

FP CANADA STANDARDS COUNCIL™

AND

JENNIFER NICOLE SOMERS, CFP®

STATEMENT OF ALLEGATIONS

I. THE CERTIFICANT

1. Jennifer Nicole Somers (“Ms. Somers” or the “Respondent”) was certified by the Financial Planning Standards Council®, now FP Canada™, as a CERTIFIED FINANCIAL PLANNER® professional on January 1, 2010. She has consistently renewed her certification and, as of the date of this Statement of Allegations, her certification is in good standing. Ms. Somers does not have a prior disciplinary history with the FP Canada Standards Council™ (the “Standards Council”).
2. Ms. Somers has been working in the financial industry since 2005. From July 2014 to October 2022, Ms. Somers was registered in Ontario as a dealing representative with Royal Mutual Fund Inc. (“RMFI”), a subsidiary of the Royal Bank of Canada (“RBC”), as an Investment and Retirement Planner. In October 2022, Ms. Somers was terminated by RMFI as a result of the conduct which gave rise to the allegations in this matter.
3. Ms. Somers resides in Sarnia, Ontario.

II. HISTORY OF THE PROCEEDINGS

A. FP Canada Proceedings

4. When completing her 2023/2024 CFP® Renewal Application form on February 20, 2023, Ms. Somers notified the Standards Council that she was the subject of two (2) complaints to RMFI, which RMFI reported to the Mutual Fund Dealers Association of Canada (“MFDA”). Ms. Somers was made aware of the MFDA’s review of this matter on October 25, 2022 and October 27, 2022. These matters were subsequently escalated to the

investigation department at the Canadian Investment Regulatory Organization (“CIRO”) on January 17, 2023.

5. Ms. Somers became aware of the reported MFDA/CIRO complaint matters in October 2022, but only reported them to FP Canada in February 2023. Accordingly, she failed to advise FP Canada, in writing, of the changes to her prior Legal Declarations, within 15 days of becoming aware of the MFDA/CIRO complaint matters.
6. The Standards Council initiated an independent investigation into Ms. Somers’ conduct as a CFP professional on June 28, 2024.
7. On January 21, 2025, the Conduct Review Panel referred the within matter to a Hearing Panel.

B. Other Relevant Proceedings

8. By news release dated November 28, 2024, CIRO released a Notice of Settlement Hearing dated November 12, 2024, alleging that, in August 2022, Ms. Somers:
 - a. processed transactions and completed Know Your Client information for RBC clients without having met or communicated with any of the RBC clients, contrary to Mutual Fund Dealer Rules 2.2.1 and 2.1.1; and
 - b. sent client information to an unregistered individual without the consent of the RBC clients, contrary to Mutual Fund Dealer Rule 2.1.3.
9. A hearing was held on January 17, 2025 and by news release dated January 29, 2025, CIRO advised that a CIRO Hearing Panel accepted a [Settlement Agreement](#) with Ms. Somers. In the Settlement Agreement, Ms. Somers admitted to the above-noted allegations and agreed to the following penalties: a fine of \$10,000; a prohibition from conducting securities related business in any capacity while in the employ of or associated with any Dealer Member of CIRO for a period of four (4) months commencing January 17, 2025; and costs of \$2,500.

III. THE STANDARDS COUNCIL’S INVESTIGATION

10. One of Ms. Somers’ colleagues, KH, left the employment of RBC and forgot to set the automatic distribution instructions for client TC and clients RD and SD (who were spouses) (the “RBC Clients”). KH asked Ms. Somers to process transactions for her to rectify her error. KH advised Ms. Somers that she would take the account forms required to process the transactions to the RBC Clients, to obtain their signatures.

11. Without confirming that the RBC Clients authorized the transactions, Ms. Somers provided KH with the documentation required to process the transactions, including confidential information of the RBC Clients. Ms. Somers recorded a fictitious telephone call within the RMFI system stating that she had spoken to the RBC Clients to process the transactions at issue, when she had not done so.
12. KH subsequently returned the documents to Ms. Somers, advised her that the RBC Clients had signed the documents, and Ms. Somers processed the transactions. Unbeknownst to Ms. Somers, KH had falsified the RBC Clients' signatures.
13. After initially denying to RMFI that she knew anything about the complaint, she eventually admitted that she had processed transactions, through KH, for the RBC Clients.

