



**Investigation Committee Consent Order  
30 July 2014**

Complaint against Malcolm Fillmore, Insolvency Practitioners Association Member and Licensed Insolvency Practitioner

**CONSENT ORDER PURSUANT TO RULE 5 OF THE INVESTIGATION COMMITTEE RULES**

The Investigation Committee found a prima facie case of misconduct against Mr Fillmore in respect of a Complaint that he breached SIP3 and the fundamental principles of professional competence and due care, professional behaviour, integrity and objectivity in that he:

1. failed to implement the original terms of IVAs as modified;
2. failed to reply to/or heed the complainant's communications/representations during the course of the IVAs;
3. ignored a creditor's request to convene a meeting of creditors to consider a further modification;
4. unilaterally varied the IVAs, without any specific agreement to this from the (debtor) complainant;
5. misrepresented the position to creditors by failing to clarify that the former Trustee of one of the debtors had asserted that his fees were to be paid as an expense of the IVAs

Accordingly Mr Fillmore is liable to disciplinary action under Article 66.

The Investigation Committee decided to impose a disciplinary order that Mr Fillmore be reprimanded, pay a fine of £1,000 and make a contribution towards the costs.