

FP Canada Standards Council™

and

James Rodgers, CFP®

STATEMENT OF ALLEGATIONS

THE CFP® PROFESSIONAL

1. James Rodgers (“Mr. Rodgers” or the “Respondent”) was certified by the Financial Planning Standards Council®, now FP Canada™, as a Certified Financial Planner® professional in January 2009. Mr. Rodgers has consistently renewed his certification and, as of the date of this Statement of Allegations, is a CFP professional in good standing. Mr. Rodgers does not have a prior discipline history with the FP Canada Standards Council™ (the “Standards Council”).
2. Mr. Rodgers has worked in the financial services industry since 2004 and is currently a Senior Financial Planner at New Outlook Wealth (“New Outlook”), a position he has held since October 25, 2019.
3. Mr. Rodgers currently resides in Oak Bluff, Manitoba.

HISTORY OF THE PROCEEDINGS

4. This matter came to the attention of the Standards Council in March 2022, when Mr. Rodgers submitted his 2022/2023 CFP Renewal Application Form, and reported that he had filed for a Consumer Proposal under the *Bankruptcy and Insolvency Act* on February 17, 2022.
5. Pursuant to the *FP Canada Standards Council Fitness Standards*, being subject to a Consumer Proposal is a presumptive bar to an individual becoming or remaining certified with FP Canada.
6. By letter dated March 28, 2022, Standards Council staff notified Mr. Rodgers that filing for bankruptcy is a presumptive bar to remaining certified by FP Canada and afforded Mr. Rodgers the opportunity to submit a Request for Reconsideration and request that the presumptive bar to continued certification be displaced.

7. Mr. Rodgers took advantage of this opportunity and submitted a Request for Reconsideration on April 13, 2022 as well as further correspondence and representations thereafter.
8. On July 11, 2022, the Standards Council instructed an investigation into the circumstances leading to Mr. Rodgers' Consumer Proposal.
9. On February 13, 2023, the Conduct Review Panel ("CRP") convened and referred the allegations set out herein to a Hearing Panel.

NOTICE

10. Further to the direction of the CRP, and in accordance with Article 5.1 of the *FP Canada Standards Council Disciplinary Rules and Procedures* (DRP), I hereby give notice of the Standards Council's request that a hearing date be set with respect to the matter identified as: *FP Canada Standards Council™ and James Rodgers, CFP®*.
11. The Standards Council requests that the hearing be held in writing.

APPLICABLE STANDARDS

12. As the Consumer Proposal was filed in February 2022 and is continuing as of the date of this Statement of Allegations, Mr. Rodgers' conduct is governed by the *Standards of Professional Responsibility* in force between July 2021 and April 2022 and May 2022 to present. The applicable Principles and Rules of the *Standards of Professional Responsibility* are as follows:

<i>Standards of Professional Responsibility in force between July 2021 and</i>	
<i>Fitness Standard</i>	<p>Each of the below is a presumptive bar to new, continued or reinstated certification and may, following review, result in a finding that an individual should be denied new or continued certification by FP Canada:</p> <ul style="list-style-type: none"> • Currently in personal Bankruptcy proceedings <p>Bankruptcy is defined as "having declared bankruptcy, or having been petitioned into bankruptcy, made an assignment, proposal or plan (including any Notice of Intention thereof) under any bankruptcy or insolvency legislation, been subject to or instituted any proceedings, arrangements or compromise with creditors (including a consumer proposal) or had a receiver and/or receiver-manager appointed."</p>

Rule 2: Integrity	A Certificant shall not engage in any conduct that reflects adversely on his or her integrity or fitness as a Certificant, the certification marks or the profession.
Standards of Professional Responsibility in force commencing in May 2022 to present	
Fitness Standard	Each of the below is a presumptive bar to new, continued or reinstated certification and may, following review, result in a finding that an individual should be denied new or continued certification by FP Canada: <ul style="list-style-type: none"> • Currently in personal Bankruptcy proceedings or subject to a Consumer Proposal
Rule 2: Integrity	A Certificant shall not engage in any conduct, including conduct outside of their practice, that reflects adversely on their integrity or fitness as a Certificant, the FP Canada Certification Marks or the profession.

ALLEGATIONS

The Standards Council makes the following allegations against the Respondent:

1. By being subject to a Consumer Proposal as of the date of this Statement of Allegations, the Respondent is presumptively barred from continued certification with FP Canada;
2. In addition and in the alternative, the Consumer Proposal reflects adversely on the Respondent's integrity or fitness as a Certificant, the certification marks or the profession; and he is therefore in breach of Rule 2 of the *Standards of Professional Responsibility* in force between July 2021 and April 2022 and May 2022 to present.

Dated: March 13, 2023



Tamara Center
Director, Professional Conduct and Enforcement
Counsel to FP Canada Standards Council™