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CAPITAL STRATEGIES, LLC		OFFICIAL USE ONLY
USINESS: (Do not use P.O. Box No.)	)	FIRM I.D. NO.
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(No. and Street)		
NY	11747	7
(State)	(2	Zip Code)
PERSON TO CONTACT IN REGAR		ORT (631)424-9009
		(Area Code – Telephone Numbe
CCOUNTANT IDENTIFICATI	ON	
T whose opinion is contained in this R	leport*	, na star
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LONDONDERRY	NH	03053
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United States or any of its possessions.	•	
	NNUAL AUDITED REPC FORM X-17A-5 PART III FACING PAGE of Brokers and Dealers Pursu hange Act of 1934 and Rule 17 07/01/09 GAN MM/DD/YY EGISTRANT IDENTIFICATIO CAPITAL STRATEGIES, LLC USINESS: (Do not use P.O. Box No.) (No. and Street) NY (State) PERSON TO CONTACT IN REGAR CCOUNTANT IDENTIFICATI T whose opinion is contained in this R (Name – <i>if individual, state last, first, mid</i> LONDONDERRY (City)	IUU31830   IUU31830   IUU31830   NNUAL AUDITED REPORT   FORM X-17A-5   PART III   FACING PAGE   of Brokers and Dealers Pursuant to Section   hange Act of 1934 and Rule 17a-5 Thereund   07/01/09   AND ENDING   MM/DD/YY   EGISTRANT IDENTIFICATION   CAPITAL STRATEGIES, LLC   USINESS: (Do not use P.O. Box No.)   (No. and Street)   NY 1174'   (State)   COUNTANT IDENTIFICATION   T whose opinion is contained in this Report*   (Name - if individual, state last, first, middle name) LONDONDERRY   LONDONDERRY NH   (City) (State)

Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

SEC 1410 (06-02)

#### OATH OR AFFIRMATION

## I, MICHAEL MIRMAN

\_\_\_\_, swear (or affirm) that, to the best of

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my knowledge and belief the accompanying financial statement and supporting schedules pertaining to the firm of CRESTA CAPITAL STRATEGIES, LLC

of JUNE 30

\_\_\_\_\_, 20\_10\_\_\_\_, are true and correct. I further swear (or affirm) that

Title

MANAGING MEMBER

RYAN J. MALONEY Notary Public, State of New York No.01MA6191506 Qualified in Nassau County COMMISSION EXPIRES 08/18/2012

neither the company nor any partner, proprietor, principal officer or director has any proprietary interest in any account classified solely as that of a customer, except as follows:

This report **\*\*** contains (check all applicable boxes):

- (a) Facing Page.
- (b) Statement of Financial Condition.
- (c) Statement of Income (Loss).
- (d) Statement of Changes in Financial Condition.
- (e) Statement of Changes in Stockholders' Equity or Partners' or Sole Proprietors' Capital.
- (f) Statement of Changes in Liabilities Subordinated to Claims of Creditors.
- (g) Computation of Net Capital.
- (h) Computation for Determination of Reserve Requirements Pursuant to Rule 15c3-3.
- (i) Information Relating to the Possession or Control Requirements Under Rule 15c3-3.
- ☑ (j) A Reconciliation, including appropriate explanation of the Computation of Net Capital Under Rule 15c3-1 and the Computation for Determination of the Reserve Requirements Under Exhibit A of Rule 15c3-3.
- (k) A Reconciliation between the audited and unaudited Statements of Financial Condition with respect to methods of consolidation.
- $\checkmark$  (1) An Oath or Affirmation.
- (m) A copy of the SIPC Supplemental Report.
- (n) A report describing any material inadequacies found to exist or found to have existed since the date of the previous audit.

\*\*For conditions of confidential treatment of certain portions of this filing, see section 240.17a-5(e)(3).

## FINANCIAL STATEMENTS

JUNE 30, 2010

# BRACE & ASSOCIATES, PLLC

\_Certified Public Accountant\_\_\_\_\_

PMB 335, 123 NASHUA ROAD, UNIT 17

LONDONDERRY, NH 03053

TEL. (603) 889-4243 FAX (603) 882-7371

## **Independent Auditor's Report**

To the Member's of Cresta Capital Strategies, LLC New York, NY

I have audited the accompanying statement of financial condition of Cresta Capital Strategies, LLC, (the Company) as of June 30, 2010, and the related statements of income, changes in member's equity, and cash flows for the year then ended that you are filing pursuant to rule 17a-5 under the Securities Exchange Act of 1934. These financial statements are the responsibility of the Company's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. I believe that my audit provides a reasonable basis for my opinion.

