2026 LSBC 10
Hearing File No.: HE20240012
Decision Issued: June 9, 2026
Citation Issued: June 3, 2024

THE LAW SOCIETY OF BRITISH COLUMBIA TRIBUNAL
HEARING DIVISION

BETWEEN:

THE LAW SOCIETY OF BRITISH COLUMBIA

AND:

COLIN CAMPBELL ROBINSON

RESPONDENT

**DECISION OF THE HEARING PANEL
ON A JOINT SUBMISSION PURSUANT TO RULE 5-6.5**

Hearing date:	April 10, 2026
Panel:	Robert J. C. Deane, KC, Chair Gregory Cran, Public representative Jaspreet Singh Malik, Bencher
Discipline Counsel:	Gagan Mann
Counsel for the Respondent:	David G. Butcher, KC

INTRODUCTION

[1] The citation in this matter was issued on June 3, 2024, amended on November 26, 2024, further amended on March 17, 2026 and on April 10, 2026 (the "Citation"). The Citation alleges as follows:

> (1) Between approximately April 3, 2020 and May 18, 2021, in the instances set out at Schedule "A", you used your firm's trust account to receive $45,000 and

disburse $36,708.27 (the "Funds") that you credited to your clients, AA and BB, and you failed to do the following:

(a) provide legal services directly related to the Funds, contrary to Rule 3-58.1 of the Law Society Rules;

(b) make reasonable inquiries about the reason for the Funds to go through your firm's trust account; and

(c) record information about the source of the Funds, contrary to Rule 3-68 (a) (ii) of the Law Society Rules.

This conduct constitutes professional misconduct, pursuant to section 38(4) of the *Legal Profession Act*.

[2] The Respondent admits, and we find, that he was duly served with the original Citation in accordance with Rule 4-19 of the Law Society Rules (the "Rules") on June 5, 2024.

[3] The Law Society and the Respondent jointly submit under Rule 5-6.5 of the Law Society Rules (the "Rules") an agreed statement of facts ("ASF"), the Respondent's admission of a discipline violation, and a specified disciplinary action consented to by the Respondent.

[4] The Respondent admits that he engaged in professional misconduct, contrary to s. 38(4) of the *Legal Profession Act* (the "*Act*"). The Law Society and the Respondent have agreed, subject to the Panel's determination, that:

(a) an appropriate disciplinary action is a two-week suspension (the "Specified Disciplinary Action") to commence on the first day of the first month following issuance of the Hearing Panel's decision, or such other date as agreed between the parties in writing; and

(b) costs of $1,000 payable by the Respondent within 30 days of the issuance of the Panel's decision, or on such other date as the Panel may order.

Rule 5-6.5

[5] Rule 5-6.5 of the Rules provides as follows regarding joint submissions:

5-6.5 (1) The parties may jointly submit to the hearing panel an agreed statement of facts and the respondent's admission of a discipline violation and consent to a specified disciplinary action.

(2) If the panel accepts the agreed statement of facts and the respondent's admission of a discipline violation

(a) the admission forms part of the respondent's professional conduct record,

(b) the panel must find that the respondent has committed the discipline violation and impose disciplinary action, and

(c) the Executive Director must notify the respondent and the complainant of the disposition.

(3) The panel must not impose disciplinary action under subrule (2)(b) that is different from the specified disciplinary action consented to by the respondent unless

(a) each party has been given the opportunity to make submissions respecting the disciplinary action to be substituted, and

(b) imposing the specified disciplinary action consented to by the respondent would be contrary to the public interest in the administration of justice.

Issues

[6] The issues before us are as follows:

(a) whether we ought to accept the ASF and the Respondent's admission of professional misconduct; and

(b) if we accept the Respondent's admission, whether to impose the Specified Disciplinary Action.

Admitted Facts

[7] The Law Society and the Respondent have entered into a comprehensive ASF. We accept those agreed facts, which are summarized below.

[8] The Respondent was called and admitted as a member of the Law Society of British Columbia on September 27, 1985. The Respondent is currently 67 years old and intends to retire from the practice of law in 2027.

