

**CFP BOARD**

# **2023 PROPOSED REVISIONS TO *SANCTION GUIDELINES & FITNESS STANDARDS***

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## **Public Forum Poll Responses**

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On September 5, 2023, CFP Board requested comments on proposed revisions to its *Sanction Guidelines* and *Fitness Standards for Candidates for CFP® Certification and Former CFP® Professionals Seeking Reinstatement* for a 90-day public comment period, which ended December 3, 2023.

During CFP® Certificant Connection regional meetings held November 1-3, 2023, in Washington, DC, Baltimore, Philadelphia, New York City and Boston, Dan Moisand, CFP®, Chair of the Board of Directors, Leo Rydzewski, CFP Board's General Counsel, and Tom Sporkin, CFP Board's Head of Enforcement, reviewed and discussed the proposed revisions with CFP® professionals and others in attendance. Additionally, CFP Board held a virtual CFP® Certificant Connection on this topic on October 25, 2023.

During these events, CFP Board presented polling questions related to different elements of the proposed revisions. The results of those polls are provided in this document.

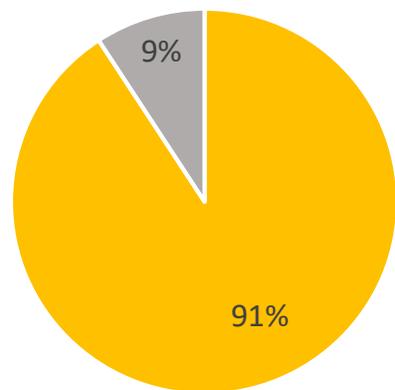
# Practical Application of Aggravating or Mitigating Factors



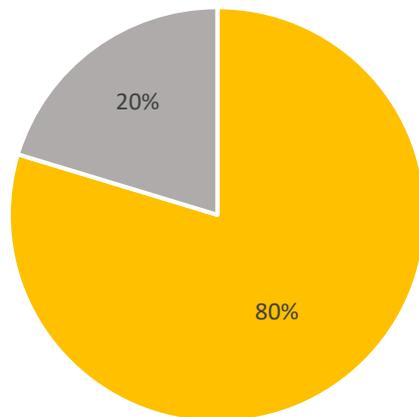
The DEC finds that Damien breached his fiduciary duty to his client. Damien acknowledged that what he did was wrong, and explained how this was a one-time circumstance. There is no evidence that Damien previously has engaged in misconduct, or that he did this recklessly or intentionally. Damien also shows how he has changed his behavior to prevent this from happening again.

**True or False: The DEC must revoke Damien’s certification because the sanction guideline for breach of fiduciary duty is revocation?**

	Public Forum	Webinar
True	9%	20%
False	91%	80%



n=87



n=517

<b>Category</b>	Breach of Fiduciary Duty (Standard A.1)
<b>Proposed Sanction Guideline</b>	Revocation with potential mitigation to a lower sanction based upon application of the aggravating and mitigating factors.
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	<p>Mitigating Factors</p> <ul style="list-style-type: none"> <li>The violation did not benefit Respondent or a related third party as set forth in the Personal Benefit General Factor (which provides mitigation for lack of benefit only where Respondent believed conduct was necessary to avoid client harm, unless otherwise specified).</li> <li>Respondent’s rehabilitative conduct, including demonstration of a meaningful change in behavior.</li> </ul>

# Removal of Notice from CFP Board Website

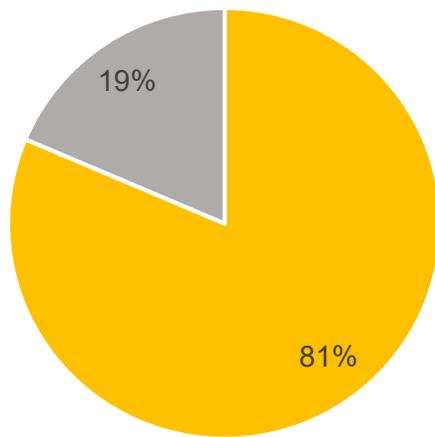


In 1982, Roy signed a document for a client, with the client agreeing for him to do so. This was a violation and Roy was issued a public censure. Roy had a long, successful career with no other disclosure events on his record. It is now 2021, which is 39 years later, and the public censure remains on CFP Board's website.

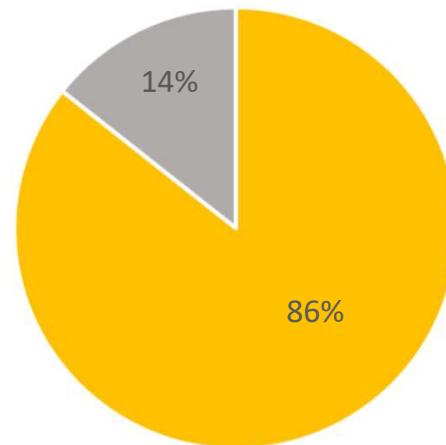
**Should CFP Board grant the DEC authority to issue an Order that would result in Roy's sanction being removed from CFP Board's website?**

<b>Category</b>	Website Removal
<b>Proposal</b>	No provisions for removal of sanction from a website

	Public Forum	Webinar
Yes	81%	86%
No	19%	14%



n= 82



n= 579

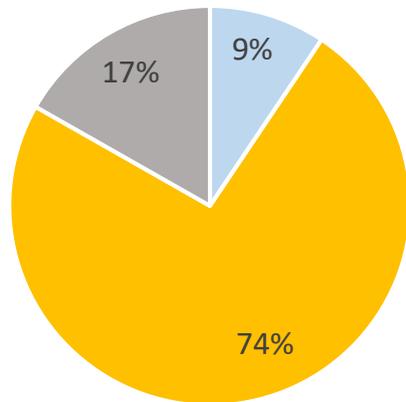
# Removal of Public Notice on Website

In 2020, a state securities administrator suspended Keeley’s license for three months for a **breach of fiduciary duty**. Following a hearing, CFP Board suspended her CFP® certification for two years. Keeley completed her suspension with no further violations and then filed a Petition for Reinstatement. The DEC held a hearing and reinstated her certification in **2023**.

