

LAW SOCIETY OF BRITISH COLUMBIA TRIBUNAL  
HEARING DIVISION

BETWEEN:

**LAW SOCIETY OF BRITISH COLUMBIA**

AND:

**RAJESH SONI**

RESPONDENT

**CITATION**

**TO:** **Rajesh Soni**  
Vancouver, BC

**AND TO:** **His Solicitor, Joven Narwal, KC**  
Narwal Litigation LLP  
970-777 Hornby Street  
Vancouver, BC V6Z 1S4

**TAKE NOTICE THAT** by direction of the Discipline Committee of the Law Society of British Columbia, a Hearing Panel of the Law Society will, at a date and time to be set, conduct a hearing to inquire into your conduct or competence as a member of the Law Society of British Columbia, in accordance with section 38 of the *Legal Profession Act*. Parts 4 and 5 of the Law Society Rules outline the procedures to be followed at the hearing. Your appearance before the Hearing Panel may be your only opportunity to present evidence, call witnesses or make submissions.

**The allegations against you are:**

***Misleading Clients***

1. Between approximately May 2021 and July 2022, in the course of representing AA (the "Client") regarding their immigration application (the "Application") with Immigration, Refugee, and Citizenship Canada ("IRCC"), you made one or more of

the following representations to the Client that you knew or ought to have known were false or misleading, contrary to one or more of rules 2.1-3, 2.2-1 and 3.2-2 of the *Code of Professional Conduct for British Columbia*:

- (a) in or about May 2021, you represented to the Client that the Application was delayed due to the Government of Canada's wait times, when you knew in or about March 2021 that the Application had been rejected because you failed to include the required Application fee;
- (b) in approximately September 2021, you stated to the Client that they should expect their permanent residency status to be approved in or about February 2022, when you knew that you had not taken any steps to advance the Application after you were aware of its initial rejection in or about March 2021;
- (c) on December 15, 2021, you provided a report to the Client about the status of their matter in which you represented that:
  - (i) you had called IRCC on September 28, 2021 requesting an update on the Application and had spoken to a representative who had advised there was no update;
  - (ii) you had received an email from IRCC on November 16, 2021 stating that the Application fee had not been paid, to which you had responded by providing proof of payment the next day and requesting that they process the Application;
  - (iii) you called IRCC on November 30, 2021 and were told that you would receive an update regarding the Application either shortly before or after the "Christmas break";
- (d) in an email dated January 19, 2022, you provided the Client with a fabricated letter purportedly from IRCC, which stated, among other things, that the COVID-19 pandemic had "substantially hindered this department's

ability to handle applications, and there is a massive back log that has been created” and that the Application would be processed in the next month, when you knew that you had fabricated the letter;

- (e) in an email dated February 17, 2022, you provided the Client with a fabricated letter purportedly from IRCC, stating that the Client had reached the next step of the application process and setting out a number of questions about the Client’s circumstances, when you knew that you had fabricated the letter; and
- (f) in a letter dated July 20, 2022 to the Client’s new counsel, you stated that you “forgot to send proof” that you had paid the Application fee, when you knew that you had not paid the Application fee.

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

2. Between approximately January 2022 and January 2024, in the course of representing BB (the “Client”) regarding their application for divorce and name change in the BC Supreme Court, you misled or attempted to mislead the Client by doing one or more of the following, contrary to one or more of rules 2.1-3, 2.2-1 and 3.2-2 of the *Code of Professional Conduct for British Columbia*:

- (a) providing the Client with a document purporting to be an entered divorce order dated January 24, 2022 (the “Divorce Order”), when you knew that the Divorce Order had neither been applied for nor obtained;
- (b) providing the Client with a document purporting to be an entered Certificate of Divorce dated February 23, 2022 (the “Divorce Certificate”), when you knew that the Divorce Certificate had neither been applied for nor obtained;
- (c) providing the Client with a document purporting to be a letter dated October 17, 2022 from the Head of the BC Public Service, and advising that the Client’s name change application had been approved and registered, when

you knew that you had fabricated the letter and its contents were false and misleading;

