

THE LAW SOCIETY OF ALBERTA
IN THE MATTER OF THE *LEGAL PROFESSION ACT*, RSA 2000, c L-8,
- and -
IN THE MATTER OF A HEARING REGARDING THE CONDUCT OF GLORIA VINCI,
A MEMBER OF THE LAW SOCIETY OF ALBERTA

HEARING COMMITTEE REPORT

HEARING COMMITTEE:

Neena Ahluwalia, QC, Chair

Gillian Marriott, QC, Committee Member

Glen Buick, Committee Member

COUNSEL:

Sharon Borgland, for the Law Society of Alberta

James Rooney, QC, for the Member

INTRODUCTION

1. Gloria Vinci (Ms. Vinci), a Member of the Law Society of Alberta (“LSA”), is subject to conduct proceedings under the *Legal Profession Act*, RSA 2000, c L-8, on the citations listed below.
2. On September 9, 2014, a Hearing Committee composed of Neena Ahluwalia, QC, Gillian Marriott, QC and Glen Buick convened at the LSA offices in Calgary, Alberta. The LSA was represented by Sharon Borgland. Gloria Vinci was present at the hearing and was represented by counsel, Mr. James Rooney, QC.

CITATIONS

3. The following citations were referred to hearing by a panel of the Conduct Committee on September 10, 2013:

1. It is alleged that you failed to respond to communications from opposing counsel in a timely manner and such conduct is deserving of sanction.
2. It is alleged that you failed to fulfill your undertakings within a reasonable period and such conduct is deserving of sanction.

PRELIMINARY MATTERS

Jurisdiction

4. The jurisdiction of the Hearing Committee was established with the admission of Exhibits 1 to 6, listed below.

| | |
|-----------|---|
| Exhibit 1 | Letter of Appointment |
| Exhibit 2 | Notice to Solicitor |
| Exhibit 3 | Notice to Attend |
| Exhibit 4 | Certificate of Status |
| Exhibit 5 | Certificate of Exercise of Discretion re: Private Hearing Application Notices |
| Exhibit 6 | Agreed Statement of Facts |

The following Exhibits were entered by consent on September 9, 2014:

- | | |
|------------|--|
| Exhibit 7 | Privileged Content Redacted |
| Exhibit 8 | Privileged Content Redacted |
| Exhibit 9 | Handwritten notes |
| Exhibit 10 | Fax from Gregory Cote to Gloria Vinci |
| Exhibit 11 | E-mail from R.G. to C.E. |
| Exhibit 12 | Letter from Realty Office A to Vinci Phillips law office |
| Exhibit 13 | Courier delivery confirmation to City of Medicine Hat |

Other

5. The parties had no objection to the composition of the Hearing Committee.
6. The Hearing Committee was advised that no party had applied to have the hearing held in private, and as a consequence, the hearing proceeded in public.

