
FINAL NOTICE

To: Erinma Didi Jordan

Reference: EDJ01009

Date of birth: 22 February 1967

Dated: 28 May 2008

TAKE NOTICE: The Financial Services Authority of 25 The North Colonnade, Canary Wharf, London E14 5HS (the "FSA") gives you final notice about the following action

1 ACTION

1.1 The FSA gave you a Decision Notice dated 24 April 2008 ("the Decision Notice") which notified you that the FSA had decided:

- (1) pursuant to section 63 of the Financial Services and Markets Act 2000 (the "Act"), to withdraw the approval given to you, Erinma Didi Jordan, in relation to Trekfree Associates Limited ("Trekfree"); and
- (2) to make a prohibition order, pursuant to section 56 of the Act, to prevent you from performing any function in relation to any regulated activity carried out by any authorised person, exempt person or exempt professional firm (the "Prohibition Order").

- 1.2 You have not referred the matter to the Financial Services and Markets Tribunal within 28 days of the date on which the Decision Notice was given to you.
- 1.3 Accordingly, for the reasons set out below, the FSA hereby makes an order pursuant to section 56 of the Act prohibiting you from performing any function in relation to any regulated activity carried on by any authorised or exempt person. The Prohibition Order takes effect from 28 May 2008.

2 REASONS FOR THE ACTION

- 2.1 On the basis of the facts and matters and conclusions described in the Warning Notice issued to you on 12 March 2008 ("the Warning Notice"), and in the Decision Notice, the FSA concluded that you are not a fit and proper person as your conduct has demonstrated a lack of honesty and integrity and, having regard to its regulatory objectives (including market confidence, the protection of consumers and the reduction of financial crime), it is necessary for the FSA to exercise its power to make a Prohibition Order against you.
- 2.2 The FSA therefore decided to take the action for the reasons described in the Warning Notice. A copy of the relevant extract of the Warning Notice is attached to and forms part of this Notice.

3 DECISION MAKER

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

4 IMPORTANT

- 4.1 This Final Notice is given to you in accordance with section 390 of the Act.

Publicity

- 4.2 Sections 391(4), 391(6) and 391(7) of the Act apply to the publication of information about the matter to which this Final Notice relates. Under those provisions, the FSA must publish such information about the matter to which this Notice relates as the FSA considers appropriate. However, the FSA may not publish information if such

publication would, in the opinion of the FSA, be unfair to you or prejudicial to the interests of consumers.

- 4.3 The FSA intends to publish such information about the matter to which this Final Notice relates as it considers appropriate.

FSA contacts

- 4.4 For more information concerning this matter generally, you should contact Chris Walmsley (direct line: 020 7066 5894 / fax: 020 7066 5895) of the Enforcement Division of the FSA.

Jonathan Phelan
Head of Department
FSA Enforcement Division

EXTRACT FROM WARNING NOTICE DATED 12 MARCH 2008

2 REASONS FOR THE ACTION

- 2.1 On the basis of facts and matters set out in Section 4 below, the FSA has concluded that:

- (1) you are not a fit and proper person as your conduct demonstrates a lack of honesty and integrity; and
- (2) having regard to its regulatory objectives (including the protection of consumers, the reduction of financial crime and market confidence) it is necessary for the FSA to exercise its power to withdraw the approval given to you and to make the Prohibition Order against you.

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4 FACTS AND MATTERS RELIED UPON

Background

- 4.1 Trekfree is a mortgage broker based at 56A Coleman Road, London, SE5 7TG. You have been a director of Trekfree since 27 October 2004 and the sole director of Trekfree since 29 May 2005. You are the only adviser at Trekfree. The FSA is therefore satisfied that you were personally responsible for the misconduct identified by the FSA which is summarised below.
- 4.2 Trekfree became authorised on 22 February 2005 to carry on the following regulated activities in relation to regulated mortgage contracts:

- (1) advising on regulated mortgage contracts;
 - (2) agreeing to carry on a regulated activity;
 - (3) arranging regulated mortgage contracts; and
 - (4) making arrangements with a view to regulated mortgage contracts.
- 4.3 Trekfree completed 34 mortgage sales between May 2005 and December 2006 and only one application in the quarter ending 31 March 2007.
- 4.4 You are approved to carry out the following controlled functions:
- (1) CF1 Director;
 - (2) CF8 Apportionment and Oversight; and
 - (3) CF10 Compliance Oversight.
- 4.5 The FSA received information from a lender that mortgage applications submitted by you may have been supported by false documents. A number of applications had been declined and the lender had removed Trekfree from its panel.
- 4.6 The lender also provided information on an application submitted by you where the applicant claimed that the mortgage had completed without his knowledge.