[9] From July 1987 to September 2025, the Respondent practiced at a small firm (the "Firm") in Victoria, British Columbia. Since September 2, 2025, the Respondent has practiced at a large full-service law firm with a dedicated trust accounting department. The Respondent's current practice is primarily in wills and estates, corporate and residential real estate law.

[10] From February 2021 to April 2021, a compliance audit of the Firm was conducted by the Law Society's Trust Assurance Department, for the period September 1, 2019 to February 19, 2021. The Firm operated three pooled trust accounts, including one with the Royal Bank of

Canada (the "RBC Account"). At all material times, the Respondent was a signatory on the Firm's trust books, records and bank accounts.

[11] In approximately May 2021, the Law Society began an investigation into the Respondent's use of the Firm's trust accounts during the audit period, specifically in relation to a particular client matter regarding the Respondent's clients AA and/or BB (the "Clients").

[12] The Respondent has been close personal friends with BB since his childhood, and with AA since adolescence.

[13] From time to time, beginning in the 1990s, the Respondent provided intermittent legal services to AA and BB, who were married to each other. The Respondent understood that AA was a successful, sophisticated businessperson who worked in the oil business in various locations around the world, including the United States of America, the United Kingdom, Indonesia, the Gulf States and Russia. The Respondent understood that AA's compensation was paid through third-party companies registered in Cyprus (the "Cyprus Companies").

[14] In approximately 2005, the Respondent began assisting the Clients with various financial matters involving the receipt of funds from overseas bank accounts into the Firm's trust accounts. The Respondent created a new client matter for the Clients that was labeled with the Clients' names and the designation "Miscellaneous" (the "Miscellaneous Matter"). The Miscellaneous Matter was active from 2005 to 2021.

[15] From time to time, between approximately 2005 and 2021, AA arranged for funds to be wired from outside of Canada to the Firm's trust accounts. The majority of the funds wired by, or on behalf of, AA to the Firm's trust accounts were delivered by the Cyprus Companies.

[16] The funds wired by, or on behalf of, AA to the Firm's trust accounts were subsequently deposited into the Clients' local bank account or used to make payments from trust to third parties, as directed by the Clients. The Respondent's trust ledger for the Miscellaneous Matter recorded the trust transactions on that matter.

[17] The Respondent maintained a document designated with the Clients' names and the notation "General Solicitor's In-Out Trust Statement" (the "In/Out Statement") as the book of entry for the Miscellaneous Matter. The Respondent used the In/Out Statement to track payments into and out of trust in the Miscellaneous Matter. The Respondent's general practice was for him or his staff to update the In/Out Statement upon receipt of trust funds from the Clients. He was responsible for reviewing the In/Out Statement to ensure its accuracy and that it reconciled with the entries in the accounting system. The Respondent regularly provided AA with the updated In/Out Statement, along with copies of related documents and correspondence.

[18] The trust ledger and the In/Out Statement for the Miscellaneous Matter contain both transactions related to legal services, and transactions that did not involve legal services, interspersed with each other.

[19] In July 2019, Rule 3-58.1 of the Rules was implemented. Rule 3-58.1(1) provides:

> 3-58.1(1) Except as permitted by the Act or these rules or otherwise required by law, a lawyer or law firm must not permit funds to be deposited to or withdrawn from a trust account unless the funds are directly related to legal services provided by the lawyer or law firm.

[20] On November 12, 2019, the Respondent sent an email to AA, stating in part:

> On July 12, 2019, the Law Society changed rules regarding deposit of trust funds to a Lawyer's Trust Account . . .
>
> l. Trust account only for legal services - new Rule 3-58.1
>
> Rule 3-58.1, the new trust account rule, explicitly provides that funds paid into or out of a trust account must be directly related to legal services provided by the lawyer or law firm. The definition of "trust funds" in Rule 1 is narrowed so that funds received by a lawyer that are not "directly related to legal services" are not considered to be trust funds. In addition, on completion of the legal services to which the funds relate, a lawyer or law firm must take reasonable steps to obtain appropriate instructions to pay out the funds as soon as practicable.".
>
> Because of these changes, *I would suggest that you arrange for the funds to be deposited directly to your own accounts, unless they are to be directly related to legal services*.
>
> [emphasis added]

[21] On or about March 25, 2020, AA notified the Respondent by telephone and email that he planned to deposit $45,000 to the RBC Account. The Respondent emailed his assistant to advise her that "[AA] will be sending a retainer of $45,000 to our RBC trust account".