FACTS

7. The LSA and Ms. Vinci had entered an Agreed Statement of Facts (attached as Schedule A) by consent.

Evidence at the Hearing

8. Pursuant to section 60 of *the Legal Profession Act*, the Hearing Committee accepts the Agreed Statement of Facts.
9. The Agreed Statement of Facts outlines the following (all dates are in 2012, unless noted otherwise):
 - a. This matter arose from a residential property sale.
 - b. The Complainant, a lawyer, acted as counsel on behalf of purchasers of a residential property in Medicine Hat, Alberta. The Complainant's office is in Medicine Hat
 - c. Ms. Vinci acted for the vendor, a financial corporation based in Ontario. Ms. Vinci's office is in Calgary.
 - d. Ms. Vinci ordered a tax search of the property on May 8. She sent the Transfer of Land to her client in Ontario for execution. On the face of the document, it was evidently executed on May 8.
 - e. The date for closing was scheduled for June 15.
 - f. On May 9, the Complainant wrote to Ms. Vinci requesting closing documentation, providing a description for the purchasers and confirming the transaction would be completed in accordance with the Western Law Societies Conveyancing Protocol.
 - g. On May 24, the Complainant wrote to Ms. Vinci confirming tax information and requesting an undertaking to pay the taxes outstanding from the sale proceeds.
 - h. On June 12, the Complainant inquired of the status of the transaction and requested an estimate as to when documentation would be received.
 - i. Ms. Vinci prepared a letter to the Complainant on June 13 enclosing documentation that included the Transfer of Land and Statement of Adjustments.
 - j. The letter and its contents were sent to the Complainant via Federal Express on the evening of June 14.
 - k. On June 14, the Complainant faxed another inquiry referencing his prior three letters and a telephone call on June 11.
 - l. On June 15, the Complainant faxed Ms. Vinci expressing concern regarding the transaction and demanding she contact him immediately
 - m. Ms. Vinci's paralegal, S.G., responded by fax to the Complainant advising that the documents had been sent by Federal Express the night before.
 - n. After receipt of the documents, on June 15, the Complainant sent a fax suggesting an amendment to the tax adjustments, requested prompt payment and proof thereof.

- o. On June 15, S.G. acknowledged the fax and provided an amended statement of Adjustments and confirmed that the tax arrears would be remitted to the City of Medicine Hat.
 - p. On June 15, the Complainant wrote to Ms. Vinci confirming that the cash balance to close had been paid.
 - q. On June 15, Ms. Vinci did the following:
 - i. Forwarded real estate commissions to the proper party
 - ii. Forwarded outstanding taxes owing to the City of Medicine Hat
 - iii. Reported to her client with closing documentation
 - r. The Complainant wrote to Ms. Vinci on June 26, August 17, September 11, September 17, September 26 and October 5 requesting a Certified Copy of the Title. While Ms. Vinci does not deny that these letters were forwarded by the Complainant, they were not located in Ms. Vinci's files at any relevant time.
 - s. On August 29, the Complainant and Ms. Vinci spoke by telephone and Ms. Vinci assured the complainant she would abide by her written undertakings.
 - t. The Complainant issued a written complaint to the Law Society on October 17.
 - u. On November 6, Ms. Vinci faxed the Complainant a copy of title dated August 29, which evidenced discharge of the tax notification and advising that a Certified Copy of Title dated November 6 would be sent to him under separate cover.
10. The Hearing Committee heard evidence from the Complainant, Ms. Vinci and S.G.

Complainant's Evidence

- 11. The Complainant's evidence is that the real estate transaction that underlies this hearing closed on time.
- 12. His complaint is "it took me a long time to get proof that a tax notation was off the title" (Transcript, page 31, lines 21,22).
- 13. When it was suggested to him that he could have done a title search himself, he replied, "I guess, what's bothering me about that idea is that first of all, I shouldn't have to spend my time, nor my money, to do more title searches to find out when the taxes were actually paid. I don't know when they were paid." (p.32, lines 12-16)
- 14. The Complainant further acknowledged that there was no jeopardy to the client caused by the lack of communication. "I don't know that there's jeopardy, as such. It's mostly just an annoyance" (p.33, lines 19,20).
- 15. The Complainant detailed changes that needed to be made to the transfer of land once it had been received from Ms. Vinci. The changes were to correct a spelling error in the name of one of the purchasers, to insert that the land was to be held as a joint tenancy and to correct one date.
- 16. The Complainant acknowledged that Ms. Vinci's trust letter allowed him to make those changes.

17. The subject matter of the undertakings that underlie the second citation is found in Ms. Vinci's letter to the Complainant on June 13. There are two undertakings – one to payout all non-permitted registrations and provide a certified certificate of title (CCT) evidencing the payouts and to payout all realty taxes and arrears adjusted to the date of closing.
18. The Complainant changed these undertakings somewhat when he wrote to Ms. Vinci on June 15 and indicated:

“The cash balance to close has been paid on your undertakings, i.e.

