

**CFP BOARD**

**FITNESS STANDARDS  
FOR CANDIDATES FOR  
CFP<sup>®</sup> CERTIFICATION  
AND FORMER  
CFP<sup>®</sup> PROFESSIONALS  
SEEKING REINSTATEMENT**

PROPOSED 2026 REVISIONS

### C. Conduct that Requires an Applicant to File a Petition for Fitness

If the Applicant has engaged in conduct that resulted in any of the following, then Applicant must file a Petition for Fitness:

1. Professional Discipline that
  - a. Was based upon Applicant's fraud, theft, misrepresentation, or other dishonest conduct that does not result in an Absolute Bar;
  - b. Previously barred Applicant from obtaining a Professional Services License;
  - c. Previously suspended or revoked Applicant's Professional Services License;
  - d. Previously limited or prohibited Applicant from being able to appear before a regulatory authority;
  - e. Was based upon Applicant's conduct and resulted in a fine or civil monetary penalty of greater than \$5,000; or
  - f. Was based upon Applicant's conduct and resulted in disgorgement or restitution of any amount.
2. Statutory disqualification that previously prevented Applicant from obtaining a Professional Services License.
3. A surrender (no longer in effect) of a Professional Services License in response to a Regulatory Action or Regulatory Investigation.
4. A Felony Conviction that does not result in an Absolute Bar.
- ~~5. A Conviction for an offense that is not a Felony, for a crime that would be an Absolute Bar if the Conviction were for a felony.~~
5. A Relevant Misdemeanor Conviction: involving a second (or more) alcohol and/or drug-related offense where the most recent offense was within 7 years of Applicant's application.
- ~~6. One Two or more filings or adjudications for personal bankruptcy or business bankruptcy where Applicant was a Control Person of the business.~~
7. A single filing or adjudication for personal bankruptcy or business bankruptcy where Applicant was a Control Person of the business (a "Bankruptcy Matter") where (a) Applicant's Bankruptcy Matter was filed within 10 years of Applicant's application, or (b) Applicant's Bankruptcy Matter was filed more than 10 and less than 15 years before Applicant's application and Respondent was providing Professional Services (as defined in the Code and Standards) at the time of the Bankruptcy Matter.
- ~~8. An unsatisfied tax lien or judgment lien where Enforcement Staff would have filed a Complaint if Applicant were a CFP® professional.~~
8. Applicant is the subject of a Civil Finding that applicant:
  - a. Violated a law, rule, or regulation concerning Professional Services; or
  - b. Engaged in fraud, theft, misrepresentation, or violence.
- ~~9. Applicant is the subject of (a) three or more Client disputes in which Clients have made allegations of misconduct concerning Applicant's conduct that are pending, have been settled, or have been resolved with an adverse award or civil judgment; or (b) a lesser number if Enforcement Counsel would recommend a public sanction under the Sanction Guidelines if applicant were a CFP® professional.~~
10. Applicant is the subject of (a) two or more Firm Terminations; or (b) one Firm Termination if Enforcement Counsel would recommend a public sanction under the Sanction Guidelines if applicant were a CFP® professional.
- ~~12. Enforcement Counsel finds probable cause to believe that Applicant has engaged in conduct for which Enforcement Counsel would recommend a public sanction under the Sanction Guidelines if Applicant were a CFP® professional. In this circumstance, CFP Board Enforcement Counsel will issue a Fitness Notice.~~

**D. Conduct that May Require an Applicant to File a Petition for Fitness**

If the Applicant has engaged in conduct (including the following) for which Enforcement Counsel would recommend that the DEC grant the Petition with a Public Notice or deny the Petition with a Temporary or Permanent Bar, then Applicant must file a Petition for Fitness:

1. A Conviction for an offense that is not a Felony, for a crime that would be an Absolute Bar if the Conviction were for a felony.
2. Any other Relevant Misdemeanor Conviction.
3. An unsatisfied tax lien or judgment lien.
4. Applicant is the subject of two or fewer Client disputes in which Clients have made allegations of misconduct concerning Applicant's conduct that are pending, have been settled, or have been resolved with an adverse award or civil judgment.
5. Applicant is the subject of one Firm Termination.

# **CFP BOARD**

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