Submission of mortgage applications containing false information

- 4.7 The FSA reviewed a sample of Trekfree files submitted to four different lenders. It found that one customer, Customer A, had purportedly obtained a £241,604 mortgage through Trekfree to purchase a property (“the Property”) in August 2006.
- 4.8 According to the application submitted by you in the name of Customer A, he had been self-employed for the previous five years, he was a home owner with no dependants looking to move to the property to be mortgaged, and he intended to let out his existing property.
- 4.9 This mortgage application was supported by the following documents:
- (1) an accountant’s certificate, prepared by Samuel Ajiboye of Samuel Chesterfield & Co, who was also the company secretary of Trekfree at that time, in which it was stated that Customer A was the proprietor of an Afro-Caribbean food wholesaler, with net profit of £68,716 in 2006;
 - (2) a copy of Customer A’s passport certified as a true copy of the original by you on 28 August 2006;
 - (3) a copy of Customer A’s Council Tax bill for June 2006 certified as a true copy of the original by you on 28 August 2006; and

- (4) a rental valuation of Customer A's current property.
- 4.10 Trekfree's file for this mortgage application also contained an acceptance of an offer purportedly signed and dated by Customer A on 25 September 2006.
- 4.11 When interviewed by the FSA, Customer A made the following statements:
- (1) he had never heard of, or had any dealings with, Trekfree or you;
 - (2) he had never applied for a mortgage with that particular lender;
 - (3) he had never applied for a mortgage on the property to be mortgaged;
 - (4) during August 2006, when the application was submitted, he was living in a rented property with his partner and four children, was employed full time by a local authority (on a salary significantly different to the profit figure referred to above), and had never owned or worked for an Afro-Caribbean food wholesaler;
 - (5) the personal and employment details on the mortgage application were therefore false;
 - (6) he had never seen the accountant's certificate before, it had not been produced for him, and the information contained in it was false;
 - (7) he had never heard of or had any dealings with the accountant Mr Samuel Ajiboye;
 - (8) he had never seen the mortgage application form and did not sign it;
 - (9) in September 2005, he had a number of meetings with an estate agent who had asked him to provide copies of his passport, utility bills and a council tax bill, and had been charged £1,000 up front for her services but she did not find him a property;
 - (10) the copies of his passport and council tax bill were true copies that he had given to the estate agent in 2005, but he did not give these documents to anyone in support of a mortgage application and had never seen the certification of the documents by you;
 - (11) he had never arranged for a valuation of the property he lived in and therefore the lettings valuation on file is false; and
 - (12) when he received the lender's offer letter of September 2006, he contacted the lender to explain that he had not applied for this mortgage and he asserted that he did not sign any documents relating to the mortgage application.
- 4.12 The FSA checked the authenticity of the identification documents and other supporting information relied on in support of 11 other mortgage applications. The FSA found that:

- (1) three applications were supported by false driving licences;
- (2) four applications were supported by false passports;
- (3) one application was supported by a false utility bill; and
- (4) all 11 of the applications included false income and employment details.

Failure to co-operate with the FSA

4.13 You repeatedly failed to co-operate with the FSA's investigation.

- (1) On 17 September 2007, the FSA served a notice of appointment of investigators to you at the last address of Trekfree notified to the FSA. No response was received from you so the FSA sent out a copy of the notice on 1 October 2007.
- (2) On 11 October 2007, the FSA e-mailed you asking you to contact the FSA as a matter of urgency. No response was received.
- (3) On 12 October 2007, the FSA sent you a letter compelling you to provide 13 client files by 26 October 2007. You failed to produce these documents.
- (4) On 29 October 2007, the FSA sent a reminder letter compelling you to provide these documents by 6 November 2007. You failed to produce the required documents.
- (5) On 7 November 2007, the FSA sent a further reminder letter compelling you to provide the documents by 14 November 2007. You did not reply.
- (6) On 29 October 2007, the FSA sent a letter to you compelling you to attend for interview at the FSA's offices at 10am on 14 November 2007.
- (7) You failed to attend the 14 November 2007 interview that you were compelled to attend. The FSA rescheduled the interview and on 14 November 2007 the FSA's investigators visited Trekfree's premises to deliver an interview letter compelling you to attend for interview at 10am on 21 November 2007. The domestic property from which you conduct your business appeared to be inhabited but no one answered the door to the FSA's investigators.
- (8) You failed to attend again for interview and, on 21 November 2007, the FSA sent you a final request by post to attend for interview at 10am on 30 November 2007. You failed to attend.

5 CONCLUSIONS

5.1 The facts and matters described above lead the FSA to the following conclusions:

- (1) You were responsible for the use of false information and documents to obtain a mortgage from a lender in the name of Customer A without his knowledge

or consent. This submission was supported by a false accountant's certificate prepared by Samuel Ajiboye who was the company secretary of Trekfree at that time.

- (2) You also failed repeatedly to be open and co-operative with the FSA by failing to: comply with requests for information and documents, attend for interview to answer questions and notify the FSA that Trekfree had been removed from a lender's panel.

5.2 These matters clearly demonstrate your lack of honesty and integrity and therefore the FSA has concluded that you are not a fit and proper person to perform any function in relation to any regulated activity carried on by any authorised person, exempt person or exempt professional firm.

5.3 The severity of the risk you pose to customers, to lenders and to confidence in the market generally, and to achievement of the FSA's financial crime objective, because of your lack of honesty and integrity is such that it is necessary in order to achieve its regulatory objectives for the FSA to exercise its power to withdraw your approval and to make the Prohibition Order against you.

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