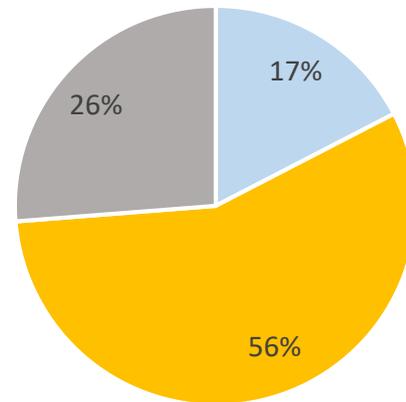
**Should CFP Board grant the DEC authority to issue an Order that would result in Keeley’s sanction for breach of fiduciary duty being removed from CFP Board’s website?**

<b>Category</b>	Website Removal
<b>Proposed Sanction Guideline</b>	None

	Public Forum	Webinar
Yes, upon reinstatement.	17%	26%
Not right now, but perhaps after a longer period of time than two years.	74%	56%
No. It should always remain public.	9%	17%



n=82



n= 575

# Unprofessional Conduct as an Aggravating Factor



Anita is a CFP® professional who submitted false Continuing Education (CE) records. On the last day of her 2-year cycle, Anita claimed she completed 15 hours of CE when she had not done so. During the investigation Anita made disparaging comments to CFP Board Enforcement Counsel. Anita sent an email to Enforcement Counsel calling him a stupid idiot and left several voicemails calling him a jack\*\*\*.

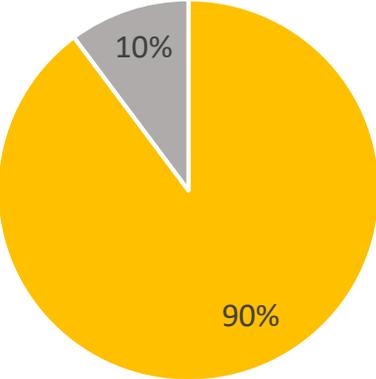
A week before the hearing, Anita told Enforcement Counsel that he was “a loser who couldn’t get a real job.”

At the hearing, Anita repeatedly called the DEC Chair “incompetent and ugly.”

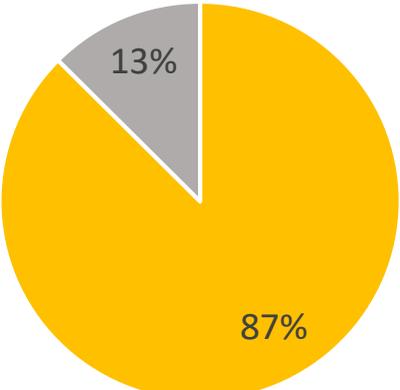
<b>Category</b>	Unprofessional Conduct during Investigation or proceeding as an Aggravating Factor
<b>Proposal</b>	The Commission should consider as an aggravating factor whether Respondent (either directly or through Respondent’s counsel or other representative) engaged in unprofessional conduct during the enforcement process. The Commission may consider whether Respondent was threatening, intimidating, offensive, patronizing, abusive, or hostile towards CFP Board Counsel or members of the DEC.

Should the DEC be authorized to aggravate her sanction?

	Public Forum	Webinar
Yes	90%	87%
No	10%	13%



n= 95



n= 615

# Consideration of Character Evidence as an Aggravating or Mitigating Factor



Jerry is a CFP® professional and lives in Georgia. He had his professional license suspended by the Georgia state regulator for violation of his fiduciary duty and failure to disclose information.

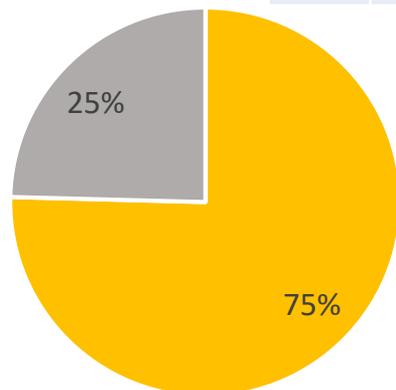
Samuel is a CFP® professional and lives in Arizona. He had his professional license suspended by the Arizona state regulator for violation of fiduciary duty and failure to disclose information.

Both Jerry and Samuel must appear before the DEC. Jerry’s boss submits a letter to CFP Board outlining his stellar service to the company and their clients.

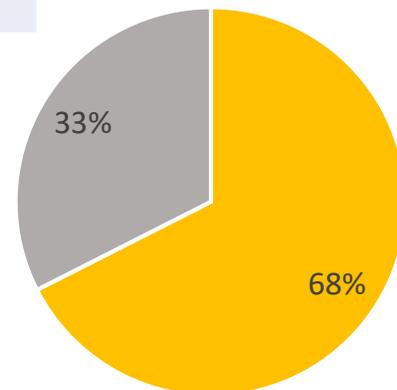
Samuel does not submit any letters as character evidence.

**Should Jerry and Samuel receive the same sanction?**

	Public Forum	Webinar
Yes	75%	68%
No	25%	33%



n=91



n= 600

<b>Category</b>	Character Evidence as Aggravating or Mitigating Factor
<b>Proposal</b>	The Commission ordinarily <i>should not aggravate or mitigate</i> based upon Respondent's character, moral standing, traits, or reputation in the general community

# Length of Experience as Aggravating or Mitigating Factor

Donna is a new CFP® professional who has been practicing for two years. She recently engaged in an unauthorized private securities transaction.

