



Type of Order: DISCIPLINARY CONSENT ORDER

Date of Order: 31 August 2019

Committee name: REGULATION AND CONDUCT COMMITTEE

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

Summary of complaint: This Order is made in relation to a complaint that **Mr Quail**, in his role as Supervisor of an IVA, breached the fundamental principle of professional competence and due care of the Insolvency Ethics Code, when he;

- 1) failed to deal with an expense claim from a Claims management Company's (CMC) for expenses incurred in relation to significant Payment Protection Insurance compensation (PPI) award in a professional manner, and
- 2) issued a proposal and reports to creditors that failed to provide details of an agreement with another CMC that he had retained to recover PPI compensation.

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

Summary of sanctions: The Common Sanctions Guidance provides for a severe reprimand and a fine of £5,000, where there has been a failure to comply with the fundamental principle of professional competence and due care.

When considering sanction the Committee noted that Mr Quail, without due diligence, paid 41% of the total monies realised to the claims management company he had instructed when the available documentation suggested that another claims management company did the work, resulting in a potential loss to creditors.

The Regulation and Conduct Committee imposed a **disciplinary order** that Mr Quail be severely reprimanded, fined £3000 and contribute towards the costs.