In my opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Cresta Capital Strategies, LLC, as of June 30, 2010, and the results of their operations and their cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

My audit was conducted for the purpose of forming an opinion on the basic financial statements taken as a whole. The information contained in Schedules I and II is presented for purposes of additional analysis and is not a required part of the basic financial statements, but is supplementary information required by rule 17a-5 under the Securities Exchange Act of 1934. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in my opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Brace - associates, PLLC

Brace & Associates, PLLC Certified Public Accountant Londonderry, New Hampshire August 25, 2010

# STATEMENT OF FINANCIAL CONDITION

## JUNE 30, 2010

## ASSETS

	\$	891,037
Cash and cash equivalents		121,378
Receivables from employees		50,512
Prepaid expenses		656,064
Marketable securities, at fair value		15,000
Nonmarketable securities, at estimated fair value		9,514
Security deposits		5,156
Furniture & fixtures at cost, less accumulated depreciation of \$1,748		
Total assets	<u>\$</u>	1,748,661

Total assets

# LIABILITIES AND MEMBER'S EQUITY

Accounts payable, accrued expenses, and other liabilities	\$ 110,185
Member's equity	 1,638,476
Total liabilities and member's equity	\$ 1,748,661

## STATEMENT OF INCOME (LOSS)

# FOR THE YEAR ENDED JUNE 30, 2010

Revenues: Service income Rental income Realized gain on investment securities Unrealized gain (loss) on securities Other income	
Expenses:	\$ 377,582
Legal and professional fees	79,943
Occupancy	2,830,426
Employee compensation and benefits	988,120
Other expenses	4,276,071

Net income (loss)

<u>\$ 1,678,738</u>

# STATEMENT OF CHANGES IN MEMBER'S EQUITY

# FOR THE YEAR ENDED JUNE 30, 2010

Member's equity at beginning of year	\$ 40,688
Net income (loss)	1,678,738
Member's distributions	(80,950)
Member's equity at end of year	<u>\$ 1,638,476</u>

## STATEMENT OF CASH FLOWS

## FOR THE YEAR ENDED JUNE 30, 2010

Cash flows from operating activities: Net income (loss)		\$ 1,678,738
Adjustments to reconcile net income		
to net cash provided by operating activities:		
Depreciation expense	\$ 986	
Unrealized loss on marketable securities	31,592	
Stock received in lieu of cash for fee income	(2,344,250)	
(Increase) decrease in operating assets:	(48,275)	
Increase in prepaid expenses	13,303	
Decrease in receivables from customers	(120,971)	
Increase in receivables from employees	(9,514)	
Increase in security deposits	(7,51.7)	
Increase (decrease) in operating liabilities:	93,754	
Increase in accounts payable, accrued expenses	<u> </u>	
Total adjustments		(2,383,375)
Net cash provided (used) by operating activities		(704,637)
Cash flows from investing activities:	1 < 41 50 4	1 6 41 50 4
Sale of marketable securities	1,641,594	1,641,594
Cash flows from financing activities:		(22.050)
Member's distributions		(80,950)
Net increase in cash		856,007
Cash at beginning of the year		35,030
Cash at end of the year		<u>\$ 891,037</u>
SUPPLEMENTAL DISCLOSURES OF CASH FLOW INFORMATION		
Cash paid during the year for:		
Interest		<u>\$</u>
Income taxes		\$

Disclosure of accounting policy:

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For purposes of the statement of cash flows, the Company considers all highly liquid debt instruments purchased with a maturity of three months or less to be cash equivalents.

## NOTES TO FINANCIAL STATEMENTS

#### JUNE 30, 2010

## NOTE 1- SIGNIFICANT ACCOUNTING POLICIES

## **Organization and Nature of Business**

The Company was organized on December 15, 2004 as a New York limited liability company to conduct business as a registered broker-dealer under the Securities Exchange Act of 1934. As a limited liability company the members' liability is limited to their investment.

#### Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amount of assets and liabilities as of the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

#### **Compensated Absences**

Employees of the Company are entitled to paid vacations, paid sick days, and personal days off, depending on the job classification, length of service, and other factors. The accrual cannot be reasonably estimated, and accordingly, no liability has been recorded in the financial statements. The Company's policy is to recognize the costs of compensated absences when actually paid to employees.

#### **Securities** Transactions

Marketable securities are valued at market value, and securities not readily marketable are valued at fair value as determined by management. These securities include investment securities (a) for which there is not a market on a securities exchange or no independent publicly quoted market, (b) that cannot be publicly offered or sold unless registration has been effected under the Securities Act of 1933, or (c) that cannot be offered or sold because of other arrangements, restrictions, or conditions applicable to the securities or to the Company.

#### Furniture and Equipment

Acquisitions of furniture and equipment are recorded at cost. Improvements and replacements of furniture and equipment are capitalized. Maintenance and repairs that do not improve or extend the lives of furniture and equipment are charged to expense as incurred. When assets are sold or retired, their cost and related accumulated depreciation are removed from the accounts and any gain or loss is reported in the statements of income and retained earnings.

Depreciation is provided over the estimated useful life of each class of depreciable assets and is computed using the straight-line method. Depreciation expense for the year ended June 30, 2010 was \$986.

#### Management's Review for Subsequent Events

Management had evaluated subsequent events through August 25, 2010, the date which the financial statements were available to be issued.

## NOTES TO FINANCIAL STATEMENTS (Continued)

#### JUNE 30, 2010

#### NOTE 2- NET CAPITAL

As a broker dealer, the Company is subject to the Securities and Exchange Commission's regulations and operating guidelines, which require the Company to maintain a specified amount of net capital as defined, and a ratio of aggregate indebtedness to net capital as derived, not exceeding 15 to 1. The Company's net capital as computed under Rule 15c3-1, was \$1,261,052 at June 30, 2010, which exceeded required net capital of \$7,346 by \$1,253,706. The ratio of aggregate indebtedness to net capital at June 30, 2010 was 8.7%.

#### NOTE 3- INCOME TAXES

The Company has chosen to be treated as a disregarded entity for federal and state income tax purposes. A disregarded entity is not a taxpaying entity for federal or state income tax purposes. Accordingly, no income tax expense has been recorded in the statements. All income or losses will be reported on the individual member's income tax returns.

## NOTE 4- COMMITMENTS AND CONTINGENCIES

The Company is committed to an operating lease for its office space. Approximate future minimum lease payments of all non-cancelable operating leases for the next three years are as follows:

2010	\$39,196
2011	40,568
2012	45,558
Total	\$125,322

A portion of the leased space is subleased to an unrelated party under a non-cancelable lease that expires at the same time in 2012 as the Company's lease. The Company's lease expense will be offset by payments due under the sublease as follows:

2010	\$12,000
2011	12,000
2012	12,000
Total	\$36,000

Rent expense for the office space for the fiscal year 2010 was \$78,957 and rental income under the sublease was \$6,390.

# CRESTA CAPITAL STRATEGIES, LLC SUPPLEMENTARY SCHEDULES FOR THE YEAR ENDED JUNE 30, 2010

## SCHEDULE I

## COMPUTATION OF AGGREGATE INDEBTEDNESS AND NET CAPITAL PURSUANT TO RULE 15c3-1

#### JUNE 30, 2010

Total ownership equity from statement of financial condition	\$ 1,638,476
Total nonallowable assets from statement of financial condition	201,560
Net capital before haircuts on securities positions	1,436,916
Haircuts on securities	175,864
Net capital	\$ 1,261,052
Aggregate indebtedness: Total A.I. liabilities from statement of financial condition	\$ 110,185
Total aggregate indebtedness	\$ 110,185
Percentage of aggregate indebtedness to net capital	8.7%
Computation of basic net capital requirement: Minimum net capital required (6.67% of A.I.)	\$ 7,346
Minimum dollar net capital requirement of reporting broker or dealer	\$ 5,000
Net capital requirement	\$ 7,346
Excess net capital	\$ 1,253,706
Excess net capital at 1000%	\$ 1,250,034

There were no material differences between the audited and unaudited computation of net capital.