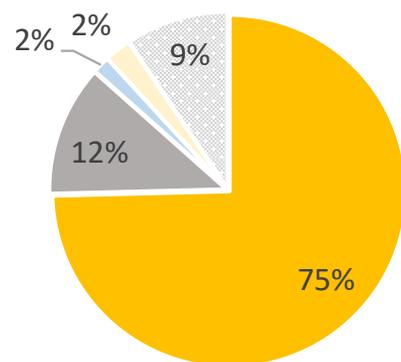
Rachel is a tenured CFP® professional with 45 years of experience. Rachel also engaged in an unauthorized private securities transaction.

Both Donna and Rachel appear before the DEC.

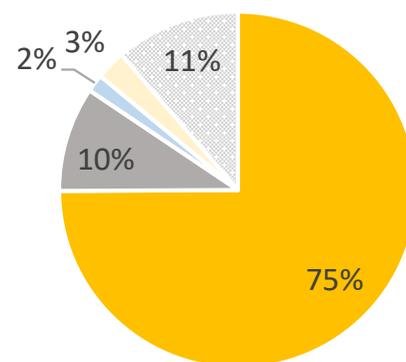
**Should Donna and Rachel receive the same sanction?**

	Public Forum	Webinar
Yes	75%	75%
No, Donna (the newer professional) should receive a <b>lower</b> sanction than the guideline.	12%	10%
No, Donna should receive a <b>higher</b> sanction than the guideline	2%	2%
No, Rachel (the tenured professional) should receive a <b>lower</b> sanction than the guideline	2%	3%
No, Rachel should receive a <b>higher</b> sanction than the guideline.	9%	11%

<b>Category</b>	Length of Experience as an Aggravating or Mitigating Factor
<b>Proposal</b>	Respondent's experience or the length of experience shall not aggravate or mitigate.



n= 90



n= 630

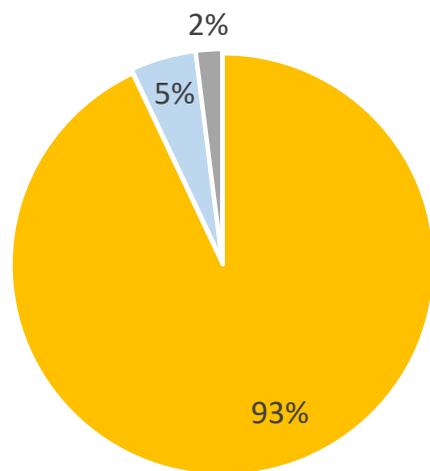
# Bankruptcy

Louis is a CFP® professional who filed for bankruptcy. Louis provided evidence that the bankruptcy was caused in substantial part due to an ex-spouse's conduct, as revealed during divorce proceedings. Louis got a complete discharge.

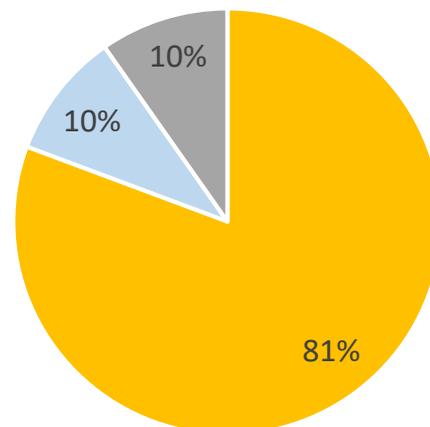
**Should the DEC consider the circumstances of Louis's bankruptcy as a mitigating factor when determining the appropriate sanction?**

	Public Forum	Webinar
Yes	93%	81%
No	5%	10%
Unsure	2%	10%

<b>Category</b>	Bankruptcy (Standard E.2.c)
<b>Proposed Sanction Guideline</b>	Suspension of One Year.
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	<p>Mitigating Factor:</p> <ul style="list-style-type: none"> <li>Respondent's violation in substantial part was caused but a personal or family medical issue or other crisis, macro-economic event, a spouse's conduct, or other circumstance not reasonably anticipated or under Respondent's control.</li> </ul>



n = 77



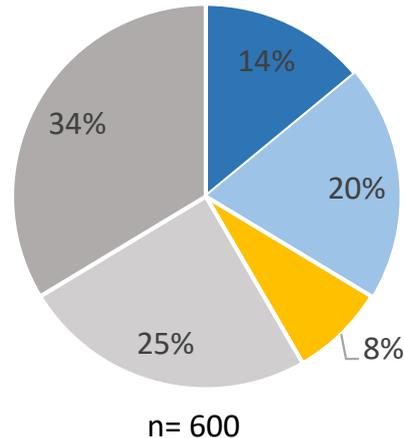
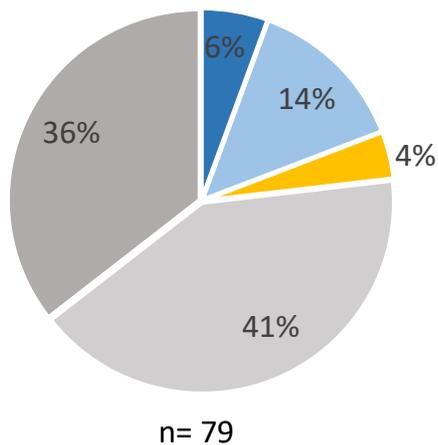
n = 617

# Federal Tax Lien

Larisa is a CFP® professional who has failed to pay her federal income taxes for the past seven years. With penalties and accrued interest, she now owes the IRS \$875k. The IRS has placed a lien on her home. Larisa has no plan in place with the IRS to pay off the lien. In the past two years, Larisa took four luxury cruises. The DEC holds a hearing and finds that Larisa’s conduct reflects adversely on her integrity or fitness as a CFP® professional, upon the CFP® marks, or the profession.

