
FINAL NOTICE

To: **Andrew Talai Kiplimo**

Date of birth: **22 November 1975**

Dated: **5 March 2008**

TAKE NOTICE: The Financial Services Authority of 25 The North Colonnade, Canary Wharf, London E14 5HS ("the FSA") gives you final notice about an order prohibiting you, Andrew Talai Kiplimo, from performing any function in relation to any regulated activity carried on by any authorised person, exempt person or exempt professional firm.

1. THE ORDER

- 1.1. The FSA gave you a Decision Notice dated 29 January 2008 ("the Decision Notice") which notified you that, for the reasons listed below and pursuant to section 56 of the Financial Services and Markets Act 2000 ("the Act"), the FSA had decided to make an order prohibiting you, Andrew Talai Kiplimo, from performing any function in relation to any regulated activity carried on 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 & 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 person, exempt person or exempt professional firm. The Prohibition Order takes effect from 5 March 2008.

2. REASON FOR THE ORDER

- 2.1. On the basis of the facts and matters and conclusions described in the Warning Notice issued to you on 13 December 2007 (“the Warning Notice”), and in the Decision Notice, it appears to the FSA that you are not fit and proper to perform any function in relation to any regulated activity carried on by any authorised person, exempt person or exempt professional firm.
- 2.2. In the opinion of the FSA, you are not a fit and proper person in terms of honesty, integrity and reputation in that you failed to co-operate with the FSA’s investigation into circumstances suggesting that you submitted mortgage applications containing false and/or misleading information, and your current whereabouts are unknown to the FSA because you failed to provide a current contact address.
- 2.3. 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 the Prohibition Order against you.
- 2.4. A copy of the relevant extract of the Warning Notice is attached to and forms part of this Final 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 notice relates. Under those provisions, the FSA must publish such information about the matter to which this notice relates as the FSA considers appropriate. The information may be published in such manner 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 contact

- 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 13 DECEMBER 2007

4 FACTS AND MATTERS RELIED UPON

False mortgages

- 4.1 The FSA received information from a lender that you were responsible for submitting mortgage applications supported by misleading information and/or false documentation. A review of documentation supplied by the lender revealed the following serious concerns:
- (1) income stated on mortgage application forms had been substantially inflated;
 - (2) other employment details in mortgage application forms were false; and
 - (3) circumstances suggesting that one set of accounts and one HM Revenue and Customs tax calculation, both of which were certified by you as a true copy of the original and submitted as part of mortgage applications dealt with by you, have been falsely created.
- 4.2 On 27 September 2007, the FSA received information from a lender, which showed that you were continuing to submit further mortgage applications, despite having been removed from that lender's panel.

Failure to co-operate with the FSA

- 4.3 On 23 August 2007, FSA served the notice of appointment to your home address. No response was received from you.
- 4.4 On 31 August 2007, FSA telephoned you and informed you of the investigation. During the telephone conversation, you were asked to confirm your permanent address. You declined to respond. You said that you would contact the FSA on 3 September 2007 and provide new contact details.

4.5. To date, FSA has received no substantive response from you. Save for one occasion, you have not answered your mobile telephone and your current whereabouts are unknown to us.

5. Conclusions

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

- you have failed to co-operate with the FSA's investigation into circumstances suggesting that you have submitted mortgage applications containing false and/or misleading information; and
- your current whereabouts are unknown to us because you failed to provide a current contact address.

5.2. These matters go directly to impugn your honesty, integrity and reputation and therefore demonstrate 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 lenders, particularly your ongoing attempts to submit further mortgage applications, and to confidence in the market generally is such that it is necessary in order to achieve its regulatory objectives for the FSA to exercise its power to make the Prohibition Order.