



08 January 2025

Final report by the Complaints Commissioner

Complaint number 202400475

The complaint

1. On 16 October 2024, you submitted a complaint about the FCA.

Why you are unhappy with the regulator's decision

2. You have received an FCA invoice in relation to the regulatory fees and levies for the period 1 April 2023 – 31 March 2024. You cancelled your authorisations on 25 April 2024. Because this was after the deadline of 31 March, you became liable for the annual fee for that year as per the FCA rules. You allege that you made a mistake by applying to cancel your firm's permissions by a few weeks after the deadline. You allege this was because you were involved in a complicated mortgage application for your client, which took a long time to complete. You say your worry was that if you submitted the application to cancel your firm's permission too early, you could have been acting illegally as an unauthorised advisor for your client. You are now retired and feel the FCA invoice is unfair, as you will not be receiving the service and you no longer work as a mortgage broker.

My analysis

3. The FCA cancellation deadline date is 31 March of every year. Consequently, any Firm that remains authorised after 31 March will still be liable to pay the annual fee for that year. You cancelled your authorisations on 25 April 2024. The relevant rules which the FCA referenced are indeed applicable, which can be accessed here: [FEES 4.3 Periodic fee payable by firms \(other than AIFM qualifiers, ICVCs and UCITS qualifiers\) - FCA Handbook](#) so the FCA was

correct when it informed you that the invoice population you received for the 2024/25 period was correctly populated.

4. I can also see the FCA considered the reasons you provided for the lateness in submitting the cancellation. And I am glad the FCA gave this serious consideration. Although the FCA has discretion to waive the fine in exceptional circumstances, I agree with the FCA that the complicated mortgage you were dealing for your client does not constitute exceptional circumstances. You were aware by which date you needed to cancel your authorisations and made the choice not to. As such it would not be appropriate to recommend that the FCA waive the annual fees that you are liable to pay for.

My decision

5. For the reasons above I do not uphold your complaint.
6. However, if you have other extenuating circumstances which you have not mentioned to the FCA, I suggest you do, so that it may consider them.

The Complaints Commissioner

Complaints Commissioner

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