**What should be the sanction guideline for Larisa’s conduct?**

	Public Forum	Webinar
Private Censure	6%	14%
Public Censure	14%	20%
Suspension for 1 year or less	4%	8%
Suspension for more than 1 year	41%	25%
Revocation	36%	34%



<b>Category</b>	Tax Liens or Judgment Liens (Standard E.2.d & E.2.e)
<b>Proposed Sanction Guideline</b>	One Year with Remedial work
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	Aggravating factors: <ul style="list-style-type: none"> <li>• Length of time</li> <li>• Imprudent spending</li> <li>• Lack of a plan to repay the lien</li> </ul>

**Pie chart color key:**

- **Gold:** Proposed baseline sanction *not considering aggravating or mitigating factors*
- **Gray tones:** Sanction higher than the proposed baseline sanction
- **Blue tones:** Sanction lower than the proposed baseline sanction

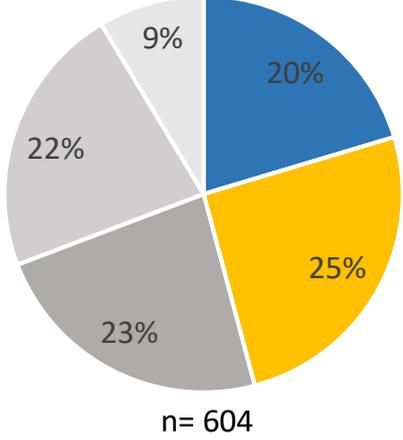
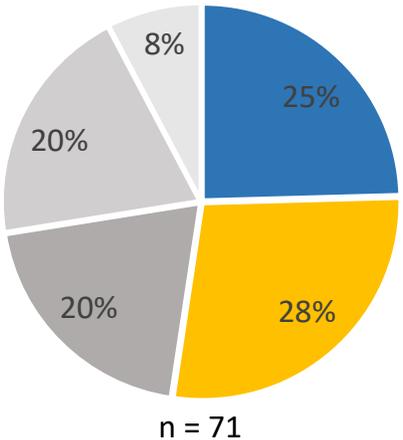
# Violation of Licensing Requirements

Oscar is a CFP® professional based in Texas. Several of his clients are located in Oklahoma. For the past three years, he has been required to have an Oklahoma securities license. However, Oscar has never had an Oklahoma securities license. Both the Oklahoma Securities Commission and the DEC find that Oscar has violated applicable law because he committed a violation of licensing requirements.

What should be the sanction guideline for Oscar’s conduct?

	Public Forum	Webinar
Private Censure	25%	20%
Public Censure	28%	25%
Suspension for 1 year or less	20%	23%
Suspension for more than 1 year	20%	22%
Revocation	9%	9%

<b>Category</b>	Violation of License Requirements (Standard A.8.a)
<b>Proposed Sanction Guideline</b>	Public Censure
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	Both Aggravating and Mitigating: <ul style="list-style-type: none"> <li>Other relevant assessments of this misconduct.</li> </ul>



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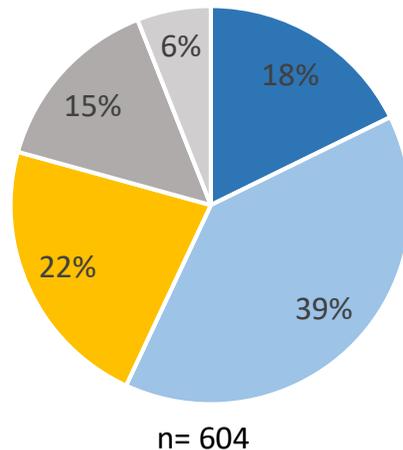
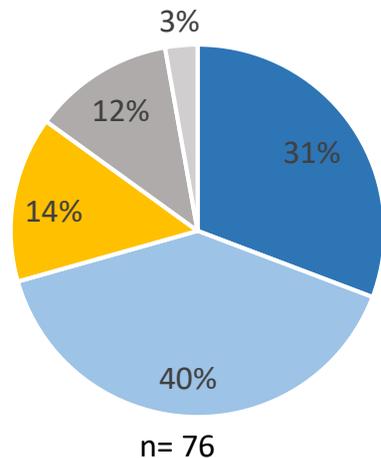
# Misrepresentation of Compensation Method



Samantha earned her CERTIFIED FINANCIAL PLANNER™ certification two years ago. Samantha earns about \$70k each year in insurance trailing commissions. This disqualifies her from representing her compensation method as being fee-only. However, she advertises her practice as fee-only. CFP Board’s DEC holds a hearing and finds that Samantha has been misrepresenting her compensation method.

What should be the sanction guideline for Samantha’s conduct?

	Public Forum	Webinar
Private Censure	31%	18%
Public Censure	40%	39%
Suspension for 1 year or less	14%	22%
Suspension for more than 1 year	12%	15%
Revocation	3%	6%



<b>Category</b>	Misrepresentation of Compensation Method (Standard A.12)
<b>Proposed Sanction Guideline</b>	Suspension for Up to One Year
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	Aggravating factor: <ul style="list-style-type: none"> <li>Respondent, Respondent’s Firm, or a Related Party earned a significant amount of sales-related compensation while claiming to be fee-only.</li> </ul>

