

On 21 September 2021 the Legal Profession Complaints Committee (**Committee**) resolved, pursuant to section 426 of the *Legal Profession Act 2008* (WA) (**Act**), that it was satisfied there was a reasonable likelihood that the practitioner would be found guilty by the State Administrative Tribunal of unsatisfactory professional conduct within the meaning of sections 402 and 438 of the Act on the grounds that in the course of acting for the judgment creditor in applying for a Property (Seizure and Sale) Order (**PSSO**) the practitioner's conduct fell short of the standard of competence and diligence that a member of the public is entitled to expect of a reasonably competent Australian legal practitioner by:

1. On 17 August 2016 writing to the Registrar of the Magistrates Court of Western Australia, applying for a PSSO, indicating that the defendant in the debt order (**judgment debtor**) was the registered proprietor of a property (**property**) which was not the case; and
2. On 2 March 2017 making a statutory declaration in an application to Landgate to register the PSSO in which he declared that '[t]he judgment debtor as shown in this Property (Seizure and Sale) Order is one and the same person as the proprietor of the saleable interest referred to in the above-mentioned certificate of title' (being that of the property), which was not the case.

Penalty: Public Reprimand
 Fine of \$2,500