- (d) stating, in an email dated January 13, 2023 to the Client, that you:
  - (i) had applied for a Certificate of Name Change on their behalf, when you had not done so; and
  - (ii) had spoken to an agent at the Department of BC Vital Statistics who said that the government is “generally behind on well everything” and “would not have completely updated its records yet”, and therefore the Client could expect a further delay of four to six weeks to receive the Certificate of Name Change;
- (e) providing the Client with a fabricated document purporting to be a letter dated March 25, 2023 from you to an assistant registrar at BC Vital Statistics, and purporting to confirm “that the Agency will agree to compensate my client for value of her ticket purchased to travel if she does not receive the Certificate of Name Change by April 17, 2023”, when you knew that you had fabricated the letter and its contents were false and misleading;
- (f) providing the Client with a fabricated document purporting to be a letter dated April 1, 2023 from you to BC Vital Statistics, alleging that they had failed to respond to your correspondence which was “simply inexcusable” and demanding that the Certificate of Name Change be delivered to the Client by April 17, 2023, when you knew that you had fabricated the letter and its contents were false and misleading;
- (g) providing the Client with a fabricated document purporting to be a letter dated April 10, 2023 from BC Vital Statistics to you, stating that if the Certificate of Name Change was not delivered to the Client by April 17, 2023, the Client would receive financial compensation on the understanding that the Client would not be permitted to publicly discuss that

compensation, when you knew that you had fabricated the letter and its contents were false and misleading;

- (h) providing the Client with a fabricated document purporting to be a letter dated April 14, 2023 from you to BC Vital Statistics, requesting financial compensation of \$440.00 for the Client if the Certificate of Name Change was not delivered to the Client and advising that the cheque should be made payable to your law firm's trust account, when you knew that you had fabricated the letter and its contents were false and misleading;
- (i) providing the Client with a fabricated document purporting to be a letter dated April 18, 2023 from you to BC Vital Statistics, requesting financial compensation for the Client of \$4,491.74 and an update about the Certificate of Name Change, when you knew that you had fabricated the letter and its contents were false and misleading;
- (j) providing the Client with a fabricated document purporting to be a letter dated May 15, 2023 from BC Vital Statistics to you, stating that the delay in issuing the Certificate of Name Change was caused by the government, and that a cheque for \$4,491.74 was enclosed, when you knew that you had fabricated the letter and its contents were false and misleading;
- (k) on May 16, 2023, issuing a cheque to your Client for \$4,491.74 purporting to be compensation from the government, when you knew that was not true;
- (l) in approximately October 2023, telling the Client that you would go to court to obtain an order compelling the government to issue the Certificate of Name Change, when you knew or ought to have known that no such application had been or would be brought;
- (m) on January 23, 2024, telling the Client that you had gone to court on their matter and the judge was "upset" at the government, when you knew that was not true; and

- (n) on or about January 23, 2024, providing the Client with one or more of the following fabricated documents, when you knew that you had fabricated the documents and their contents were false and misleading:
- (i) a Notice of Application returnable November 22, 2023, purportedly filed by you in the BC Supreme Court and containing a falsified court filing stamp dated November 16, 2023;
  - (ii) a supporting affidavit purporting to be sworn by you on November 16, 2023, containing a falsified court filing stamp of the same date and attaching two fabricated letters dated July 29, 2022 and October 17, 2022, purporting to be correspondence from the Head of the BC Public Service to you; and
  - (iii) a document purporting to be a court order made by the Honourable Justice Butler, containing a falsified court filing stamp dated November 22, 2023 and stating, among other things, that the government of BC was ordered to provide the Certificate of Name Change to the Client by February 5, 2024.

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

3. Between approximately June 2023 and January 2024, in the course of representing CC (the “Client”) in an appeal regarding a loan dispute, you misled or attempted to mislead the Client by doing one or more of the following, contrary to one or more of rules 2.1-3, 2.2-1 and 3.2-2 of the *Code of Professional Conduct for British Columbia*:
- (a) in or about June 2023, telling the Client that he could not be present at the hearing of the appeal because, due to the pandemic, only lawyers were permitted to attend, when you knew this was not true;

- (b) on June 20, 2023, providing or showing to the Client a document purporting to be a Weekly Hearing List for the BC Court of Appeal indicating that the Client's appeal would be heard on June 21, 2021 [sic], when you knew that the appeal had already been heard and dismissed on [date omitted];
- (c) providing the Client with a fabricated document purporting to be an email dated June 20, 2023 from opposing counsel in the appeal proceedings, stating that the court was "having issues with their systems, causing incorrect information to be shown in different files on Court Services Online", when you knew that you had fabricated the email and its contents were false and misleading;
- (d) providing the Client with a fabricated document purporting to be an email dated June 22, 2023 from a court scheduler for the BC Court of Appeal, stating that they had "been advised by the judging panel for your hearing that they will be delivering Oral Reasons for Judgment on June 29, 2023", when you knew that you had fabricated the email and its contents were false and misleading;
- (e) providing the Client with a fabricated document purporting to be an email string dated June 29, 2023 between you and a court scheduler for the BC Court of Appeal, and purportedly showing that the court scheduler advised you that the Reasons for Judgment for the appeal would be released the week of July 10-15, 2023, when you knew that you had fabricated the email string and its contents were false and misleading;
- (f) providing the Client with a fabricated document purporting to be Reasons for Judgment in the appeal, which indicated that the hearing occurred on June 21, 2023 with reasons delivered June 29, 2023, when you knew that reasons for judgment were issued on [date omitted] and you had falsified the dates on the Reasons for Judgment;
- (g) on January 24, 2024, providing the Client with a fabricated document purporting to be an email string with five emails dated January 12-22, 2024,