**Pie chart color key:**

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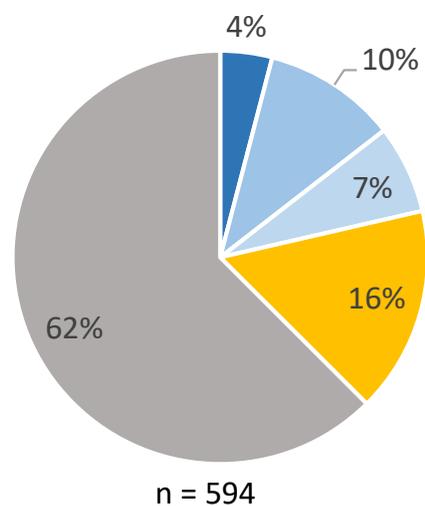
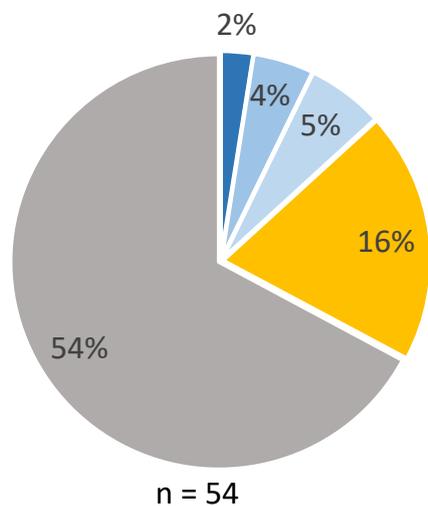
# Fraud, Theft, Misrepresentation, or other Dishonest Conduct



Harvey is a CFP® professional who recently stole \$20,000 worth of jewelry from a local jewelry store owned by Louis. The DEC holds a hearing and finds that Harvey has engaged in theft that does not involve professional services.

What should be the sanction guideline for Harvey’s conduct?

	Public Forum	Webinar
Private Censure	2%	4%
Public Censure	4%	10%
Suspension for 1 year or less	5%	7%
Suspension for more than 1 year	16%	16%
Revocation	54%	62%



<b>Category</b>	Fraud, Theft, Misrepresentation, or Other Dishonest Conduct Not Involving Professional Services (Standard E.2.b)
<b>Proposed Sanction Guideline</b>	Suspension for at Least a Year and a Day
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	<p>Aggravating Factors</p> <ul style="list-style-type: none"> <li>Personal Benefit (the violation <i>significantly</i> benefitted Respondent or a related third party)</li> <li>The DEC may consider reckless conduct as an aggravating factor and intentional conduct as a substantially aggravating factor</li> </ul>

**Pie chart color key:**

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- Blue tones:** Sanction lower than the proposed baseline sanction

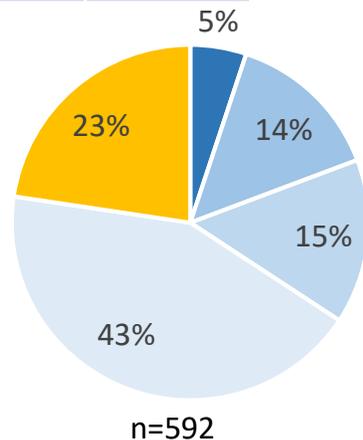
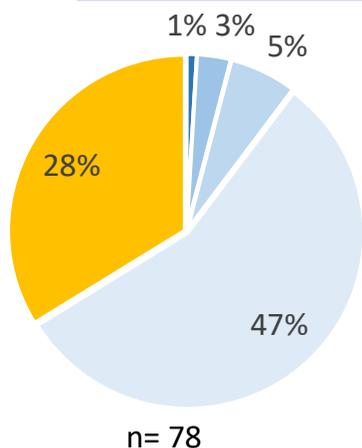
# Breach of Fiduciary Duty

Marty is a CFP® professional. His son Jonah manages private REITs. Martin sells the REITs to eight of his elderly clients. The value of the REITs declined significantly.

The DEC determines that Marty breached his fiduciary duty – both the duty of care for selling unsuitable investments, and the duty of loyalty for placing his interests before that of the client.

What should be the sanction guideline for Marty’s conduct?

	Public Forum	Webinar
Private Censure	1%	5%
Public Censure	3%	14%
Suspension for 1 year or less	5%	15%
Suspension for more than 1 year	47%	43%
Revocation	28%	23%



<b>Category</b>	Breach of Fiduciary Duty (Standard A.1)
<b>Proposed Sanction Guideline</b>	Revocation
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	Aggravating factors: <ul style="list-style-type: none"> <li>• Respondent exerted undue influence over the Client and the Client was a Vulnerable Client.</li> <li>• Respondent personally benefitted from misconduct.</li> <li>• The violation caused <i>significant</i> harm to a Client.</li> </ul>

**Pie chart color key:**

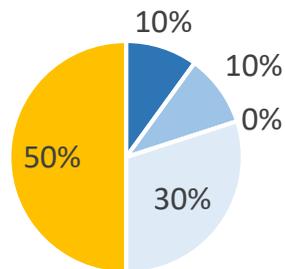
- **Gold:** Proposed baseline sanction *not considering aggravating or mitigating factors*
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# Forgery

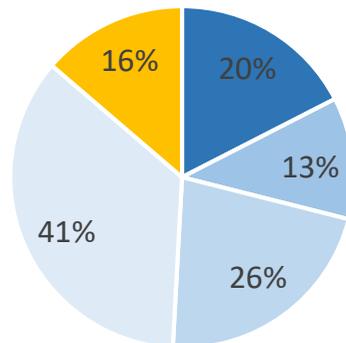
Alexis is a CFP® professional. Alexis’s longtime client, Cynthia, executed several documents to implement Alexis’s financial advice. However, Cynthia did not sign one of the pages, as required. Alexis calls Cynthia and asks her to sign the final document. Cynthia tells Alexis that she is boarding a plane to Africa, where she will be on a dream vacation. She will not have an internet connection there. Cynthia asks Alexis to sign the document for her. Alexis does so, even though her company policy prohibits her from doing so. What sanction should Alexis receive?

What should be the sanction guideline for Alexis’s conduct?