 1. To immediately pay to the City of Medicine Hat Tax Department municipal tax arrears ... and to provide me with proof of payment, and
 2. To discharge from title to the above described lands instrument ...and to provide me with a certified certificate of title evidencing the discharge.”
19. The Complainant acknowledged that Ms. Vinci could not discharge the tax arrears statement. “It is out of her hands, to a certain extent, in the sense that the City sends the discharge of tax notification to the land titles office. She physically does get that into her office and send it out.” (p. 43, lines 11-15).
20. The Complainant left a voice message on Ms. Vinci's answering machine on August 28. He left a further message on August 29. A call back from an assistant was received that morning, but the Complainant insisted on speaking to Ms. Vinci.
21. The Complainant spoke to Ms. Vinci in the morning of August 29. His recollection of that conversation was that he requested the copy of the CCT, she seemed surprised that she had to provide it to him, he read her undertaking to her and she indicated that the CCT had come in that day and that she would provide it to him. This exchange was also detailed in the complaint letter to the Law Society.
22. After the complaint letter was sent to the Law Society, Ms. Vinci contacted the Complainant by telephone.
23. The Complainant testified that during that telephone conversation, he got the impression that she had a lot of missing documents on her file. He sent her, by mail, copies of everything that he had by way of correspondence on the file. “I did that because I thought there was a genuine absence of things in her file or in things in front of her; and if it was incomplete and she had this to deal with, let's give her everything I've got. So I did.” (pp. 48,49, lines 25-27, lines 1,2).

Ms. Vinci's Evidence

24. Ms. Vinci testified that her client in this matter was a financial corporation based in Ontario. At the time of this transaction, their offices in Canada were being shut down. With respect to this transaction, on May 7, an email was sent to her client that attached a transfer of land.
25. She outlined the steps taken on this transaction: “This is not a regular real estate transaction between two individuals, it's between a lending institution and a third

party. So what we do is, when we get the offer to purchase, which we did, I think it's on May 3rd, I believe, in the conveyancing documentation – we immediately, we – you know, we do an up-to-date title and tax search, and we email the transfer document to the lender, and that was done on May 7th.(pp.57,58, lines 23-27,1-4) ...because we do not want to send them a blank transfer of land, what we do is we will put the description – we know that it's not an exact description of the buyer – which we take from the offer to purchase”(p. 58, lines5-11)

26. Ms. Vinci received a letter from the Complainant dated May 9 outlining how the buyers were to be listed on title.
27. Ms. Vinci described how fax transmissions were dealt with in her office as follows:
 - Q. Who gets it first?
 - A. If it comes through by fax, it's – the fax machine is close to the reception area, so probably it would be her [the receptionist]. Or in all honesty, it could be anywhere that – anyone that's walking though the, you know, through the reception area, there's a big table close to the photocopy machine, and would, you know, take those photocopies out of the machine.”
 - Q. And what are the instructions as to what is to be done?
 - A. They have to give it to me. I have to see what's coming in because I have to have control of the situation. (pp. 58, 59, lines 21-27, 1-6)
28. Ms. Vinci testified that during the summer of 2012, her office had turnovers in staff in the reception area. “...there were a couple of ladies that, you know, came on board that did not work out and left. And then finally we – in the – sometime later on in the year we finally got a really good person.” (p 55, lines 3-70)
29. With respect to the tax arrears, Ms. Vinci testified that monies for the arrears were couriered to the City of Medicine Hat on the day of closing (June 15). She indicated that it was not the usual practice to courier a cheque for \$524.65...”But in view of the fact that it was tax season, in view of the fact that this transaction closed on June 15th, and in view of the fact that [the Complainant] was very nervous about making sure that these monies were paid to the City, we couriered these funds” (p.65 lines 8-12)
30. The letter sent to the City of Medicine Hat dated June 15 was in evidence (Exhibit 6, Tab 11). Later in the hearing, Exhibit 13 evidenced the courier delivery confirmation on June 18th.
31. Ms. Vinci's gave evidence regarding the August 29th telephone conversation with the Complainant.
32. She indicated that when he called, he asked if she would give him her undertaking to pay out the taxes. As she did not have the file before her, she asked about the undertaking and asked him to read it to her.