between you and Supreme Court Scheduling about scheduling an application, when you knew that you had fabricated the email string and its contents were false and misleading; and

- (h) on January 26, 2024, providing the Client with a fabricated document purporting to be an email string with two emails dated January 22 and 26, 2024, between you and opposing counsel about the Client's application, when you knew that you had fabricated the email string and its contents were false and misleading.

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

- 4. Between approximately November 2022 and December 2023, in the course of representing DD (the "Client") in a debt collection matter, you misled or attempted to mislead the Client by doing one or more of the following, contrary to one or more of rules 2.1-3, 2.2-1 and 3.2-2 of the *Code of Professional Conduct for British Columbia*:

- (a) on November 21, 2022, advising the Client that you had "commenced the claim" and would seek a default judgment if the defendants did not respond in 21 days, when you knew that you had not yet filed the Notice of Civil Claim in the Client's proceeding nor served it on the defendants;
- (b) on March 22, 2023, telling the Client that you had obtained a default judgment in the Client's proceeding, when you knew that was not true;
- (c) in March 2023, seeking instructions from the Client to get the purported default judgment certified in the Arizona Supreme Court, when you knew that no default judgment had been obtained;
- (d) failing to inform the Client that a Response to Civil Claim had been filed by the defendants on [date omitted] alleging that your Client's claim was statute-barred;



- (e) between approximately July and August 2023, preparing an affidavit to be sworn by the Client stating that a default judgment had been obtained when you knew that statement was not true;
- (f) on November 17, 2023, providing the Client with a document purporting to be a contract from a debt collection agency in California, when you knew you had fabricated the contract;
- (g) on November 27, 2023, advising the Client that you had contacted and retained a law firm to investigate the “fraudulent” purported contract from the debt collection agency in California, when you knew that you had not retained any law firm for that purpose;
- (h) on December 6, 2023, obtaining a second retainer agreement from the Client to enforce the purported default judgment, when you knew that no default judgment had been obtained; and
- (i) on December 12, 2023, advising the Client that you had sent documents for financial discovery to a process server to be served on one of the defendants, when you knew that was not true.

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

#### ***Fabricating Documents***

- 5. Between January 2022 and February 2022, in the course of representing AA (the “Client”) regarding their immigration application with Immigration, Refugees and Citizenship Canada (“IRCC”), you fabricated and delivered to the Client one or both of the following documents:
  - (a) a letter dated January 14, 2022, purporting to be official correspondence from IRCC; and

- (b) a letter dated February 15, 2022, purporting to be official correspondence from IRCC.

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

6. Between approximately January 2022 and January 2024, in the course of representing BB (the “Client”) regarding their application for divorce and name change in the BC Supreme Court, you fabricated and delivered to the Client one or more of the following documents:
  - (a) a document purporting to be an entered divorce order signed by Justice Armstrong, dated January 24, 2022;
  - (b) a document purporting to be an entered Certificate of Divorce dated February 23, 2022;
  - (c) a letter dated July 29, 2022, purporting to be correspondence from the Head of the BC Public Service to you;
  - (d) a letter dated October 17, 2022, purporting to be correspondence from the Head of the BC Public Service to you;
  - (e) a letter dated March 25, 2023, purporting to be correspondence from you to an assistant registrar at BC Vital Statistics;
  - (f) a letter dated April 1, 2023, purporting to be correspondence from you to BC Vital Statistics;
  - (g) a letter dated April 10, 2023, purporting to be correspondence from BC Vital Statistics to you;
  - (h) a letter dated April 14, 2023, purporting to be correspondence from you to BC Vital Statistics;

- (i) a letter dated April 18, 2023, purporting to be correspondence from you to BC Vital Statistics;
- (j) a letter dated May 15, 2023, purporting to be correspondence from BC Vital Statistics to you and enclosing a “confidentiality agreement”;
- (k) a document dated November 16, 2023 purporting to be a Notice of Application filed in the BC Supreme Court Registry;
- (l) a document dated November 16, 2023 purporting to be an affidavit sworn by you, commissioned by another lawyer, and filed in the BC Supreme Court Registry; and
- (m) a document purporting to be an entered court order dated November 22, 2023, made by the Honourable Justice Butler and requiring the government of BC to provide a Certificate of Name Change to the Client by February 5, 2024.