	Public Forum	Webinar
Private Censure	10%	20%
Public Censure	10%	13%
Suspension for 1 year or less	0%	26%
Suspension for more than 1 year	30%	41%
Revocation	50%	16%



n = 10 (Baltimore only)



n = 594

<b>Category</b>	Forgery (Standard A.2.b)
<b>Proposed Sanction Guideline</b>	Revocation
<b>Aggravating or Mitigating Factors in Fact Pattern in fact pattern</b>	Mitigating factor: <ul style="list-style-type: none"> <li>Respondent had a reasonable but mistaken belief of client authority (i.e., there was an “accommodation”).</li> </ul>

**Pie chart color key:**

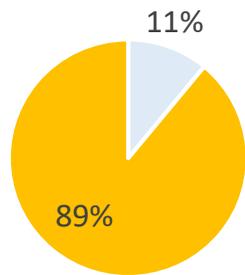
- **Gold:** Proposed baseline sanction *not considering aggravating or mitigating factors*
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# Forgery

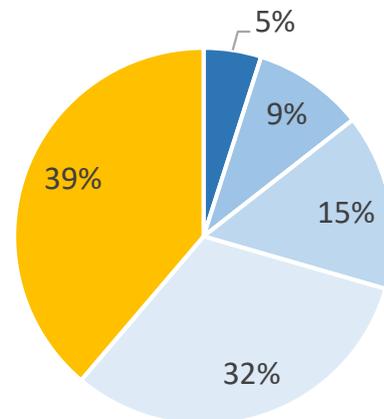
What if, after meeting with Cynthia, Alexis realizes that she made some mistakes and needs to alter some of the documents. She doesn't want to look incompetent, so she revises the documents and signs them for Cynthia. Based on this scenario what sanction should Alexis receive?

What should be the sanction guideline for Alexis's conduct?

	Public Forum	Webinar
Private Censure	0%	5%
Public Censure	0%	9%
Suspension for 1 year or less	0%	15%
Suspension for more than 1 year	11%	32%
Revocation	89%	39%



n= 9 (Baltimore only)



n= 590

<b>Category</b>	Forgery (Standard A.2.b)
<b>Proposed Sanction Guideline</b>	Revocation
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	Aggravating factor: <ul style="list-style-type: none"> <li>• Receipt of personal benefit (avoiding repercussions of having made errors).</li> </ul> Mitigating factor: <ul style="list-style-type: none"> <li>• The violation did not cause, or present any risk of, harm to a Client or others.</li> </ul>

**Pie chart color key:**

- **Gold:** Proposed baseline sanction *not considering aggravating or mitigating factors*
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- **Blue tones:** Sanction lower than the proposed baseline sanction

# Solicitation or Acceptance of Consideration Compromising Objectivity

Naomi, a CFP® professional, has accepted a gift from a product sponsor whose products she sells.

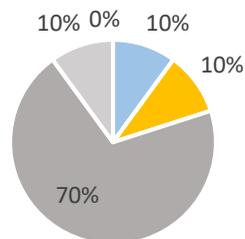
The gift is valued at \$15,000 and includes tickets and a suite to the Taylor Swift concert for her child and three friends.

The product sponsor offered Naomi future experiences for continued sale of the sponsor’s product.

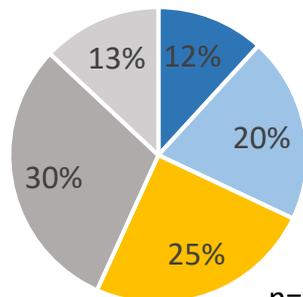
The DEC concluded that Naomi accepted compensation that could be expected to compromise her objectivity, in violation of the *Code and Standards*.

## What should be the sanction guideline for Naomi’s conduct?

	Public Forum	Webinar
Private Censure	0%	12%
Public Censure	10%	20%
Suspension for 1 year or less	10%	25%
Suspension for more than 1 year	70%	30%
Revocation	10%	13%



n= 10 (Baltimore only)



n= 578

<b>Category</b>	Failure to Exercise Sound and/or Objective Professional Judgement (solicitation or acceptance of consideration that could be expected to compromise objectivity) (Standard A.6)
<b>Proposed Sanction Guideline</b>	Suspension for Up to One Year
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	Aggravating Factor: <ul style="list-style-type: none"> <li>Respondent’s violation was for solicitation.</li> </ul>

### Pie chart color key:

- Gold:** Proposed baseline sanction *not considering aggravating or mitigating factors*
- Gray tones:** Sanction higher than the proposed baseline sanction
- Blue tones:** Sanction lower than the proposed baseline sanction

# Parity between Candidates and CFP® Professionals



In 2021, Kendall, a CFP® professional, and Roman, a candidate for CFP® certification, were both suspended by their firm for 3 months for accepting a gift of an All-Expenses Paid Pickleball Excursion from a product manufacture, which is against firm policy. Coincidentally enough they both sell a lot of those products.

In 2021, the DEC issued a Public Censure to Kendall after considering the facts and circumstances, which was published on CFP Board’s website.

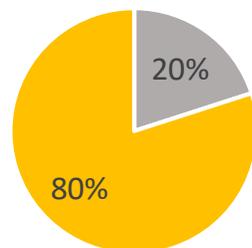
It’s now 2023, and Roman has filed a Petition for Fitness Determination, which the DEC has determined to grant after considering the facts and circumstances.

Would it be fair if Kendall were to have this on his CFP Board public record and Roman were not to have this on his public record, when they both engaged in the same misconduct on the same date?