IV. NOTICE

14. Further to the direction of the Conduct Review Panel, 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 Jennifer Nicole Somers, CFP®*.
15. The Standards Council requests that the hearing be held in writing.

V. APPLICABLE STANDARDS

16. Ms. Somers' conduct occurred between August and September 2022 and her failure to report occurred in November 2024. Accordingly, her conduct is governed by the *Standards of Professional Responsibility* in effect between May 2022 and those currently in effect. The applicable Principles and Rules of the *Standards of Professional Responsibility* are set out in **Appendix "A"**.

VI. ALLEGATIONS

The Standards Council makes the following allegations against the Respondent:

1. Between August and September 2022, the Respondent failed to exercise reasonable and prudent professional judgment, contrary to Rule 21 of the *Standards of Professional Responsibility* in effect between May 2022 and May 2024, by:
 - a. sending confidential client information to an ex-employee;
 - b. providing forms to KH to obtain the RBC Client signatures rather than obtaining the signatures directly from the RBC Clients; and/or

- c. processing transactions without obtaining instructions directly from the RBC Clients;
2. Between August and September 2022, the Respondent failed to act with integrity or professionalism, and engaged in conduct that reflects adversely on her integrity or fitness as an FP Canada certificant and/or the certification marks, contrary to Principles 2 and 8 and Rules 1 and 2 of the *Standards of Professional Responsibility* in effect between May 2022 and May 2024, by:
 - a. creating a false record stating that she spoke to the RBC Clients, when she had not; and/or
 - b. lying to RMFI with regards to what had occurred when initially questioned about the events;
3. Between October 2022 and February 2023, the Respondent failed to report that she was the subject of two complaints to the MFDA (and then CIRO), within fifteen (15) days of becoming aware of the complaints. This was contrary to her ongoing obligation to report changes to the Legal Declarations which she attested to on her 2022/2023 CFP Renewal Application form, thereby breaching Rule 33b of the *Standards of Professional Responsibility* in effect between May 2022 and May 2024; and
4. On January 17, 2025, a CIRO Hearing Panel found that the Respondent had breached Mutual Fund Dealer Rules 2.2.1 and 2.1.1 and 2.1.3. The Respondent thereby failed to provide professional services in accordance with applicable rules or other applicable authorities, contrary to Rule 25 of the *Standards of Professional Responsibility* in effect between June 1, 2024 and those currently in effect.

Dated: February 25, 2025



Tamara Center

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

APPENDIX “A”

Standards of Professional Responsibility for CFP Professionals and QAFP Professionals from May 2022 to May 2024

Principle 2: Integrity

A Certificant shall always act with integrity. Integrity means rigorous adherence to the moral rules and duties imposed by honesty and justice. Integrity requires the Certificant to observe both the letter and the spirit of the Code of Ethics.

Principle 8: Professionalism

A Certificant shall act in a manner reflecting positively upon the profession. Professionalism refers to conduct that inspires confidence and respect from clients and the community, and embodies all of the other principles within the Code of Ethics.

Rule 1: A Certificant shall not engage in or associate with individuals engaged in conduct involving dishonesty, fraud, deceit or misrepresentation, or knowingly make a false or misleading statement to clients or any other individuals.

Rule 2: 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.

Rule 21: A Certificant shall always exercise reasonable and prudent professional judgment.

Rule 33b: A Certificant shall meet all FP Canada requirements for continued certification, including:

...

b) Advising FP Canada, in writing, of any changes to prior Legal Declarations within 15 days of becoming aware of new information;

...

Standards of Professional Responsibility for CFP Professionals and QAFP Professionals from June 2024 to Present

Rule 25: A Certificant shall provide their professional services in accordance with applicable laws, regulations, rules or established policies of governmental agencies and other applicable authorities, including FP Canada and the FP Canada Standards Council.