.1

We do not sell your personal information.

10.2

We do not share your personal information for cross-context behavioural advertising, and we do not share it with data brokers.

10.3

We do not track you across other companies' apps or websites. The Phoenix app contains no advertising software and does not collect the platform advertising identifier — Apple's IDFA or the Android Advertising ID. Because we do not track in this way, the app does not present Apple's App Tracking Transparency prompt.

11. How We Protect It

11.1

We maintain a written information security programme with administrative, technical, and physical safeguards designed to protect your information, consistent with **SEC Regulation S-P** and applicable law.

11.2

These include encryption of information in transit and at rest, multi-factor authentication, access restricted to personnel who need it, secure storage of credentials in the platform keychain or keystore, monitoring, and testing.

11.3

No system is completely secure. Protect your credentials, use a strong and unique password, and **tell us immediately at (212) 776-4187 if you believe your account has been compromised.**

12. If There Is a Data Breach

12.1

We maintain an incident response plan for suspected or actual unauthorised access to information.

12.2

Two separate notification obligations apply, and they run on different timetables.

- **To supervisory authorities.** Where a breach concerns personal information protected by applicable data protection law, we will notify the relevant supervisory authority **without undue delay and, where feasible, within 72 hours** of becoming aware of it, and will notify affected individuals without undue delay where the breach is likely to result in a high risk to their rights and freedoms.
- **To affected customers under SEC Regulation S-P.** Where we determine that unauthorised access to or use of sensitive customer information has occurred or is reasonably likely to have occurred, we will provide notice to affected individuals within the timeframe required by Regulation S-P, describing the incident and the steps they can take.

12.3

Neither obligation satisfies the other. We will meet both where both apply.

13. How Long We Keep It

13.1

We keep your information only as long as necessary for the purposes it was collected for, or as required by law.

Information	Retention
Brokerage account records, customer agreements, trade confirmations, communications, and financial records	Retained under SEC Rule 17a-4 and FINRA Rule 4511 for a minimum of six years , and in some cases longer, with certain foundational records retained for the life of the account and beyond
Identity verification and anti-money-laundering records	Retained for the period required by applicable law after the account is closed
Tax records	Retained for the period required by tax law
Marketing preferences	Until you withdraw consent or opt out, and then as needed to honour that choice
Diagnostic and telemetry data	Retained for a limited period for security and reliability purposes

13.2

These retention obligations override deletion requests. We cannot delete records we are legally required to keep, even if you ask us to. See section 14.

14. Your Rights

14.1

Depending on where you live, you may have the following rights over your personal information:

Right	What it means
Access	Confirm whether we process your information, obtain a copy, and be told how we use it
Rectification	Correct information that is inaccurate or incomplete
Erase	Ask us to delete your information — subject to section 14.3
Restriction	Ask us to limit how we process your information in certain circumstances
Portability	Receive information you gave us in a structured, commonly used, machine-readable format, and have it transmitted to another controller, where processing is automated and based on contract or consent
Objection	Object to processing based on our legitimate interests, and object at any time to direct marketing
Withdraw consent	Withdraw consent where we rely on it, at any time
Complain	Lodge a complaint with a supervisory authority

14.2

How to exercise them. Contact us using the details in section 22. **We may ask you to verify your identity** before we act, to protect your information. We will respond within the period required by applicable law — **within one month** where the GDPR applies, extendable by two further months for complex or numerous requests, in which case we will tell you within one month and explain why. There is no charge unless a request is manifestly unfounded or excessive.

14.3

Deletion is limited by our recordkeeping obligations. Where SEC Rule 17a-4, FINRA Rule 4511, tax law, or anti-money-laundering law requires us to retain a record, **we will not delete it, and we will tell you that is the reason.** This is a legal obligation, not a choice.

14.4

Marketing opt-out. Unsubscribe using the link in any marketing email, change your notification settings in the app, or contact us. **You will continue to receive service communications** about your account and communications we are required to send.

15. Automated Decision-Making

15.1

We do not make decisions producing legal or similarly significant effects about you based solely on automated processing.

15.2

Automated tools assist with fraud detection, sanctions and anti-money-laundering screening, identity verification, and platform security. **These support human review; they do not by themselves determine your eligibility for our services.**

15.3

If we ever introduce solely automated decision-making of that kind, we will give you notice and the rights required by applicable law.

16. International Transfers

16.1

We are based in the United States and your information is processed here. If you access the Services from outside the United States, your information will be transferred to and processed in the United States, where data protection law differs from that of your home country.

16.2

Where we transfer personal information from the European Economic Area, the United Kingdom, or Switzerland, we rely on **Standard Contractual Clauses** approved by the European Commission, or another lawful transfer mechanism, and we apply appropriate safeguards.

16.3

Our EU representative under Article 27 of the GDPR is identified in the contact section of this Policy where one has been appointed. Contact us using the details in section 22 for current information.

16.4

You may request a copy of the safeguards we rely on by contacting us.

17. Notice for California Residents

17.1

This section applies to California residents under the **California Consumer Privacy Act** as amended by the **California Privacy Rights Act**.