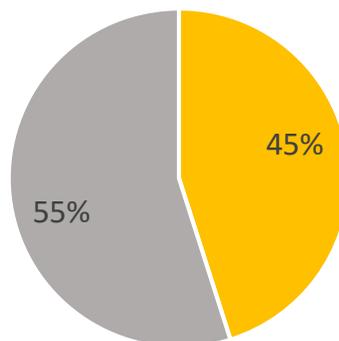
**Would it be fair if Kendall were to have this on his CFP Board public record and Roman were not to have this on his public record, when they both engaged on the same misconduct on the same date?**

<b>Category</b>	Parity Between Applicants and current professionals. Conduct to be evaluated against the sanction guideline for the relevant conduct.
<b>Proposed Sanction Guideline</b>	Not applicable
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	Not Applicable.

	Public Forum	Webinar
No, there should be parity. Roman should receive a public notice	80%	45%
Yes, at the time of the misconduct, Kendall was certified and Roman was not.	20%	55%



n= 10 (Baltimore only)



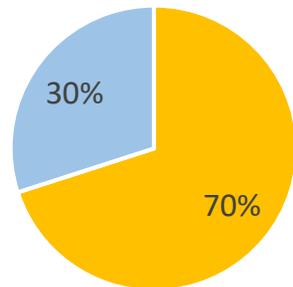
n= 583

# Absolute Bars for Certain Felonies

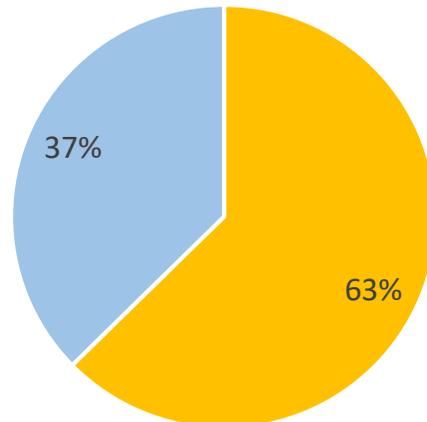
Katrina has been in the financial services industry for 20 years and wants to become a CFP® professional. However, fifteen years ago, while working for a broker-dealer, Katrina committed a felony and was professionally disciplined. Since then, Katrina has sold insurance.

**Should Katrina be absolutely barred from becoming certified?**

	Public Forum	Webinar
Yes	70%	63%
No	30%	37%



n= 10 (Baltimore only)



n= 562

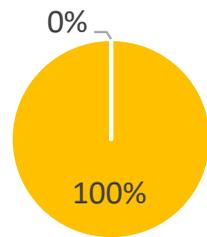
<b>Category</b>	Conduct that Presents an Absolute Bar – Felony Conviction
<b>Proposed Sanction Guideline</b>	Absolute Bar
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	Passage of a Significant Period of Time.

# Fitness Standards: Customer Disputes

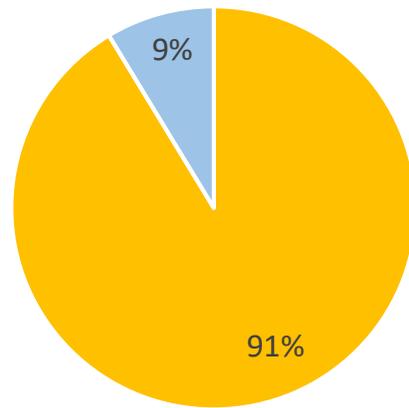
David is applying to become a CFP® professional. Over his ten-year career, four customers filed complaints against David. His firm settled two of these customer complaints for \$20,000 each. The other two customer complaints still are pending.

**Should David be required to file a Petition for Fitness?**

	Public Forum	Webinar
Yes	100%	91%
No	0%	9%



n = 10 (Baltimore only)



n = 533

<b>Category</b>	Three or More Client Disputes
<b>Proposed Sanction Guideline</b>	Conduct that Requires an Applicant to File a Petition for Order Finding Ethical Fitness for CFP® Certification
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	None.

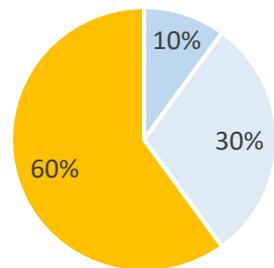
# Fitness Standards: Examination Misconduct



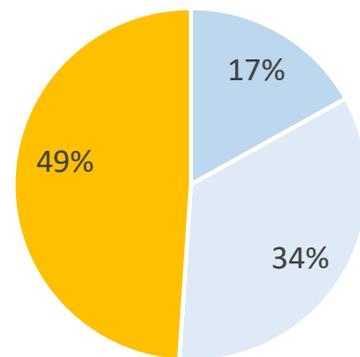
Thomas is taking the CFP® certification examination. Several of his friends are taking the exam two days after him. They have been studying together. During the exam, Thomas jots down copious notes and leaves with this information. Thomas then sends his friends the notes and holds a conference call to discuss the content of the exam. CFP Board Enforcement Counsel brings a complaint and the DEC holds a hearing and finds that Thomas has engaged in misconduct designed to give his friends an advantage on the exam.

What should be the sanction guideline for Thomas’s conduct?

	Public Forum	Webinar
Bar for 1 year or less	10%	17%
Bar for more than 1 year	30%	34%
Absolute Bar	60%	49%



n= 10 (Baltimore only)



n= 568

<b>Category</b>	Exam Misconduct – To Gain Respondent or a Third Party an Advantage on the Exam
<b>Proposed Sanction Guideline</b>	Absolute Bar
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	Aggravating Factors: <ul style="list-style-type: none"> <li>• The violation was premeditated, evidenced through taking copious notes.</li> <li>• Respondent disclosed material to multiple third parties.</li> </ul>

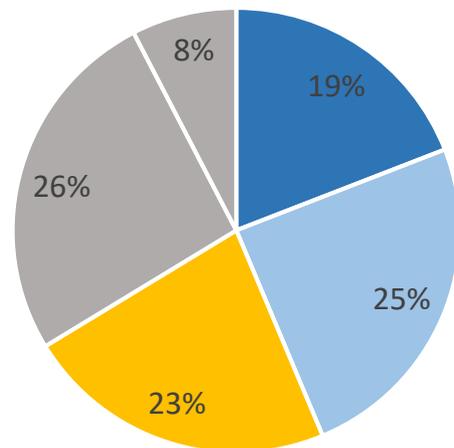
# Disclosure of Confidential Information

Jessica, a CFP® professional, is picking up her daughter from school and is speaking to a teacher, Mr. Jacobson.

