

16 March 2016

Dear Complainant,

Your complaint about the Financial Conduct Authority
Our Ref: FCA00142

Thank you for your email of 17th February 2016, which sets out your complaint about the Financial Conduct Authority (FCA).

How the complaints scheme works

Under the complaints scheme, I can review the decisions of the FCA's Complaints Team. If I disagree with their decisions, I can recommend that the FCA should apologise to you, take other action to put things right, or make a payment.

As you can find full details of how I deal with complaints at www.fsc.gov.uk I do not intend to set them out fully below. If you need further information, or information in a special format, please contact my office at complaintscommissioner@fsc.gov.uk, or telephone 020 7562 5530, and we will do our best to help.

What we have done since receiving your complaint

We have now reviewed all the records you and the regulator have sent us. My decision on your complaint is explained below.

Your complaint

You complained on behalf of your former firm, A Ltd, which is a now dissolved limited liability company, as the FCA issued the firm with an invoice after the date it was dissolved and you are still receiving demands for payment at your home address. You believe the FCA should cancel the fees as the company is no longer in existence and does not have a bank account or resources available.

My position

Having reviewed all the relevant information, I have found that the fees were issued to your former company by the FCA, not you personally, and as the company had been dissolved in

2015, it can no longer be pursued for any outstanding invoices. In any event, you as an individual cannot be made liable for the debts of a limited liability firm.

Furthermore, the FCA has confirmed it accepts this position, that the firm's account is now on a NIL balance, and they will not be issuing the firm with any more invoices.

Conclusion

Based on the information provided, it appears that the FCA has already rectified the issue you are complaining about, by accepting that the former company no longer exists and reducing its account to NIL.

I note that reducing the account to NIL and confirming that you are not personally liable for the outstanding fees should have been done by the FCA sooner. This might have avoided the need for your complaint to the FCA and then to my office, and the associated inconvenience

I trust the above information is of satisfaction and resolves your complaint.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Antony Townsend', with a large, stylized flourish at the end.

Antony Townsend
Complaints Commissioner