

Professional Conduct Complaint Form

As the professional association for insolvency and restructuring professionals, CAIRP's Professional Conduct Committee (PCC) receives and responds to written complaints about our members. **The PCC cannot assess your complaint until you have submitted a Complaint Form.** We will assess every complaint we receive, although some complaints will be closed without an investigation. If this is the case, we will inform you in writing of the reason for closing your complaint.

Complaints the PCC Will Investigate

The PCC deals with a range of professional conduct matters. Examples include ethics or honesty, communications (including failure to reply to communications or to report on a transaction), unreasonable delays, misleading, rude and discriminatory behaviour, or failure to account for, or the improper handling of, money or property.

The PCC may also investigate complaints regarding advertisements by CAIRP members.

Complaints the PCC Will NOT Investigate

We cannot investigate every type of complaint. Some of the reasons we might close a complaint without conducting an investigation are:

- The individual you are complaining about is not a member of CAIRP.
- There is not enough information to support your complaint.
- We don't have the legal authority to act on your complaint.
- You have already complained about the member and your complaint was closed.
- There are ongoing proceedings against the member in another forum, such as another organization's investigation, or court proceedings.
- There are other resources or services that would be more appropriate for resolving your complaint.

Results of a PCC Investigation

Please note that under no circumstances will any financial compensation be awarded to the Complainant.

Please read carefully the following extract from CAIRP's bylaws. It sets out what may happen if the PCC decides that a complaint warrants an investigation.

26.13 After notifying the member of the complaint and giving the member thirty (30) days to respond to the complaint in writing, the Professional Conduct Committee may do one or more of the following:

- (a) direct that the matter be referred, in whole or in part, to the Discipline Committee;
- (b) direct that the matter not be referred to the Discipline Committee;
- (c) formally caution or admonish the member;
- (d) direct the member to successfully complete a specified continuing education and remediation program;
- (e) negotiate a settlement agreement between the Association and the member and refer the agreement to the Discipline Committee for approval;
- (f) with the consent of the member, reprimand the member;
- (g) with the consent of the member, require the member to pay a fine to the Association of up to \$10,000;
- (h) with the consent of the member, require the member to pay to the Association the costs of investigating and determining the complaint; or
- (i) take any action that it considers appropriate in the circumstances that is not inconsistent with the bylaws.

You may also wish to file a complaint with the Office of the Superintendent of Bankruptcy (OSB). The OSB is the federal government regulator for Licensed Insolvency Trustees (AKA Trustees in Bankruptcy). For more information, visit the OSB's website at www.osb.ic.gc.ca.

Confidentiality

The PCC treats all complaints and investigations as confidential unless the matter is referred to the Discipline Committee as a result of an investigation. To ensure that our process meets the appropriate standard for a professional body, the PCC follows a transparent and fair procedure. This means that the member must be given notice of your complaint and an opportunity to respond to it. We may share with the member some or all of the information you provide to us, including your name.

How to File a Complaint

- Complete and sign the Complaint Form.
- Attach copies of any documents that relate to your complaint. Provide us with any documents you think will assist us in assessing your complaint. **Do not send originals.**
- Submit your completed Complaint Form and copies of any relevant documents to CAIRP:

Mail:

CAIRP
277 Wellington St. West
Toronto ON M5V 3H2
Attention: Andrew Flynn

Email:

Andrew Flynn
Communications Manager
andrew.flynn@cairp.ca

Fax:

(416) 204-3410
Attention: Andrew Flynn

If you have any questions about how to file your complaint, please call Communications Manager Andrew Flynn, at (416) 204-3242 x 3563 or email him at andrew.flynn@cairp.ca. Please note that we cannot discuss your personal situation until you have submitted your Complaint Form.

FOR OFFICE USE ONLY
File Number
Member Number
Member Name

1. Information about you (the "Complainant")			
First Name	Middle Name	Last Name	
Salutation <input type="checkbox"/> Mr. <input type="checkbox"/> Ms. <input type="checkbox"/> Mrs. <input type="checkbox"/> Dr. <input type="checkbox"/> Other Please specify:			
Mailing Address – Number, Street, P.O. Box, Unit/Apartment Number			
City	Province	Postal Code	
Home Telephone	Work Telephone	Cell Phone	Fax Number
May we contact you at work? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Email			
Do you have a lawyer acting on your behalf? <input type="checkbox"/> Yes <input type="checkbox"/> No		May we speak to your lawyer about this complaint? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Lawyer's First Name	Lawyer's Last Name	Lawyer's Work Telephone	
Lawyer's Mailing Address – Number, Street, P.O. Box, Unit/Apartment Number			
City	Province	Postal Code	
2. Information about the CAIRP member you are complaining about (the "Member")			
<input type="checkbox"/> Select if you are complaining about more than one Member.			
NOTE: Attach a separate Complaint Form for each member that you are submitting a complaint about.			
First Name	Last Name	Work Telephone	
Mailing Address – Number, Street, P.O. Box, Unit/Apartment Number			
City	Province	Postal Code	
3. Complainant and Member relationship			
a. What is your relationship to the Member you are complaining about?			
Examples can include: you are a creditor, you have filed a Division 1 Proposal or a Consumer Proposal, you have filed for bankruptcy, you were appointed as an inspector in a bankruptcy, or you have some other relationship with the Member (please specify).			
If there are any documents that show the nature of your relationship with the Member, please attach a copy. For example, a letter or contract.			
Is the engagement ongoing? <input type="checkbox"/> Yes <input type="checkbox"/> No		If no, was the matter completed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If no, what brought the engagement to termination?			

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b. Does your complaint involve a matter before a Court or a tribunal or being investigated by another organization?

Yes No

What is the name of the Court, tribunal or organization? For example, Ontario Court of Justice, OSB investigation, CPA investigation.

What city is the Court, tribunal, or organization located in?

What is the file number? (If known).

What is the status?

Ongoing Completed

4. Your complaint

Please list the documents you are sending. NOTE: Do **NOT** send originals.

File Number

Member Number

Member Name

Please detail the nature of your complaint. Attach additional pages if necessary.

File Number
Member Number
Member Name

5. Acknowledgment, Consent and Signature

Before completing this form, please read the information sheet included on pages 1-2.

I have read and understand the following:

I agree that CAIRP and/or the Professional Conduct Committee (PCC) may share some or all of the information and documents that it receives from me with the Member about whom I am complaining.

I understand that if I do not agree, CAIRP and/or the PCC are not in a position to process or investigate my complaint.

I understand that CAIRP and/or the PCC may not be able to assess or investigate my complaint without supporting documents. I have attached copies of documents that support my complaint.

I understand that CAIRP may keep digital recordings of voice mail messages as part of the complaint file.

Signature of Complainant

Date of Signature

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