[22] On April 3, 2020, the Respondent accepted $45,000 into the RBC Account via wire transfer from one of the Cyprus Companies (the "Deposit"). The Respondent understood that the Deposit was made in anticipation of a loan from AA to AA's friend, CC, to assist CC in his pending separation from his spouse. The Respondent did not receive any further instructions regarding the Deposit.

[23] The Clients did not seek any legal services from the Respondent in respect of the Deposit, nor did the Respondent provide any legal services directly related to the Deposit. The

Respondent inquired neither about the reason for the Deposit to go through the Firm's trust accounts, nor about the source of the funds for the Deposit.

[24] The Respondent did not obtain and record any information about the source of the Deposit. The Respondent believed that the source of the Deposit was AA's employment, business activities and investments, but he did not verify or record this information.

[25] The Respondent's only record of the source of the Deposit was the related trust banking documents, which showed the name of the third-party company wiring the funds. Although the Deposit was received from one of the Cyprus Companies, it was recorded in the In/Out Statement as being, "From client, Royal Bank of Canada wire transfer". Further, although the Deposit was received from one of the Cyprus Companies, it was recorded in the client trust ledger as "[AA] – RETAINER".

[26] On May 25, 2020, AA instructed the Respondent's legal assistant by email to transfer $35,000 to a personal bank account controlled by the Clients, stating "[i]t is property tax time". On May 26, 2020, the Respondent caused the Firm to issue a cheque for $35,000 from trust, payable to the Clients (the "First Disbursement"), and delivered it to the bank holding the Clients' personal bank account. The Respondent did not inquire about the use of the Firm's trust accounts to pay AA's property taxes.

[27] On May 14, 2021, the Respondent caused the Firm to issue a cheque for $1,708.27 from trust, payable to the Clients, as the return of the last funds held in trust in the Miscellaneous Matter (the "Second Disbursement"). On May 18, 2021, the Second Disbursement was withdrawn from the RBC Account.

[28] The Clients did not seek any legal services from the Respondent in respect of the First Disbursement or the Second Disbursement, nor did the Respondent provide any legal services directly related to the First Disbursement or the Second Disbursement. The Respondent acknowledges and understands that in the absence of any legal services directly related to the funds, the Deposit should have been returned to the same account from which it came.

[29] In approximately June 2021, the Respondent closed the Miscellaneous Matter and ceased accepting further deposits from the Clients that did not involve legal services directly related to the funds.

Admission of a discipline violation

[30] The Respondent has admitted to the conduct alleged in the Citation, namely that, between approximately April 3, 2020 and May 18, 2021, he used the Firm's trust account to receive and disburse the Funds and that he failed to do the following:

(a) provide legal services directly related to the Funds, contrary to Rule 3-58.1 of the Rules;

(b) make reasonable inquiries about the reason for the Funds to go through the Firm's trust account; and

(c) record information about the source of the Funds, contrary to Rule 3-68 (a)(ii) of the Rules.

[31] The Respondent admits that this conduct constitutes professional misconduct. As discussed further below the Panel accepts the Respondent's admission of professional misconduct based on the facts set out in the ASF.

Whether the Respondent's actions constitute professional misconduct

[32] The concept of "professional misconduct" is not defined in the *Act* or the Rules. It is well-accepted, though, that "professional misconduct" denotes conduct that is a marked departure from the standard of conduct the Law Society reasonably expects from its members: *Law Society of BC v. Martin*, 2005 LSBC 16, at para. 171. The test is objective, and context-specific: *Law Society of BC v. Sangha*, 2020 LSBC 03, at para. 67; *Foo v. Law Society of British Columbia*, 2017 BCCA 151, at paras. 52 to 57.