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

7. Between approximately June 2023 and January 2024, in the course of representing CC (the “Client”) in an appeal regarding a loan dispute, you fabricated and presented and/or delivered to the Client one or more of the following documents:
- (a) a document purporting to be a Weekly Hearing List for the BC Court of Appeal showing that the Client’s appeal would be heard on June 21, 2021 [sic];
  - (b) a document purporting to be an email dated June 20, 2023 from opposing counsel in the appeal proceedings to you;
  - (c) a document purporting to be an email dated June 22, 2023 from a court scheduler for the BC Court of Appeal;
  - (d) a document purporting to be an email string dated June 29, 2023 between you and a court scheduler for the BC Court of Appeal;

- (e) a document purporting to be Reasons for Judgment in the appeal, which indicated that the hearing occurred on June 21, 2023 with reasons delivered June 29, 2023;
- (f) a document purporting to be an email string with five emails dated January 12-22, 2024, between you and Supreme Court Scheduling; and
- (g) a document purporting to be an email string with two emails dated January 22 and 26, 2024, between you and opposing counsel.

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

- 8. In approximately November 2023, in the course of representing DD (the “Client”) in a debt collection matter, you fabricated and delivered to the Client a document purporting to be a contract from a debt collection agency in California.

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

#### ***Forged Signatures and False Affidavits***

- 9. On or about November 16, 2023, in relation to your client BB, you engaged in dishonourable conduct by knowingly creating false, misleading, or fabricated evidence when you did one or both of the following, contrary to one or more of rules 2.1-5, 2.2-1 and 5.1-2 of the *Code of Professional Conduct for British Columbia*:

- (a) forged the signature of another lawyer in an affidavit made by you and purportedly commissioned and filed on November 16, 2023; and
- (b) used the other lawyer’s jurat stamp without their authorization.

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

10. Between approximately July 2023 and August 2023, you prepared and delivered to your client, DD (the “Client”), a draft affidavit to be sworn by the Client, and you instructed the Client to swear the affidavit, when you knew the affidavit contained false, misleading, or fabricated evidence, contrary to one or more of rules 2.2-1 and 5.1-2 of the *Code of Professional Conduct for British Columbia* and your fiduciary duties to your clients.

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

### *Quality of Service*

11. Between approximately August 2020 and July 2022, in the course of representing AA (the “Client”) regarding their immigration application with Immigration, Refugee, and Citizenship Canada, you failed to provide the Client with the quality of service expected of a competent lawyer, contrary to one or both of rules 3.1-2 and 3.2-1 of the *Code of Professional Conduct for British Columbia*. In particular, you failed to do one or more of the following:
- (a) ensure that the Client’s matter was attended to in a timely manner so that its value to the Client was maintained;
  - (b) take appropriate steps to perform the work promised to the Client, or informing or explaining to the Client when it was not possible to do so; and
  - (c) provide the Client with complete and accurate relevant information about the matter.

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

12. Between approximately May 2021 and January 2024, in the course of representing BB (the “Client”) regarding their application for divorce and name change in the BC Supreme Court, you failed to provide the Client with the quality of service expected of a competent lawyer, contrary to one or both of rules 3.1-2 and 3.2-1 of

the *Code of Professional Conduct for British Columbia*. In particular, you failed to do one or more of the following:

- (a) ensure that the Client's matter was attended to in a timely manner so that its value to the Client was maintained;
- (b) take appropriate steps to perform the work promised to the Client, or informing or explaining to the Client when it was not possible to do so; and
- (c) provide the Client with complete and accurate relevant information about the matter.

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

13. Between approximately June 2022 and February 2024, in the course of representing CC (the "Client") in an appeal regarding a loan dispute, you failed to provide the Client with the quality of service expected of a competent lawyer, contrary to one or both of rules 3.1-2 and 3.2-1 of the *Code of Professional Conduct for British Columbia*. In particular, you failed to do one or more of the following:

- (a) ensure that the Client's matter was attended to in a timely manner so that its value to the Client was maintained;
- (b) respond to one or more of the Client's requests for information;
- (c) take appropriate steps to perform the work promised to the Client, or informing or explaining to the Client when it was not possible to do so; and
- (d) provide the Client with complete and accurate relevant information about the matter.