33. While on the telephone, her assistant, S.G. put a copy of the title before her. She indicates that she would have said something to the Complainant that she now had the title and would get it to him.
34. Her recollection is that she would have given instructions to S.G. to send a copy of the title to the complainant that day. She has no explanation for why it was not sent on that day. There is a copy of the title dated August 29th at 11:06 found in Exhibit 6 at Tab 26.
35. Ms. Vinci's evidence to the Hearing Committee regarding her failure to respond to six of the Complainant's letters is that she did not see those letters. One that was misfiled was found after the Law Society complaint..
36. While Ms. Vinci acknowledges that the letters were sent by fax, her evidence as to why the letters were not on the file was as follows:

"And we searched for days [after she became aware of the Law Society complaint] to locate any of this correspondence, and that's the reason why I called [the Complainant] to find out where these letters had gone to. And there would have been no reason for me not to reply to these letters because we had paid the taxes, when had delivered the cheque. And, you know, I had spoken to him on August 29th, and we still can't find these letters – other than one letter that we found that was misplaced on another file.

And the only thing that I can say for that is, because we had a couple of receptionists that did not work out that summer, unfortunately, and who knows what happened? They must have – with all the faxes that were coming in, they could easily have taken these letters and included them with other documentation and misfiled them. And I apologized to [the Complainant]. I'm mortified that this happened, but if I had seen any of these letters, I would certainly have replied to them." (pp 69,70, lines 13-27, 1-4)

S.G.' Evidence

37. S.G. is Ms. Vinci's legal assistant. She has worked with Ms. Vinci for 14 years. Her primary area of responsibility is foreclosure work and real estate transactions.
38. She was involved in the file that led to this hearing. She confirmed Ms. Vinci's testimony with respect to how mail and faxes are distributed in the office. S.G. also testified that the office had a number of receptionists during the summer of 2012.
39. S.G. testified that on June 13, she prepared a letter with the transfer documents to be sent to the complainant.
40. S.G. gave testimony regarding the date of closing. She related various steps taken to address the Complainant's concerns on that day.
41. She further testified regarding the telephone conversation on August 29th. She received a phone message on that day and returned the call to the Complainant.

42. After some time, it became clear to her that the Complainant would only speak to Ms. Vinci, so she relayed that to Ms. Vinci. She testified that in her office, she did a title search and printed off a certificate of title.
43. Her further testimony is as follows:
- Q. And would you tell the Panel what you did once you got this search.
- A. Ran downstairs, because again, Gloria's office is near the back door by the, I don't know, kitchen or dining room, type room, but that's where she is. And I would come down the stairs. She was on the phone with [the Complainant] at that time, as I recall.
- Gloria doesn't like to be interrupted when she's on the phone, so I either slid it to her, showed it to her, waved it, but, you know, made her aware that this was here, and it [tax notification] was off. And then I got the hell out of Dodge and went upstairs.
- Q. Okay. And do you recall what happened after the call, in terms of this search?
- A. Specifically, no, but in all likelihood, she asked me to send that to [the Complainant].
- Q. And?
- A. I don't like this part.
- Q. And?
- A. I didn't send it to [the Complainant]. I was doing whatever. Whatever I was doing, it didn't happen. We know it didn't happen. (pp.122, 123, lines 12-27, 1-6)
44. S.G. testified that she was aware that there was an undertaking to pay tax arrears. She further testified that on this particular file, considering that the taxes were paid in June and that it is tax time, she would have diarized her file for September to check for the discharge.
45. S.G. further testified, that once Ms. Vinci learned of the complaint to the Law Society, they both searched the transaction file and other files in search of the missing letters. They found only one that was in another file.