[33] Factors to consider when assessing whether conduct amounts to professional misconduct, as opposed to, for example, a breach of the Rules alone, include the gravity of the misconduct, its duration, the number of breaches, the presence or absence of *mala fides*, and the harm caused by the lawyer's conduct: *Law Society of BC v. Lyons*, 2008 LSBC 9, at para. 35.

[34] The Citation contains specific allegations regarding the Respondent's use of the Firm's trust account. Lawyers have special duties in relation to their use of trust accounts, since unscrupulous parties may seek to engage in transactions through these trust accounts and thereby attempt to use the privilege which attaches to lawyers' advice and assistance to conceal their activities. A lawyer functions as a gatekeeper in respect of their trust account, and has a duty to ensure that it is used only for legitimate purposes. In *Law Society of BC v. Gurney*, 2017 LSBC 32, the hearing panel held (at paras. 10, 13):

> The Respondent was found to have breached his duty as a gatekeeper of his trust account. Given the fact that a lawyer's trust account is subject to solicitor-client privilege, a lawyer has a positive obligation to ensure that it is not misused. The Respondent failed in his duty to make reasonable inquiries with regard to the source of the excess of $25 million in Canadian funds deposited into his trust account. This is in conjunction with the fact that the Respondent did not provide any substantial legal services.
>
> ...

> The Respondent's conduct is serious in that it involved the breach of one the fundamental obligations of a lawyer in the operation of his trust account, and that is to make reasonable inquiries as to the source of the funds being deposited into his trust account. A lawyer's trust account is impressed with solicitor-client privilege, and the failure of the Respondent in his duty to act as a gatekeeper of his trust account creates serious risk to the public interest. The Respondent's breach of his professional obligations is serious.

[35] With that background, we turn to the particular allegations advanced in the Citation.

Allegation 1(a): Absence of Legal Services

[36] Allegation 1(a) of the Citation alleges that, in the course of using the Firm's trust account to handle the Funds, the Respondent failed to provide legal services directly related to the Funds, contrary to Rule 3-58.1 of the Rules.

[37] As noted, Rule 3-58.1(1), which came into force in July 2019, provides in relevant part:

> Except as permitted by the Act or these rules or otherwise required by law, a lawyer or law firm must not permit funds to be paid into or withdrawn from a trust account unless the funds are directly related to the services provided by the lawyer or law firm.

[38] Rule 3-58.1 created a "bright line" test: "If a lawyer deposits funds into their trust account and no legal services are directly related to the transaction, then the Rule is breached": *Law Society of BC v. Wang*, 2024 LSBC 42 at para. 72.

[39] The Respondent accepted the Deposit into the Firm's trust account but that Deposit was not directly related to any services provided by the Respondent. While the Respondent says that he expected that the Deposit was made in anticipation of a future loan from AA to CC, there is no indication that he ever received any such instructions, or that AA actually ever contemplated such loan, much less made one.

[40] Similarly, the First Disbursement was made in the absence of any connection to legal services provided by the Respondent: the Clients simply said that "[i]t is property tax time". Nor did the Second Disbursement, the return to the Clients of the last funds held in trust on the Miscellaneous Matter, have any connection to legal services provided by the Respondent.

[41] The Respondent admits that he failed to provide legal services directly related to the Funds which were deposited into and then disbursed from the Firm's trust account, contrary to Rule 3-58.1 of the Rules, and we so find.

Allegation 1(b): Failure to make reasonable inquiries

[42] Allegation 1(b) alleges that the Respondent failed to make reasonable inquiries about the reason for the Funds to go through the Firm's trust account.

[43] Even prior to the coming into force of Rule 3-58.1 (prior to July 2019), lawyers were required to make inquiries in circumstances where there are objectively suspicious circumstances or "red flags", such as situations in which a client seeks to use a lawyer's trust account without that lawyer providing legal services: *Wang*, at para. 69; *Law Society of BC v. Yen*, 2020 LSBC 45, at paras. 36 to 37, aff'd 2023 LSBC 2.