During the conversation, Jessica tells Mr. Jacobson one of the other parents, who is her client, is considering filing for bankruptcy. This information is confidential.

What should be the sanction guideline for Jessica’s conduct?

	Webinar
Private Censure	19%
Public Censure	25%
Suspension for 1 year or less	23%
Suspension for more than 1 year	26%
Revocation	8%



n = 539 (this scenario was not presented at the public forums due to time)

<b>Category</b>	Violation of Duty of Confidentiality or Privacy (Standard A.9)
<b>Proposed Sanction Guideline</b>	Suspension for Up to One Year
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	None.

# Violation of Duty when Recommending Others

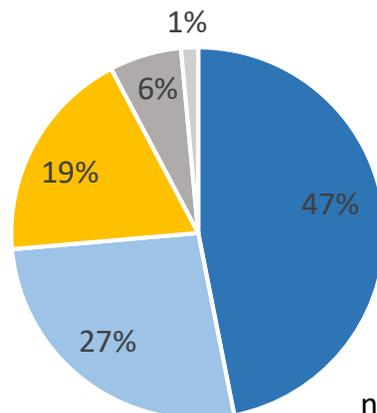
Morgan is a CFP® professional. It's tax season. Morgan's client asks for a recommendation for a tax accountant.

Morgan recommends a local accountant, Steve. Morgan heard about Steve from a friend and has no information about Steve's background or qualifications.

As it turns out, Steve has been sanctioned by the AICPA for serious misconduct and Morgan's client is given advice by Steve that is not in their best interest.

**What should be the sanction guideline for Morgan's conduct?**

	Webinar
Private Censure	47%
Public Censure	27%
Suspension for 1 year or less	19%
Suspension for more than 1 year	6%
Revocation	1%



n = 546 (this scenario was not presented at the public forums due to time)

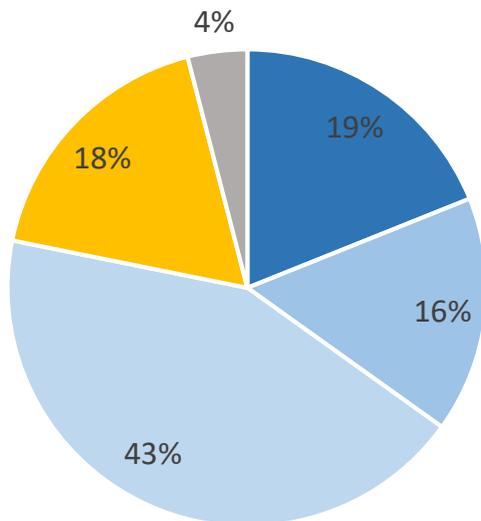
<b>Category</b>	Violation of Duty When Recommending, Engaging, and Working with Additional Persons (Standard A.13)
<b>Proposed Sanction Guideline</b>	Suspension for Up to One Year
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	None

# Misrepresentation of CE Credit

Kelly, a CFP® Professional, needed 25 hours of CE with 2 weeks to go before the deadline. Kelly submitted reports that she attended CE courses to satisfy the requirement. She did not attend these courses.

**What should be the sanction guideline for Kelly’s conduct?**

	Webinar
Private Censure	19%
Public Censure	16%
Suspension for 1 year or less	43%
Suspension for more than 1 year	18%
Revocation	4%



n= 550 (this scenario was not presented at the public forums due to time)

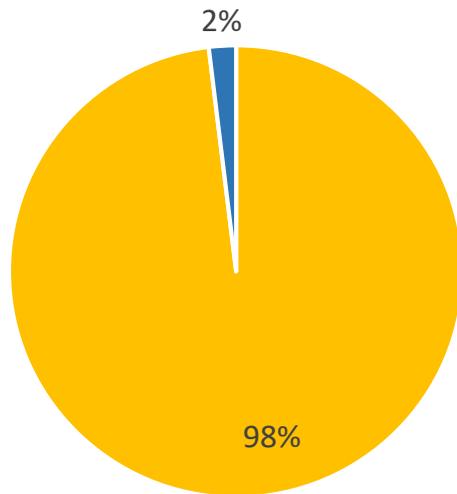
<b>Category</b>	Inaccurate Submission of Request for Continuing Education Credit (Standard E.2;E.5; and E.6)
<b>Proposed Sanction Guideline</b>	Suspension of at Least a Year and a day and actual completion of CE that satisfied the certification requirements.
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	None

# Failure to Report

A prosecutor in a small town charged Barbra who is a CFP® professional, with felony criminal fraud for services she performed for a client. The client lost his entire life savings. He did not file a civil lawsuit against Barbra. Barbra is required to report the criminal charges to CFP Board but did not do so. A year later, the prosecutor dismissed the criminal charges after the client passed away. Two years later, CFP Board discovers the matter and opens an investigation.

**Should Barbra be sanctioned for failure to report her criminal charges?**

	Webinar
Yes	98%
No	2%



n = 573 (this scenario was not presented at the public forums due to time)

<b>Category</b>	Failure to Timely Report Information to CFP Board (Standard E.3)
<b>Proposed Sanction Guideline</b>	Public Censure (effective 1/1/2023)
<b>Aggravating or Mitigating Factors in Fact Pattern</b>	Aggravating (harm to CFP® Board’s ability to investigate due to client’s passing away).