

**CERTIFIED FINANCIAL PLANNER BOARD OF STANDARDS, INC.
WASHINGTON D.C.**

IN THE MATTER OF
CHRISTOPHER J. SELKA,
Respondent.

CFP Board Case No. 2023-64914

March 21, 2024

ORDER OF ADMINISTRATIVE REVOCATION

On February 1, 2024, pursuant to Article 4.2 of Certified Financial Planner Board of Standards, Inc.'s ("CFP Board") *Procedural Rules*, CFP Board Enforcement Counsel filed a Motion for Order of Administrative Revocation ("Motion")¹ requesting that Counsel for the Disciplinary and Ethics Commission ("DEC Counsel") issue an Order of Administrative Revocation against Christopher J. Selka ("Respondent").

For the reasons stated below, Enforcement Counsel's Motion is granted.

I. Background

Respondent became a CFP® professional on September 13, 2006, and remained certified until November 30, 2020, the effective date of an Administrative Order ("November 2020 Order") suspending Respondent's right to use the CFP® certification marks for one year and a one day for failing to acknowledge an investigation related to Respondent's history of alcohol-related convictions. (Motion, Exhibit 1 at 1-0013.)²

On May 5, 2023, Enforcement Counsel issued a Notice of Investigation ("NOI") to Respondent at his email address of record in CFP Board's files, requesting evidence of Respondent's having notified his firm(s) and his clients, in writing, of the November 2020 Order, as required by Article 11.2. of the *Procedural Rules*. (*Id.* at 1-002-1-003.) Respondent failed to provide the information required or to otherwise acknowledge receipt of the NOI within 30 calendar days, as required by Article 1.1.b. of the *Procedural Rules* in effect at the time. Based on Respondent's failure to acknowledge receipt of the initial NOI, Enforcement Counsel re-delivered the NOI ("Second NOI") via certified mail to Respondent's address of record in CFP Board's files on June 7, 2023. (*Id.* at 1-004.) Respondent failed to acknowledge receipt of the Second NOI within 30 calendar days and failed to respond to Enforcement Counsel's subsequent attempts to contact Respondent about his failure to acknowledge the initial NOI and Second NOI. (*See* Motion at 3 (averring to Enforcement Counsel's further efforts to reach Respondent by telephone and email).) As demonstrated by Respondent's failure to acknowledge receipt of the NOIs and to provide information required under Article 11.2 of the *Procedural Rules*, Enforcement Counsel determined that Respondent was in default pursuant to Articles 4.1.a. and 4.1.f. of the *Procedural Rules*.

¹ Enforcement Counsel certified in its Motion that it had attempted to meet and confer with Respondent in a good faith attempt to resolve or narrow the issues on July 11, 2023, but Respondent did not respond to Enforcement Counsel's attempt to resolve the issue.

² The Motion, any response to or reply in support of the Motion, and any Exhibits to the Revocation Order are not subject to publication under Article 17.7 of the *Procedural Rules*.

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Enforcement Counsel filed a Motion for Administrative Order of Revocation on February 1, 2024. Although Respondent's Opposition was due on February 15, 2024, he did not file an Opposition, so Enforcement Counsel did not file a Reply.

II. Discussion

A. Respondent is in Default

Pursuant to Article 4.1.f. of the *Procedural Rules*, if Respondent fails to satisfy the requirements of Article 11.2 of the *Procedural Rules*, then Respondent is in default. Respondent failed to provide Enforcement Counsel with written evidence of his notifications to his firm(s) and to his clients regarding the November 2020 Order, as required by Article 11.2. As a result of Respondent's failure to provide the required information, Respondent is in default under Article 4.1.f. of the *Procedural Rules*.

Pursuant to Article 4.1.a. of the *Procedural Rules*, if Respondent fails to acknowledge receipt of a NOI in accordance with Article 1.1, then Respondent is in default. Respondent failed to acknowledge receipt of the initial NOI and the re-delivered Second NOI within 14 calendar days of each respective letter, as required by Article 1.1.b. As a result of Respondent's failure to acknowledge receipt of the initial and re-delivered NOIs, Respondent is in default under Article 4.1.a. of the *Procedural Rules*.

B. Respondent's Conduct Warrants an Administrative Revocation

By failing to provide the required information or otherwise acknowledge receipt of the NOIs, Respondent undermined Enforcement Counsel's ability to investigate his compliance with CFP Board's administrative order of suspension for a year and day.

After failing to acknowledge one investigation, which resulted in an administrative suspension, and then failing to acknowledge a second investigation and provide the information required by Article 11.2 of the *Procedural Rules*, Respondent has demonstrated an unwillingness to engage with CFP Board. As a result, Enforcement Counsel determined that the Respondent's conduct warrants the issuance of an Order of Administrative Revocation.

III. Conclusion

DEC Counsel finds that Respondent is in default pursuant to Articles 4.1.a. and 4.1.f. of the *Procedural Rules*. Enforcement Counsel's Motion is **GRANTED**, and DEC Counsel issues this Order of Administrative Revocation ("Revocation Order") wherein Respondent's right to use the CFP Board certification marks is permanently revoked.

IV. Compliance with Order

Pursuant to Article 11.2 of the *Procedural Rules*, Respondent is required to submit to Enforcement Counsel, within 45 calendar days of issuance of this Revocation Order, or by **May 6, 2024**, written evidence that Respondent:

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- Has advised Respondent's Firm(s), in writing, of this Revocation Order in the manner set forth in Standard D.3 of the *Code and Standards*;
- Has advised all Clients (as Client is defined in the Glossary to the *Code and Standards*) of this Revocation Order and provided all Clients the location of CFP Board's website that sets forth Respondent's disciplinary history in the manner set forth in Standard A.10 of the *Code and Standards*; and
- Will advise all future Clients of the location of CFP Board's website that sets forth Respondent's disciplinary history, according to Standard A.10 of the *Code and Standards*.

Pursuant to Article 11.3 of the *Procedural Rules*, within **45 calendar days** from the date of this Order, or by **May 6, 2024**, Respondent is required to submit to Enforcement Counsel, by sending an email to discipline@cfpboard.org, Respondent's statement of assurance that Respondent will not use the CFP Board certification marks and proof that Respondent has removed the CFP Board certification marks from all internet sites or other tangible materials that Respondent exposes to the public, including screenshots of the businesses, social media, and third-party financial advisor listing website profiles that Respondent controls, pictures of signage, and when applicable, copies of Respondent's business cards, letterhead, and marketing and promotional materials, as well as pictures of any other materials Respondent controls in which the CFP® marks previously appeared publicly in reference to Respondent or Respondent's services.. Failure to do so may result in further disciplinary or legal action regarding the unauthorized use of the CFP Board certification marks.

Issued by:

Counsel to the Disciplinary and Ethics Commission

March 21, 2024