

## **HORIZONS NOTICE**

### **Notice of Discipline Committee Decision and Order Case #12-26**

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The Discipline Committee conducted a hearing on October 15, 2014 into a complaint of the Professional Conduct Committee ("the PCC").

The general nature of the complaint was that during 2006 the member, Arlene Janzen, CA, did not perform services with due care and was associated with false or misleading documents or oral representations. Further that the member with respect to a sale transaction made by a client:

- failed to conduct appropriate analysis of taxation consequences of available transaction options;
- failed to proactively seek advice from other professionals, given the member's lack of experience and knowledge of such transactions;
- failed to correctly prepare the personal tax return of the client by including a claim for an exemption, when the member knew or should have known the client was not eligible for this exemption; and
- failed to advise the client that he was not eligible for the exemption.

The allegation was that the member breached bylaws 202.1 and 205 which state:

202.1 A member, student or firm shall perform professional services with integrity and due care.

205 A member, student or firm shall not:

- a) sign or associate with any letter, report, statement, representation or financial statement which the member, student or firm know, or should know, is false or misleading, whether or not the signing or association is subject to a disclaimer of responsibility.

The Discipline Committee accepted the member's admission that she did violate Bylaws 202.1 and 205 and therefore issued the following order:

- That the member shall receive and acknowledge in writing a Letter of Reprimand; and
- That the member shall pay a fine of \$7,500

Further, the Discipline Committee also ordered that a notice of the decision and Order be published in the Institute's member newsletter, and posted on the Institute's website on a named basis.