17.2 Categories collected, purposes, and disclosure

Category of personal information	Purpose	Disclosed to
Identifiers — name, address, email, telephone, Social Security number, government identification	Identity verification, account opening, regulatory compliance, servicing	Axos Clearing LLC; verification and screening providers; regulators
Financial information — net worth, income, assets, bank details	Eligibility, suitability, transaction processing	Axos Clearing LLC; banking partners; verification providers
Commercial information — holdings, transactions, account history	Execution, custody, servicing, suitability review	Axos Clearing LLC; auditors; regulators
Internet or network activity — IP address, diagnostics, usage	Security, fraud prevention, reliability	Cloud and telemetry providers
Geolocation	Regional availability; fraud prevention	Cloud providers
Professional or employment information — occupation, employer, corporate status	Regulatory status review, Rule 144 and affiliate checks, anti-money-laundering	Regulators; internal compliance
Audio and visual — recorded calls where notified; identification photographs	Identity verification, recordkeeping, service quality	Verification providers
Inferences — suitability and risk profile	Suitability assessment	Internal use

17.3 Your California rights

You have the right to know, access, correct, and delete your personal information, to portability, to limit the use of sensitive personal information, to opt out of sale or sharing, and to non-discrimination for exercising your rights.

17.4

We do not sell personal information and do not share it for cross-context behavioural advertising.

17.5

GLBA exemption. Personal information we collect, process, or disclose as a financial institution under the **Gramm-Leach-Bliley Act** is exempt from most CCPA and CPRA provisions. Much of the information we hold falls into that category.

17.6

Deletion and correction rights are limited by the recordkeeping obligations in section 13.

17.7

To exercise a right, contact us using the details in section 22. We will verify your identity before acting, and you may use an authorised agent.

18. U.S. Consumer Privacy Notice

This notice applies if you use our services for personal, family, or household purposes.

FACTS — WHAT DOES PHOENIX FINANCIAL SERVICES 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 Social Security number and income; account balances and transaction history; investment experience and risk tolerance. When you are no longer our customer, we continue to share your information as described in this notice.
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 Phoenix Financial Services chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information

Reason	Does PHX share?	Can you limit this sharing?
For our everyday business purposes — such as to process your transactions, maintain your account(s), clear trades through our clearing firm, 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 don't 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 don't share
For our affiliates to market to you	No	We don't share
For non-affiliates to market to you	No	We don't share

To limit our sharing

- Call **(212) 776-4187**
- Email **contact@phoenixinc.com**
- Write to **Phoenix Financial Services, Compliance Department, 100 Wall Street, 10th Floor, New York, NY 10005**

If you are a new customer, we can begin sharing your information 30 days from the date we sent this notice. When you are no longer our customer, we continue to share your information as described in this notice. However, you can contact us at any time to limit our sharing.

Definitions

Term	Meaning
Affiliates	Companies related by common ownership or control. Our affiliate is Kese Technologies LLC .
Non-affiliates	Companies not related by common ownership or control. These include our clearing firm, service providers, and screening providers.
Joint marketing	A formal agreement between non-affiliated financial companies that together market financial products or services to you. We do not engage in joint marketing.

Other important information

California residents. In accordance with California law, we will not share information we collect about California residents with non-affiliated third parties except as permitted by law, such as to process transactions or maintain accounts. See section 17.

Vermont residents. We automatically limit sharing of your personal and financial information with non-affiliates, and will not disclose information about your creditworthiness to our affiliates, except as permitted or required by Vermont law.

Nevada residents. This notice is provided pursuant to Nevada law. To be placed on our internal do-not-call list, email **contact@phoenixinc.com** with “Nevada Marketing Notice” in the subject line.

19. Children

19.1

Our services are for adults. They are not directed to anyone under 18, and we do not knowingly collect information from anyone under 18. If we learn that we have, we will delete it, subject to any legal obligation to retain it.

20. Changes to This Policy

20.1

We may update this Policy. The current version is identified by the document set version and effective date at the top.

20.2

We will notify you of a material change through the Services, by email, or by another channel covered by your electronic delivery consent, before it takes effect.

20.3

Unless we say otherwise, changes take effect 30 days after we publish them.

21. Related Documents

- **Terms and Conditions**
- **Cookie Policy**
- **Disclosures**
- **Data Disclaimer**
- **AI Tools Risk Disclosure**
- **Private Markets Risk Disclosure**
- **Client Relationship Summary**
- **Business Continuity Plan Statement**

22. Contact Us

Phoenix Financial Services Attention: Privacy and Compliance 100 Wall Street, 10th Floor New York, NY 10005

Telephone: (212) 776-4187 Email: contact@phoenixinc.com Website: www.phoenixinc.com Application status: www.phoenixinc.app Account disclosures: <https://phoenixinc.com/account-disclosures/>

For privacy requests, contact us at the above and tell us what right you wish to exercise. We will verify your identity before acting on the request.

Phoenix Financial Services

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Telephone (212) 776-4187 · contact@phoenixinc.com · www.phoenixinc.com

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