ANALYSIS

46. There is a duty placed on a member of the Law Society to answer with reasonable promptness all professional letters and communications from other lawyers that require an answer. Further, a member must be punctual in fulfilling all commitments. (Rule 6.08(7)).
47. In this case, the Law Society urges the Hearing Committee to find that Ms. Vinci's conduct in this real estate transaction is deserving of sanction.
48. It is submitted to us that the letters and two voice messages that the Complainant sent to Ms. Vinci before the date of closing went unanswered. Of particular note is

- the letter of June 12 which requested an estimate of when documents would be received.
49. The rule that governs these letters indicates that reasonable promptness is necessary when communication require an answer.
 50. In this case, letters before the June 12 letter did not necessarily contemplate a reply. They were of the type where information was merely being exchanged between the parties.
 51. Evidence was heard that in most real estate transactions where, as in this case, the Western Law Societies Protocol is in place, much correspondence is an exchange of information without need for response. If certain events occur, procedures that govern next steps are then put in place.
 52. On June 13 a letter was sent to the Complainant delivering the transfer documents. It is clear from the evidence that while the delivery of the documents did not actually occur until June 15, the response was prepared on June 13. Further, on June 15 there was considerable communication between Ms. Vinci's office and the Complainant.
 53. The Committee finds that Ms. Vinci responded to the June 12 letter promptly.
 54. Ms. Vinci faces a citation that alleges that she failed to complete an undertaking within a reasonable time. The Law Society submits that providing a certified copy of the title to the Complainant only after Law Society intervention is not a reasonable time.
 55. The Law Society also submits that no response to letters sent after closing on June 15 is clear and convincing evidence that Ms. Vinci's conduct should be held to be conduct deserving of sanction.
 56. Ms. Vinci's response is that she did fulfil her undertaking to pay arrears of taxes promptly. There is evidence that the monies were sent to the City of Medicine Hat on the same day as the closing of the transaction. By August 29, the title reflected that there was no encumbrance regarding tax arrears.
 57. With respect to the latter part of the undertaking -- delivery of the certified copy of the title to the complainant, the Committee heard evidence from S.G. that the file was diarized to a date in September to check the title for the tax clearance and then to forward the title to the Complainant.
 58. The events that transpired on August 29 effectively removed that diary date.
 59. On the basis of the evidence we heard from Ms. Vinci and particularly S.G., the Committee accepts the evidence that Ms. Vinci directed S.G. to send a copy of the title to the Complainant on August 29 and that S.G. failed to do so.
 60. The Law Society suggests that by not confirming that the taxes were paid, not sending the Complainant a copy of the title and not responding to 6 letters from the Complainant, Ms. Vinci's conduct is conduct deserving of sanction.

61. It should be noted that all letters sent to Ms. Vinci by the Complainant were sent by fax. All original copies remained on the Complainant's file. There was no courier delivery or regular mail delivery of any letter sent by the Complainant.
62. Upon questioning from the Chair, Law Society counsel took the position that she was not suggesting that Ms. Vinci nor S.G. were untruthful in their testimony that neither of them saw the 6 letters at any of the relevant time. Law Society counsel asserted that does not afford a defence to the citation.
63. With respect, it is the only reasonable defence possible in this situation. If Ms. Vinci had seen the correspondence, or it had been kept from her deliberately, there would be no reason for not responding in some fashion.
64. Indeed, in these circumstances it would appear that had the Complainant waited until September, the CCT would have been provided in the course of Ms. Vinci's conduct of her file.
65. The Committee finds that Ms. Vinci did not see the letters from the Complainant until after the Law Society complaint.
66. The Committee cannot, in these circumstances, find that Ms. Vinci's conduct was deserving of sanction. To do so would be folly. No one can be expected to respond to letters they have not seen.
67. The Committee is troubled by the course of action the Complainant chose to take in this matter. We feel it necessary to remind members of the Law Society that our relationships with each other are to be based on mutual goodwill and respect. It does not serve the public interest to embark upon actions that do not further the interests of our clients.
68. The Committee was somewhat baffled by the Complainant's course of conduct. While it is understood that responsibility for the delivery of the CCT was that of Ms. Vinci's, we do not understand why the Complainant could not have requested a copy of the title from the land titles office.
69. He testified that he has an account with the Land Titles Office and a search would cost him \$13.50. Rather than pursue that course of action, he continued his letter writing. He eventually realized that was a futile endeavor.
70. Further, in less time than it would have taken to write the four letters that he did, after August 29, the Complainant could have telephoned Ms. Vinci. At that point, a reasonable conversation between two members of the Law Society of Alberta might have averted this entire hearing.
71. The Complainant testified that after his complaint to the Law Society, Ms. Vinci telephoned him. He testified that, at that time, he believed that she genuinely did not have the letters in her file and he sent them to her again. That conversation should have occurred before the complaint was sent to the Law Society.

