

Type of Order: DISCIPLINARY CONSENT ORDER

Date of Order: 3 February 2020

Committee name: REGULATION AND CONDUCT COMMITTEE

Details of IP: **Dylan Quail of Hanover** an IPA member and Licensed Insolvency Practitioner (IP).

Summary of complaint: This Order is made in relation to a complaint that Dylan Quail in his role as Supervisor of an IVA breached the Fundamental Principle of Professional Behaviour when he failed to respond to emails from the Debtor dated 15 August 2018 and 4 October 2018.

Accordingly, Mr Quail was found liable to disciplinary action under the IPA's Articles of Association.

Summary of sanctions: The Committee determined that the conduct was 'serious' with reference to the Common Sanctions Guidance, which provides for a reprimand and a fine of £1,500, as a starting point, where there is a failure to respond to letters, telephone calls or emails.

The Committee noted that, in mitigation, staff had been reminded to respond in a timely manner. However aggravating factors included the fact that (1) the Debtor was trying to resolve the issues and had chased the matter up but received no response (2) the failure was repeated on the same case (3) no explanation had been provided to explain why this occurred, and (4) there was a potential loss to the estate.

The Regulation and Conduct Committee imposed a disciplinary order that Mr Quail be reprimanded, fined £3,000 and contribute £1,650 towards costs.