# Reinstatement After an Administrative Order of Suspension or Temporary Bar

An individual who has been issued an **Administrative Order Suspending** or **Temporarily Barring** their CFP® certification may submit a **Request for Reinstatement Eligibility** showing that the reason for the **Sanction** has been resolved, the individual is fully cooperating with any disciplinary proceedings and the criteria for **Reinstatement** in Article 11.8 of the **Procedural Rules** have been met.

A Request for Reinstatement Eligibility must be filed with Enforcement Counsel and Counsel to the Disciplinary and Ethics Commission (DEC Counsel) at the same time. Enforcement Counsel has 30 days to respond.

**DEC Counsel** reviews the submissions to determine whether the individual met the **Reinstatement Criteria**. Is the **Request for Reinstatement Eligibility** granted by **DEC Counsel**?

#### YES:

The individual must:

- Submit an <u>Intent</u> to Reinstate Form.
- · Pay the **Fees**.
- · Report outstanding CE credits.
- Complete the Renewal Application and Ethics Declaration.

(See **Certification Renewal instructions** on CFP.net.)

Enforcement Counsel conducts Background Check. Is there evidence of additional misconduct?



#### NO:

The individual may file a

Petition for Reinstatement
Following an Administrative
Order of Suspension or
Temporary Bar.

Which map follows depends on the length of the **Suspension** or **Temporary Bar**. Was the **Suspension** or **Temporary Bar** for more than a year?



### YES:

See Reinstatement After Suspension or Bar (More than One Year) Process Map.

#### NO:

See Reinstatement After Suspension or Bar (Up to One Year)

Process Map.



#### YES:

**Enforcement Counsel** sends the individual seeking **Reinstatement** a **Notice of Investigation (NOI)** requesting information and documents.

The recipient has 14 days to acknowledge receipt but may request additional time to respond. (For next steps, see process map for **Ethics Evaluation of Candidates**.)

#### NO:

The **Background Check** and review of the **Ethics Declaration**went smoothly. The individual is on their way to certification!

# DOES THIS MAP APPLY TO ME?

This map applies to former CFP® professionals who are seeking Reinstatement after receiving an Administrative Order of Suspension or an Administrative Order of Temporary Bar.

#### PRACTICE TIPS

**Concepts to Consider:** 

Compliance Confirmation:
An individual may seek
Reinstatement only after
Enforcement Counsel has
confirmed that all Post-Sanction
Requirements have been met.

Reinstatement Deadline: If Reinstatement is not sought within five years after the Suspension was imposed, CFP® certification will be Relinquished with no opportunity for Reinstatement.

If **DEC Counsel** does not make a decision on **Reinstatement Eligibility** within 30 days, the individual may file a **Petition for Reinstatement**. See **Procedural Rules** Article 4.6.c.

TIP: DEC Counsel may decide Motions and other specified requests, but only the Disciplinary and Ethics Commission may issue decisions on Petitions

Possible Additional Background Checks: Enforcement Counsel may conduct more than one Background Check on those seeking Reinstatement. All relevant new information should be reported to Enforcement Counsel as it arises.

## **KEY RESOURCES**

Procedural Rules: Article 4.6 Article 11.8