

Complaints Authorization Committee

Practice Standard

Property Transactions - Outstanding Documentation

Complaints Authorization Committee Meeting September 16, 2002

Benchers' Notes February 2003

The Complaints Authorization Committee reminds members that the Law Society, through the investigative process, does not have authority to compel a member against whom an allegation may be made to deliver documentation to or to fulfill undertakings given to other members or financial institutions or otherwise, as the case may be.

The focus of the Law Society's investigation is the respondent member's professional conduct. Complainants, including financial institutions, who are seeking a remedy, which the Law Society does not have the authority to provide, are informed that they may wish to obtain independent legal advice concerning other avenues that may be available to protect their interests. Therefore, members who write the Law Society concerning outstanding documentation and unfulfilled undertakings may also wish to consider other courses of action to protect client interests.