72. Ms. Vinci has testified as to changes made in her office procedures after this event. The Committee is satisfied with those changes.

DECISION

73. The citations are both dismissed. The Law Society of Alberta does not sanction conduct on the basis of strict liability. The Committee recognizes that this particular matter raised concerns regarding office management and practice. This, however, does not rise to the level of conduct deserving of sanction.

Dated this 9th day of July, 2015.

Neena Ahluwalia, QC, Chair

Gillian Marriott, QC

Glen Buick

Schedule A

IN THE MATTER OF THE *LEGAL PROFESSION ACT*

AND

IN THE MATTER OF A HEARING REGARDING THE CONDUCT OF GLORIA A. VINCI, A MEMBER OF THE LAW SOCIETY OF ALBERTA

AGREED STATEMENT OF FACTS

1. The Complainant in this matter, Gregory Côté, acted as legal counsel on behalf of the purchasers of a residential property in Medicine Hat, Alberta. Counsel for the vendor was Gloria Vinci, the Member in these proceedings.
2. Mr. Cote's office is located in Medicine Hat, Alberta. Ms. Vinci's office is located in Calgary, Alberta.
3. Ms. Vinci was retained by the vendor, A. Corporation, to act on its behalf and in furtherance of that retainer ordered a tax search of the subject property on May 8, 2012 **(Tab 1)**.
4. On May 7, 2012, Ms. Vinci sent the Transfer of Land to her client, A. Corporation, in Ontario for execution. On the face of the document it was evidently executed by Wells Fargo on May 8, 2012 **(Tab 2)**.
5. On May 9, 2012, Mr. Côté wrote to Ms. Vinci requesting closing documentation (the closing scheduled to be June 15, 2012), providing a description of the purchasers for preparation of the transfer and confirming the transaction could be completed in accordance with the Western Law Societies' Conveyancing Protocol **(Tab 3)**.
6. On May 24, 2012, Mr. Côté wrote Ms. Vinci confirming tax information and requesting an undertaking to pay the taxes outstanding from the sale proceeds **(Tab 4)**.
7. Ms. Vinci's paralegal, S.G., made notations on Mr. Côté's May 24, 2012, correspondence **(Tab 5)**.
8. On June 12, 2012, Mr. Côté inquired of the status of the transaction and requested an estimate as to when he might receive the requested documentation **(Tab 6)**.
9. On June 13, 2012, Ms. Vinci prepared a letter to Mr. Côté with closing documentation including the Transfer of Land and Statement of Adjustments **(Tab 7)**.

