
FINAL NOTICE

To: **Martin Richard Moseling trading as
Blenheim Financial Services**

Address: **Damson House
Teddington
Tewkesbury
Gloucestershire
GL20 8JA**

FRN: **135229**

Dated: **15 July 2013**

ACTION

1. For the reasons set out in this Final Notice, the Authority hereby takes the following action against Martin Richard Moseling trading as Blenheim Financial Services ("Mr Moseling").
2. The Authority gave Mr Moseling a Decision Notice on 31 May 2013 ("the Decision Notice") which notified Mr Moseling that for the reasons given below and pursuant to section 55J of the Act, the Authority had decided to cancel the permission granted to Mr Moseling under the Act ("Mr Moseling's permission").
3. Mr Moseling has not referred the matter to the Tribunal within 28 days of the date on which the Decision Notice was given to him.
4. Accordingly, the Authority has today cancelled Mr Moseling's permission.

DEFINITIONS

5. The definitions below are used in this Final Notice:

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“the Act” means the Financial Services and Markets Act 2000;

“the Authority” means the body corporate previously known as the Financial Services Authority and renamed on 1 April 2013 as the Financial Conduct Authority; and

“the Tribunal” means the Upper Tribunal (Tax and Chancery Chamber).

REASONS FOR THE ACTION

6. On the basis of the facts and matters and conclusions described in the Warning Notice issued to Mr Moseling dated 2 May 2013 (“the Warning Notice”), and in the Decision Notice, it appears to the Authority that Mr Moseling is failing to satisfy the threshold conditions set out in Schedule 6 to the Act (“the Threshold Conditions”), in that the Authority is not satisfied that Mr Moseling is a fit and proper person having regard to all the circumstances, including whether Mr Moseling managed his business in such a way as to ensure that his affairs are conducted in a sound and prudent manner, and Mr Moseling’s conduct has not met the requirements of Principle 6 (Customers’ interests) of the Authority’s Principles for Businesses (“the Principles”) under which a firm must pay due regard to the interests of its customers.
7. Mr Moseling has failed to comply with an award made against him by the Financial Ombudsman Service (“the FOS”) on 5 September 2012 (“the Award”), despite repeated requests by the FOS and the Authority that he do so. Mr Moseling did not seek a judicial review of the Award, which therefore remains binding on him under section 228(5) of the Act.
8. These failures lead the Authority to conclude that Mr Moseling has failed to manage his business in such a way as to ensure that his affairs are conducted in a sound and prudent manner, that he is not a fit and proper person, and that he is therefore failing to satisfy the Threshold Conditions in relation to the regulated activities for which he has had a permission.

DECISION MAKER

9. The decision which gave rise to the obligation to give this Final Notice was made by the Regulatory Decisions Committee.

IMPORTANT

10. This Final Notice is given to Mr Moseling in accordance with section 390(1) of the Act.

Publicity

11. The Authority must publish such information about the matter to which this Final Notice relates as the Authority considers appropriate. The information may be published in such manner as the Authority considers appropriate. However, the Authority may not publish information if such publication would, in the opinion of the Authority, be unfair to Mr Moseling or prejudicial to the interest of consumers.
12. The Authority intends to publish such information about the matter to which this Final Notice relates as it considers appropriate.

Contact

13. For more information concerning this matter generally, please contact Roger Hylton at the Authority (direct line: 020 7066 8168).

John Kirby
Enforcement and Financial Crime Division