[44] Because the duty to make inquiries is triggered by the presence of objectively suspicious circumstances, not necessarily an actually unlawful or fraudulent transaction, the Law Society is not required to establish that the underlying transaction was in fact illegitimate: *Law Society of BC v. Barker*, 2025 LSBC 4, at para. 33.

[45] The Respondent did not make any inquiries about the reason for the Funds to go through the Firm's trust account. While, as noted, he understood that the Deposit was made in anticipation of a loan by AA to CC, he did not make any inquiries to substantiate that understanding (nor did he perform any legal services in respect of any such potential loan).

[46] The Respondent admits, and we find, that he failed to make reasonable inquiries about the reason for the Funds to go through the Firm's trust account.

Allegation 1(c): Failure to record the source of funds

[47] Allegation 1(c) of the Citation alleges that the Respondent failed to record information about the source of the Funds, contrary to Rule 3-68(a)(ii)] of the Rules.

[48] Rule 3-68(a)(ii) of the Rules provides that:

> **3-68** A lawyer must maintain at least the following trust account records:
>
> (a) a book of entry or data source showing all trust transactions, including the following:
>
> . . .
>
> (ii) the source and form of the funds received;
>
> . . .

[49] Rule 3-68(a)(ii) ensures that a lawyer is accountable to each client for their funds, and guards against that lawyer being used by a client in the course of engaging in illegitimate transactions: *Law Society of BC v. Gellert*, 2013 LSBC 22, at para. 101. Properly accounting for trust transactions is central to the proper administration of a trust account, and is therefore essential to maintaining confidence in the integrity of the legal profession.

[50] Although each case turns on its own facts, other hearing panels have found that a failure to comply with Rule 3-68(a)(ii) constitutes professional misconduct: *Law Society of BC v. Skogstad*, 2008 LSBC 19; and *Law Society of BC v. Soon,* 2026 LSBC 5.

[51] The Respondent admits that he failed to record information about the source of the Funds, contrary to Rule 3-68(a)(ii) of the Rules, and we so find.

Finding of Professional Misconduct

[52] The Respondent admits that the conduct admitted in the ASF, and which we have found above has been established, constitutes professional misconduct. We find that admission to be well-founded. We are satisfied that it was, as the Respondent admits, conduct that falls markedly short of the conduct the Law Society reasonably expects from its members.

[53] Pursuant to s. 38(4)(b)(i) of the *Act*, we therefore find that the Respondent committed professional misconduct by:

(a) using the Firm's trust account to receive and disburse funds in circumstances where he did not provide legal services directly related to those funds, contrary to Rule 3-58.1 of the Law Society Rules;

(b) failing to make reasonable inquiries about the reason the funds were routed through the Firm's trust account; and

(c) failing to record information regarding the source of the funds, contrary to Rule 3-3-68(a)(ii) of the Law Society Rules.

Specified Disciplinary action

[54] As noted, this matter comes to us by way of a joint submission. Rule 5-6.5 is consistent with the manner in which joint submissions in criminal proceedings are required to be addressed. As the Supreme Court of Canada explained in *R v. Anthony-Cook*, 2016 SCC 43, a joint submission ought to be accepted unless the joint submission would bring the administration of justice into disrepute or is otherwise contrary to the public interest, language which is generally tracked in Rule 5-6.5(3)(b). The latter exception will be established only where the jointly-proposed sanction "is so markedly out of line with the expectations of reasonable persons aware of the circumstances of the case that they would view it as a break down in the proper functioning" of the relevant system (*Anthony-Cook* at para. 33). This test has been adopted consistently by hearing panels: see, for example, *Law Society of BC v. Menkes*, 2025 LSBC 08 and *Law Society of BC v. Parr*, 2025 LSBC 16.

[55] We have carefully considered whether there is any basis on which, having regard to the standard set out in Rule 5-6.5, it would be appropriate to interfere with the parties' joint submission regarding the appropriate sanction. In order to assess those questions, we consider

the applicable principles and the range of sanctions that have been imposed in similar circumstances.