10. On the evening of June 14, 2012, Ms. Vinci sent the transfer documents to Mr. Cote via Federal Express **(Tab 8)**.
11. On June 14, 2012, Mr. Côté faxed another inquiry as to the status of the transaction and again requested sale documents and an undertaking tax arrears from the sale proceeds, referencing his prior three letter and a telephone call on June 11, 2012 **(Tab 9)**.
12. On June 15, 2012, Ms. Vinci forwarded the real estate commissions owing to Realty Office A. **(Tab 10)**.
13. On June 15, 2012, Ms. Vinci forwarded the outstanding taxes owing to the City of Medicine Hat **(Tab 11)**.
14. On June 15, 2012, Ms. Vinci reported to her client, A. Corporation, with closing documentation **(Tab 12)**.
15. On June 15, 2012, Mr. Côté faxed Ms. Vinci expressing concern regarding the status of the transaction and demanding that she contact him immediately **(Tab 13)**.
16. On June 15, 2012, Ms. Vinci's paralegal, S.G., responded by fax to Mr. Côté advising that the closing documents had been sent via Federal Express the prior evening and that he should receive them that day **(Tab 14)**.
17. On June 15, 2012, Mr. Côté responded by fax suggesting an amendment to the tax adjustments and requesting prompt payment and proof thereof **(Tab 15)**.
18. On June 15, 2012, Mr. Côté wrote to Ms. Vinci and confirmed that the cash balance to close had been paid **(Tab 16)**.
19. On June 15, 2012, S.G., acknowledged Mr. Cote's fax and provided an amended Statement of Adjustments and confirmed that the tax arrears in the sum of \$524.64 would be remitted to the City of Medicine Hat **(Tab 17)**.
20. On June 26, 2012, Mr. Côté wrote to Ms. Vinci requesting proof of payment of the tax arrears **(Tab 18)**. *
21. On August 17, 2012, Mr. Côté wrote to Ms. Vinci requesting a copy of the Certificate of Title evidencing the discharge of the tax notification **(Tab 19)**. *
22. On August 29, 2012, Ms. Vince and Mr. Cote spoke by telephone and Ms. Vinci assured Mr. Cote she would abide by her written undertakings **(Tab 20)**.
23. On September 11, 2012, Mr. Côté wrote to Ms. Vinci again requesting a Certified Copy of Title **(Tab 21)**. *
24. On September 17, 2012, Mr. Côté wrote to Ms. Vinci again requesting a Certified Copy of Title **(Tab 22)**.

25. On September 26, 2012, Mr. Côté wrote to Ms. Vinci again requesting a Certified Copy of Title and confirmation that the tax arrears had been paid and the tax notification discharged **(Tab 23)**. *
26. On October 5, 2012, Mr. Côté wrote to Ms. Vinci again requesting a Certified Copy of Title **(Tab 24)**. *
27. On October 17, 2012, Mr. Côté issued a written complaint to the Law Society **(Tab 25)**.
28. On November 6, 2012, Ms. Vinci faxed Mr. Cote providing a copy of title dated August 29, 2012, which evidenced discharge of the tax notification, and advising that a Certified Copy of Title dated November 6, 2012, would be send to him under separate cover **(Tab 26)**.
29. On November 7, 2012, Ms. Vinci responded to the Law Society enclosing a copy of the letter and attachments sent to Mr. Cote on November 6, 2012 **(Tab 27)**.
30. On November 21, 2012, Ms. Vinci provided a response to Mr. Côté's complaint and extended an apology to Mr. Cote **(Tab 28)**.
31. Pursuant to a follow-up inquiry from the Law Society, on December 19, 2012, Ms. Vinci corresponded with the manager of complaints and explained that A. Corporation, being stationed in Ontario, often takes extended time to complete and return transfer documentation. She again apologized to Mr. Côté **(Tab 29)**.
32. Ms. Vinci admits the facts contained within this Agreed Statement of Facts for the purposes of these proceedings.
33. This Agreed Statement of Facts is not exhaustive. Ms. Vinci and the Law Society may lead additional evidence not inconsistent with the facts stated herein.

THIS AGREED STATEMENT OF FACTS IS MADE THIS 9th DAY OF SEPTEMBER, 2014.

"Gloria A. Vinci _____
Gloria A. Vinci