#### SCHEDULE II

## CRESTA CAPITAL STRATEGIES, LLC

## COMPUTATION FOR DETERMINATION OF RESERVE REQUIREMENTS FOR BROKER-DEALER UNDER RULE 15c3-3 OF THE SECURITIES EXCHANGE ACT OF 1934

#### JUNE 30, 2010

The Company is exempt from the reserve requirements of Rule 15c3-3 under section (k)(2)(i) as its transactions are limited such that they do not handle customer funds or securities, accordingly, the computation for determination of reserve requirements pursuant to Rule 15c3-3 and information relating to the possession or control requirement pursuant to Rule 15c3-3 are not applicable.

# BRACE & ASSOCIATES, PLLC

Certified Public Accountant\_\_\_\_\_

PMB 335, 123 NASHUA ROAD, UNIT 17

LONDONDERRY, NH 03053

TEL. (603) 889-4243 FAX (603) 882-7371

Independent Auditor's Report on Internal Control Structure Required by SEC Rule 17a-5

Member's of Cresta Capital Strategies, LLC

In planning and performing my audit of the financial statements and supplemental schedules of Cresta Capital Strategies, LLC, (the Company), for the year ended June 30, 2010, I considered its internal control, including control activities for safeguarding securities, in order to determine my auditing procedures for the purpose of expressing my opinion on the financial statements and not to provide assurance on internal control.

Also, as required by rule 17a-5(g)(1) of the Securities and Exchange Commission (SEC), I have made a study of the practices and procedures followed by the Company including tests of such practices and procedures that I considered relevant to the objectives stated in rule 17a-5(g) in making the periodic computations of aggregate indebtedness and net capital under rule 17a-3(a)(11) and for determining compliance with the exemptive provisions of rule 15c3-3. Because the Company does not carry securities accounts for customers or perform custodial functions relating to customer securities, I did not review the practices and procedures followed by the Company in any of the following:

- 1. Making quarterly securities examinations, counts, verifications, and comparisons
- 2. Recordation of differences required by rule 17a-13.
- 3. Complying with the requirements for prompt payment for securities under Section 8 of Federal Reserve Regulation T of the Board of Governors of the Federal Reserve System.

The management of the Company is responsible for establishing and maintaining internal control and the practices and procedures referred to in the preceding paragraph. In fulfilling this responsibility, estimates and judgments by management are required to assess the expected benefits and related costs of controls and of the practices and procedures referred to in the preceding paragraph and to assess whether those practices and procedures can be expected to achieve the SEC's above-mentioned objectives. Two of the objectives of internal control and the practices and procedures are to provide management with reasonable but not absolute assurance that assets for which the Company has responsibility are safeguarded against loss from unauthorized use or disposition and that transactions are executed in accordance with management's authorization and recorded properly to permit preparation of financial statements in conformity with generally accepted accounting principles. Rule 17a-5(g) lists additional objectives of the practices and procedures listed in the preceding paragraph.

Because of inherent limitations in internal control or the practices and procedures referred to above, error or fraud may occur and not be detected. Also, projection of any evaluation of them to future periods is subject to the risk that they may become inadequate because of changes in conditions or that the effectiveness of their design and operation may deteriorate.

My consideration of internal control would not necessarily disclose all matters in internal control that might be material weaknesses under standards established by the American Institute of Certified Public Accountants. A material weakness is a condition in which the design or operation of the specific internal control components does not reduce to a relatively low level the risk that error or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. However, my study and evaluation disclosed that a lack of segregation of function exists. Although this condition may be considered to be a material weakness in internal control, it is a common condition in entities of this size. This condition was considered in determining the nature, timing, and extent of the procedures to be performed in my audit of the financial statements of Cresta Capital Strategies, LLC for the year ended June 30, 2010 and this report does not affect my report thereon dated August 21, 2010.

I understand that practices and procedures that accomplish the objectives referred to in the second paragraph of this report are considered by the SEC to be adequate for its purposes in accordance with the Securities Exchange Act of 1934 and related regulations, and that practices and procedures that do not accomplish such objectives in all material respects indicate a material inadequacy for such purposes. Based on this understanding and on my study, I believe that the Company's practices and procedures were adequate at June 30, 2010, to meet the SEC's objectives.

This report is intended solely for the information and use of the Member, management, the Securities and Exchange Commission, the National Association of Securities Dealers Regulation, Inc., and other regulatory agencies that rely on Rule 17a-5(g) under the Securities Exchange Act of 1934 in their regulation of registered brokers and dealers, and is not intended to be and should not be used by anyone other than these specified parties.