Whether the Specified Disciplinary Action is contrary to the public interest

[56] Having found that the Respondent's admissions of professional misconduct are well-founded, we turn then to consider the jointly-proposed Specified Disciplinary Action. Pursuant to Rule 5-6.5(3)(b), we may only decline to impose the parties' Specified Disciplinary Action if we find it would be contrary to the public interest in the administration of justice.

[57] In *Law Society BC v. Ogilvie*, 1999 LSBC 17, the hearing panel said (at paras. 9 to 10):

> Given that the primary focus of the *Legal Profession Act* is the protection of the public interest, it follows that the sentencing process must ensure that the public is protected from acts of professional misconduct. Section 38 of the *Act* sets forth the range of penalties, from reprimand to disbarment, from which a panel must choose following a finding of misconduct. In determining an appropriate penalty, the panel must consider what steps might be necessary to ensure that the public is protected, while also taking into account the risk of allowing the respondent to continue in practice.
>
> . . . In the context of a self-regulatory body one must also consider the need to maintain the public's confidence in the ability of the disciplinary process to regulate the conduct of its members.

[58] While several individual factors to be considered were identified in *Ogilvie*, the hearing panel in *Law Society of BC* v. *Dent*, 2016 LSBC 5, consolidated them into four categories, which we consider below:

(a) the nature, gravity, and consequences of the misconduct;

(b) the Respondent's character and professional conduct record;

(c) the Respondent's acknowledgement of the misconduct and remedial action; and

(d) public confidence in the legal profession including public confidence in the disciplinary process.

Nature, gravity, and consequences of the misconduct

[59] As noted above, lawyers act as gatekeepers of their trust accounts. Because lawyers' trust accounts carry the protection of solicitor-client privilege, they may be attractive to unscrupulous parties seeking to legitimize or conceal financial transactions. Lawyers therefore bear a significant obligation to ensure that trust accounts are used only for proper purposes. A failure to discharge that obligation risks undermining public confidence in the profession and creating the risk that a lawyer may become an instrument of wrongdoing.

[60] The Respondent was aware of his obligations under the Rules, and indeed brought those obligations to the Clients' attention shortly after Rule 3-58.1 was amended in July 2019. Despite being aware of his duties, the Respondent still allowed the Funds to be deposited into and then disbursed from the Firm's trust account without their being related to any legal services provided by him, while also failing to confirm and record the source of the Funds.

[61] We find that the Respondent's admitted professional misconduct was serious.

The Respondent's character and professional conduct record

[62] The Respondent is a long-standing member of the bar. He has distinguished himself by providing services to members of the community, mentoring other lawyers, and otherwise positively contributing to the profession for decades. The Respondent has devoted himself to the profession, with the support and assistance of his family. The public has benefited from his many years of service, and his forthcoming retirement is decidedly well-earned.

[63] We have considered the Respondent's Professional Conduct Record, which discloses two entries. First, on October 28, 2021, the Practice Standard Committee made certain recommendations related to the Respondent's communication skills and his dealings with difficult clients, including continuing professional development and monthly reviews of his open files. Second, on May 8, 2023, the Respondent undertook to not act in a representative capacity, or as an executor or trustee, if his appointment is derived from a solicitor-client relationship.

[64] The Law Society fairly observes that the entries on the Respondent's Professional Conduct Record are relatively recent, and do not relate to the misconduct at issue before us.

[65] We do not give the Respondent's Professional Conduct Record undue weight, particularly when viewed in light of his 35 years of committed service to the profession and to the public.

Respondent's acknowledgment of the misconduct and remedial action

[66] The Respondent has admitted the allegations set out in the amended Citation, and has agreed that he committed professional misconduct. This streamlined the hearing of this matter, which had been set for run for five days, and saved both parties from having to call witnesses and otherwise marshal evidence.

