



REPORT ON DISCIPLINARY ACTION

Details of Hearing: William George Wray, CFP® (Alliston, ON)

On April 13, 2018, a Financial Planning Standards Council (FPSC®) Discipline Hearing Panel accepted a Joint Settlement Agreement between FPSC and William George Wray, CFP® and ordered that Mr. Wray's certification be suspended for a period of two months from June 1, 2018 to August 1, 2018.

Background

Mr. Wray was certified by FPSC as a CERTIFIED FINANCIAL PLANNER® professional in August 1998. He does not have a prior discipline history with FPSC.

In August 2016, Mr. Wray was sanctioned by a Mutual Fund Dealers Association of Canada (MFDA) Hearing Panel for acting on instructions from a third party. Mr. Wray was, among other penalties, fined \$15,000 by the MFDA.

Applicable Standard

The underlying conduct occurred between 2007 and 2014, and was, accordingly, governed by the:

- *The Code of Ethics*, in force from June 2000 to March 2005;
- CFP™ *Code of Ethics*, in force from April 2005 to December 2009;
- CFP® *Code of Ethics*, in force from January 2010 to October 2011;
- *Standards of Professional Responsibility for CFP® Professionals and FPSC® Registered Candidates*, in force from November 2011 to February 2014; and
- *Standards of Professional Responsibility for CFP® Professionals and FPSC Level 1™ Certificants in Financial Planning*, in force from March 2014 to September 2014.

Admitted Conduct

In the Settlement Agreement with FPSC, Mr. Wray admitted that he:

- Processed transactions to his client's accounts based on instructions from her husband, absent the client's authorization or knowledge contrary to Principles 1, 2, 4, 6 and 7 and Rule 607 of the *Code of Ethics*, Principles 1, 2, 4, 6 and 7 and Rule 601 of the *CFP Code of Ethics*, and Principles 2, 3, 5, 7, 8 and Rule 2 of the *Standard of Professional Responsibility*;
- Failed to have any discussions with his client about her accounts or his recommendations, or provide the required documentation contrary to Rule 202 of the *Code of Ethics* and *CFP Code of Ethics*, and Principle 1 of the *Standards of Professional Responsibility*;

- Failed to take steps to ensure the recommendations he implemented were suitable for his client, contrary to Rule 702 of the *Code of Ethics* and *CFP Code of Ethics*, and Rules 16 and 17 of the *Standards of Professional Responsibility*;
- Engaged in conduct that reflects adversely on his integrity as a CFP professional, contrary to Principles 1, 6 and Rule 607 of the *Code of Ethics*; Principles 1 and 6 and Rule 601 of the *CFP Code of Ethics*; and Principles 2, 8 and Rule 18 of the *Standards of Professional Responsibility*;
- Failed to perform services in accordance with the applicable laws, regulations, rules and established policies, contrary to Rule 606 of the *Code of Ethics*; Rule 607 of the *CFP Code of Ethics*; and Rule 18 of the *Standards of Professional Responsibility*.

FPSC Hearing Panel Decision

The Hearing Panel determined that the Joint Settlement Agreement and proposed penalty were reasonable and should be accepted in accordance with Article 6.8 of the FPSC *Disciplinary Rules and Procedures*. In reaching this conclusion, the Hearing Panel noted, among other things, that:

- Mr. Wray is remorseful and has amended his practice to ensure the misconduct is not repeated; and
- The client was reimbursed for losses incurred.

The Panel accepted the joint proposed Penalty and on April 20, 2018, Ordered that:

- Mr. Wray's CFP certification and entitlement to use the CFP Marks be suspended for a period of two (2) months commencing June 1, 2018 and ending August 1, 2018. During the suspension Mr. Wray shall cease to use the CFP Marks and/or hold himself out as a CFP professional;
- Prior to December 31, 2018, in addition to completing the 25 hours of Continuing Education (CE) activities required of every FPSC certificant, Mr. Wray shall, at his own expense, successfully complete:
 - An additional two (2) hours of FPSC-accredited CE in the category of Professional Responsibility;
 - An additional five (5) hours of FPSC-accredited CE in the category of Financial Planning; and
 - An additional three (3) hours of FPSC-accredited CE in the category of Practice Management;
- Mr. Wray shall provide proof of completion of the 35 hours of CE credits to FPSC by December 31, 2018; and
- Mr. Wray shall pay costs to FPSC of \$2,000, which are due to FPSC on or before August 1, 2018.

On July 18, 2018, Mr. Wray paid costs in full to FPSC, in the amount of \$2,000.