Brace : associates, PLC

Brace & Associates, PLLC Certified Public Accountant Londonderry, New Hampshire August 25, 2010

# BRACE & ASSOCIATES, PLLC

Certified Public Accountant

## SUPPLEMENTAL SIPC REPORT

JUNE 30, 2010

# BRACE & ASSOCIATES, PLLC

\_Cortified Public Accountant\_\_\_\_\_

PMB 335, 123 NASHUA ROAD, UNIT 17

LONDONDERRY, NH 03053

TEL. (603) 889-4243 FAX (603) 882-7371

To the Members of Cresta Capital Strategies, LLC

#### Melville, NY

In accordance with Rule 17a-5(e)(4) under the Securities Exchange Act of 1934, I have performed the procedures enumerated below with respect to the accompanying Schedule of Assessment and Payments, Transitional Assessment Reconciliation (Form SIPC-7T) to the Securities Investor Protection Corporation (SIPC) for the Year Ended June 30, 2010, which were agreed to by Cresta Capital Strategies, LLC and the Securities and Exchange Commission, Financial Industry Regulatory Authority, Inc., and SIPC solely to assist you and the other specified parties in evaluating Cresta Capital Strategies, LLC's compliance with the applicable instructions of the Transitional Assessment Reconciliation (Form SIPC-7T). Cresta Capital Strategies, LLC's management is responsible for the Cresta Capital Strategies, LLC's compliance with those requirements. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, I make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose. The procedures I performed and my findings are as follows:

1. Compared the listed assessment payments in Form SIPC-7T with respective cash disbursement records entries, noting no differences;

2. Compared the amounts reported on the audited Form X-17A-5 for the year ended June 30, 2010, with the amounts reported in Form SIPC-7T for the year ended June 30, 2010 noting no differences:

3. Compared any adjustments reported in Form SIPC-7T with supporting schedules and working papers noting no differences;

4. Proved the arithmetical accuracy of the calculations reflected in Form SIPC-7T and in the related schedules and working papers supporting the adjustments noting no differences.

I was not engaged to, and did not conduct an examination, the objective of which would be the expression of an opinion on compliance. Accordingly, I do not express such an opinion. Had I performed additional procedures, other matters might have come to my attention that would have been reported to you.

This report is intended solely for the information and use of the specified parties listed above and is not intended to be and should not be used by anyone other than these specified parties.

Brace & Associates, PLC

August 25, 2010

## <u>CRESTA CAPITAL STRATEGIES, LLC</u> <u>DETERMINATION OF "SIPC NET OPERATING REVENUES"</u> <u>AND GENERAL ASSESSMENT</u> <u>FOR THE PERIOD ENDED JUNE 30, 2010</u>

## SCHEDULE OF ASSESSMENT PAYMENTS

General Assessment

\$11,897

Less Payments Made:

Date Paid	Amount	
01-25-10	<u>\$5,341</u>	
		<u>(5,341</u> )

Interest on late payment(s)

Total Assessment Balance or Overpayment	<u>\$ 6,556</u>
Payment made with Form SIPC 7T	<u>\$ 6,556</u>

## <u>CRESTA CAPITAL STRATEGIES, LLC</u> <u>DETERMINATION OF "SIPC NET OPERATING REVENUES"</u> <u>AND GENERAL ASSESSMENT</u> FOR THE PERIOD ENDED JUNE 30, 2010

Total revenue

Additions:

Various (list)

Total additions

#### Deductions:

Revenues from the distribution of shares of a registered open end investment company or unit investment trust, from the sale of variable annuities, the business of insurance, from investment advisory services rendered to registered investment companies or insurance company separate accounts and from transactions in security futures products

Revenues from commodity transactions

Commissions, floor brokerage and clearance paid to other SIPC members in connection with securities transactions

Net gain from securities in investment accounts

100% of commissions and markups earned from transactions in certificates of deposit, treasury bills, bankers acceptances or commercial paper that mature nine months or less from issuance date

Other

Total deductions

SIPC NET OPERATING REVENUES

GENERAL ASSESSMENT @ .0025

\$5,954,809

\$

0

0

0

0

0

0

1,195,854

\$ 1,195,854

\$ 4,758.955

11,897

See Accountant's Report

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