[67] Indeed, given the scope of the original citation and the manner in which the parties propose to resolve this matter, it is evident that a great deal of care, thought and effort has been expended by both the Respondent and the Law Society in narrowing the case and refining the nature of the agreed disciplinary action. These types of discussions ought to be encouraged.

[68] In terms of any residual risk of future misconduct, we observe that the Respondent now practices at a large, full-service law firm with dedicated trust accounting staff, and that he

intends to retire in 2027. The risk of this type of matter re-occurring in the Respondent's practice is low.

Public confidence in the legal profession including public confidence in the disciplinary process

[69] We must also consider the nature of the disciplinary action that is consistent with maintaining public confidence in the legal profession, including the Law Society's disciplinary process. Public confidence is maintained when the disciplinary action that is imposed is proportionate to the misconduct, fair, and reasonable in all of the circumstances, having regard to the principles of general and specific deterrence.

[70] While we have found that specific deterrence is not a primary consideration in this case, general deterrence is of particular importance. Public confidence in the profession is undermined when lawyers fail to comply with the Rules, particularly the Rules addressing trust accounting matters, and the disciplinary sanction imposed in this case must be calculated to deter other members of the profession from engaging in similar misconduct.

[71] We have considered the authorities put before us by the Law Society, which the Respondent accepts establish a relevant range of potential disciplinary actions.

[72] While each disciplinary action reflects the particular facts of the case, these are all instances in which the respondent allowed a firm trust account to receive and disburse funds without providing substantial or any legal services in relation to those funds, failed to make reasonable inquiries about the reasons for funds to go through a trust account, or failed to record information about the source of the funds:

(a) *Law Society of BC v. Daignault*, 2020 LSBC 18 (two-week suspension);

(b) *Law Society of BC v. Hammond*, 2020 LSBC 30 (two-week suspension);

(c) *Law Society of BC v. Nikolaeva*, Rule 3-7.1 Consent Agreement (August 31, 2022) (two-week suspension);

(d) *Law Society of BC v. Tupper*, Rule 3-7.1 Consent Agreement (May 10, 2024) (two-week suspension);

(e) *Law Society of BC v. Kirkham*, Rule 3-7.1 Consent Agreement (September 9, 2024) (six-week suspension); and

(f) *Law Society of BC v. Porritt*, 2026 LSBC 4 (two-month suspension).

[73] A two-week suspension is within the range of the applicable cases. The conduct alleged in the Citation occurred over a relatively narrow span of time, did not involve a large number of

clients and, in context, the amount of money involved (while significant) was not at the higher end of the range. We have also had regard to the Respondent's personal and professional characteristics noted above in situating this case within the range of authorities that have been put before us.

[74] In the circumstances, the parties' jointly-proposed Specified Disciplinary Action falls squarely within the appropriate range. We certainly cannot find that imposing the Specified Disciplinary Action would be contrary to the public interest in the administration of justice, which is the standard that would have to be satisfied in order for us to seek to interfere with it under Rule 5-6.5(3)(b), and then only after inviting submissions from the parties under Rule 5-6.5(3)(a).

[75] We therefore accept the parties' joint submission and order that the Respondent be suspended for two weeks commencing on the first day of the first month following issuance of this Decision.

Costs

[76] Pursuant to Rule 5-11, the Respondent may be liable for the costs of this hearing, which costs are to be assessed by reference to the Tariff at Schedule 4 of the Rules.

[77] The Respondent has consented to an order for costs in the amount of $1,000, to be paid within 30 days after the issuance of this Decision.

[78] We accept that the parties' agreed costs disposition is reasonable and appropriate in the circumstances.

Decision and Order

[79] For these reasons, we accept the Respondent's admission and find that, by engaging in the conduct alleged in the Citation, the Respondent committed professional misconduct pursuant to s. 38(4)(b)(i) of the *Act*.

[80] We also accept the parties' joint submission regarding the appropriate disciplinary action, and therefore order that the Respondent:

(a) be suspended for two weeks commencing on the first day of the first month following issuance of this Decision or such other date as agreed between the parties in writing; and

(b) pay costs of $1,000 within 30 days of the issuance of this Decision.