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

14. Between approximately September 2022 and January 2024, in the course of representing DD (the “Client”) in a debt collection matter, you failed to provide the Client with the quality of service expected of a competent lawyer, contrary to one or both of rules 3.1-2 and 3.2-1 of the *Code of Professional Conduct for British Columbia*. In particular, you failed to do one or more of the following:
- (a) ensure that the Client’s matter was attended to in a timely manner so that its value to the Client was maintained;
  - (b) take appropriate steps to perform the work promised to the Client, or informing or explaining to the Client when it was not possible to do so; and
  - (c) provide the Client with complete and accurate relevant information about the matter.

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

#### ***Improper Handling of Trust Funds***

15. On or about June 27, 2022, in relation to your file number 000-0046 and client AA (the “Client”), you misused your trust account by withdrawing or authorizing the withdrawal of \$8,000.00 in funds from your pooled trust account in payment of a refund to your Client when there were insufficient funds held to the credit of the Client, resulting in a trust shortage, contrary to Rule 3-64 of the Law Society Rules.

This conduct constitutes professional misconduct or breach of the Act or rules, pursuant to s. 38(4) of the *Legal Profession Act*.

16. Between approximately July 2021 and September 2021, in the course of representing BB (the “Client”) regarding their application for divorce and name change, you improperly handled some or all of \$230.00 in trust funds, contrary to one or more of Rules 3-58(1) and 3-72 of the Law Society Rules and section 69 of the *Legal Profession Act*, by doing one or more of the following:

- (a) failing to deposit the funds into a pooled trust account, resulting in a trust shortage;
- (b) failing to record the receipt of the funds as required; and
- (c) depositing the funds into your law firm's general account in payment of your fees without first preparing and delivering the bill to the Client.

This conduct constitutes professional misconduct or breach of the Act or rules, pursuant to s. 38(4) of the *Legal Profession Act* .

17. In approximately June 2022, in the course of representing CC (the "Client") in an appeal regarding a loan dispute, you improperly handled some or all of \$3,500.00 in trust funds, contrary to one or more of Rules 3-58(1) and 3-72 of the Law Society Rules and section 69 of the *Legal Profession Act*, by doing one or more of the following:

- (a) failing to deposit the funds into a pooled trust account, resulting in a trust shortage;
- (b) failing to record the receipt of the funds as required; and
- (c) depositing the funds into your law firm's general account in payment of your fees without first preparing and delivering the bill to the Client.

This conduct constitutes professional misconduct or breach of the Act or rules, pursuant to s. 38(4) of the *Legal Profession Act* .

***Misleading Representations to the Law Society***

18. You made misrepresentations to a Law Society trust auditor that you knew or ought to have known were not accurate and had the potential to mislead the Law Society, contrary to one or both of rules 2.2-1 and 7.1-1 of the *Code of Professional*



*Conduct for British Columbia*, by doing one or more of the following:

- (a) providing the Law Society with an invoice dated August 19, 2021 in the amount of \$230.00, purportedly issued to your client BB, when you had not delivered that invoice to the client;
- (b) providing the Law Society with an invoice dated September 1, 2021 in the amount of \$230.00, purportedly issued to your client BB, when you had not delivered that invoice to the client;
- (c) providing the Law Society with an invoice dated May 25, 2022 in the amount of \$3,500.00, purportedly issued to your client CC, when you had not delivered that invoice to the client and it contained incorrect or inaccurate information regarding the services provided, including one or both of the following:
  - (i) time entries indicating that you had argued the Client's adjournment application on May 13, 2022, when you had in fact argued it on [date omitted]; and
  - (ii) an incorrect date on the invoice.

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

***Breach of Undertaking***

19. Between approximately March 2024 and April 2024, you breached your undertaking to the Executive Director of the Law Society of British Columbia dated February 15, 2024, when you failed to respond to inquiries or communications from your client, DD, by advising them that your status was non-practising and that you could not provide any legal advice or legal services, contrary to one or both of rules 7.1-1(f) and 7.2-11 of the *Code of Professional Conduct for British Columbia*.

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

**If you fail to appear at the hearing, the Hearing Panel may proceed with the hearing in your absence** and make any order that it could have made had you been present.

DATED at Vancouver, British Columbia, this 13th day of February, 2025.

A handwritten signature in black ink, appearing to read 'Tara McPhail', is written over a horizontal line.

Tara McPhail  
Chief Legal Officer  
The Law Society of British Columbia