



## **DISCIPLINARY CONSENT ORDER**

**26 January 2016**

### **PURSUANT TO RULE 5 OF THE IPA INVESTIGATION COMMITTEE RULES**

**Michael Kienlen**, of Bradford, England, an IPA member and Licensed Insolvency Practitioner.

This Order is made in relation to a complaint from a member of a company that Mr Kienlen, in his role as Liquidator of the company, failed to comply with Statement of Insolvency Practice 9 and the Ethics Code for Insolvency Practitioners when he failed to justify the costs paid to his own firm, paid a creditor without sight of sufficient supporting evidence to do so and then failed to properly address the complainant's enquires in a timely manner.

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

The Common Sanctions Guidance provides for a severe reprimand and fine between £500 and £7,500 where there has been a material failure to comply with the provisions of a SIP. It was decided that a reprimand rather than a severe reprimand was warranted in this case. The sanction imposed takes into account 1) evidence that, even though it was considered that he did not go far enough when doing so, Mr Kienlen attempted to explain how the substantial costs had arisen, and 2) there had been no prior findings of this nature against Mr Kienlen.

The Investigation Committee decided to impose a disciplinary Order that Mr Kienlen be reprimanded, pay a fine of £1,500 and make a contribution towards costs.