
FINAL NOTICE

To: **Kenneth James McKenzie trading as Mortgage & Finance Solutions**

Of: **First Floor Offices
12 Bridge Street
Bambridge
County Down
BT32 3JS**

**FSA Reference
Number:** **305179**

Dated: **22 October 2012**

ACTION

1. For the reasons set out in this Final Notice, the Financial Services Authority (the “FSA”) hereby takes the following action against Kenneth James McKenzie trading as Mortgage & Finance Solutions (“Kenneth McKenzie”).
2. The FSA gave Kenneth McKenzie a Decision Notice on 14 September 2012 (the “Decision Notice”), which notified Kenneth McKenzie that, for the reasons given below and pursuant to section 45 of the Financial Services and Markets Act 2000 (the “Act”), the FSA had decided to cancel the permission granted to Kenneth McKenzie under Part IV of the Act (“Kenneth McKenzie’s Part IV permission”).
3. Kenneth McKenzie has not referred the matter to the Upper Tribunal (Tax and Chancery Division) within 28 days of the date on which the Decision Notice was given to him.
4. Accordingly, the FSA has today cancelled Kenneth McKenzie’s Part IV permission.

REASONS FOR ACTION

5. On the basis of the facts and matters and conclusions described in its Warning Notice dated 11 July 2012 (the “Warning Notice”), and in the Decision Notice, it appears to the FSA that Kenneth McKenzie is failing to satisfy the threshold conditions set out in Schedule 6 of the Act (the “Threshold Conditions”).
6. This is because Kenneth McKenzie has failed to comply with the regulatory requirement that he notify the FSA of adequate, current contact details and has failed to respond adequately to communications from the FSA. Kenneth McKenzie has not been open and co-operative in all his dealings with the FSA and has thereby failed to comply with Principle 11 of the FSA’s Principles for Businesses and to satisfy the FSA that he is ready, willing and organised to comply with the requirements and standards under the regulatory system.
7. These failures, which are significant in the context of Kenneth McKenzie’s suitability, lead the FSA to conclude that Kenneth McKenzie is not conducting his business soundly and prudently and in compliance with proper standards and that Kenneth McKenzie is not a fit and proper person, and that Kenneth McKenzie is therefore failing to satisfy the Threshold Conditions in relation to the regulated activities in Kenneth McKenzie’s Part IV permission.

DECISION MAKER

8. The decision which gave rise to the obligation to give this Final Notice was made by the Regulatory Decisions Committee.
9. This Final Notice is given to Kenneth McKenzie in accordance with section 390(1) of the Act.

PUBLICITY

10. 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 Final 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 Kenneth McKenzie or prejudicial to the interests of consumers.
11. The FSA intends to publish such information about the matter to which this Final Notice relates as it considers appropriate.

FSA CONTACT

12. For more information concerning this matter generally, please contact Kathryn Willis at the FSA (direct line: 020 7066 2098 / fax: 020 7066 2099).

John Kirby
FSA Enforcement and Financial Crime Division