

SOCIETY OF  

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**NOTARIES  
PUBLIC OF  
BC**



**95<sup>th</sup> Annual Report**

*For the period July 1, 2021 through June 30, 2022*



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### **TERRITORIAL ACKNOWLEDGEMENT**

The offices of The Society of Notaries Public of BC are located on the ancestral, unceded territory of the xʷməθ kʷəy̍əm (Musqueam), Skwxwú7mesh (Squamish), and səliwətał (Tseil-Waututh) nations.

Our members live and practice on the unceded territories and provide services to many of the 308 nations in the province.

## MANDATE

It is the mandate of the Society to act in the public interest by regulating the profession through:

- establishing standards of practice for members,
- seeking to ensure that the provision of notarial services meets the standards expected of a legal professional,
- establishing standards of ethics and practice of members,
- enquiring into the conduct and compliance of members as required and permitted by the *Notaries Act*,
- implementation and conduct of programs of practice inspection and member audits, and
- the delivery of the Notary Education Program education for persons wishing to become Notaries Public.

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*Notaries Public in British Columbia are legal services providers authorized by the **Notaries Act** and the **Legal Profession Act** to provide non-contentious legal services directly to the public.*

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## PRESIDENT'S REPORT



It's interesting how each president's term is categorized by one or two events.

My term as president started as we began to emerge from the Pandemic. We've shifted a lot of our practices, out of necessity, to incorporate more things meant to decrease human interaction and, in many cases, we have found greater efficiencies. The cost has been a loss of connectedness.

As we move forward that is something that we continue to work to manage. Many offices are taking advantage of tools such as Zoom interviews, increased client electronic and digital signing when possible, and Wills, and other documents that aren't required to be signed wet ink style. Many offices are taking advantage of the efficiency and security of using wire transfers as opposed to trust cheques when delivering funds either to our clients or the other side is a transaction. As more offices try wire transfers and gain confidence in using them; coupled with a robust though the simple internal process to maintain security; we all continue to gain efficiencies.

The way the Board has conducted meetings and shares information has also moved more online. I think it's a credit to the transparency, and accountability of the organization. We have and continue to work hard to instill these principles in the Society and in how the Board operates. Open Board meetings, which any member can attend, allow for all of those interested to have a front-row seat to our meetings. We have also done our best to have sensitive discussions in the "open" sessions and reserve "closed" meeting topics for things that are either under nondisclosure agreements, legally privileged, or related to personnel matters in which discretion is required. Just because a topic is controversial or uncomfortable is not a reason to discuss it behind closed doors.

Anticipating a second term as president; I look forward to the following:

1. Encouraging the Society to provide regulation in areas that help us increase efficiency and benefit client experience in our offices, including collaborating on the current SFU education program.
2. Working with Government and others in the legal community with regard to the modernization of our legislation to continue the protection of the public while

increasing access to justice and legal services. I believe it benefits all; though mainly our clients to continue to consider removing the restriction around trust wills. This is an ongoing frustration for many practitioners. I believe there is an inherent conflict where a client wants their kids to inherit at 24; though our legislation says if they inherit beyond 19; they need to go to a different practitioner. The result is our client often compromises their wishes to stay with us. I don't feel they should have to do that and in this legislation modernization; I feel there is space to consider this and provide the best client experience. I believe it is the role of the Society to provide the regulatory framework and required education to enhance this and address access to justice in keeping with the public interest.

3. I am encouraged to see new directors joining the Society Board. I think a balance of experienced and new directors brings a vibrance and opportunity for fresh thought and again enhances access to justice for the people of British Columbia.

As a director and President, it is tricky sometimes, walking the line between regulation and advocacy. Most Directors are active practitioners. Many of us remember the times when the Society did everything. I continue to be impressed with the work that Dan Boisvert and Chad Rintoul are doing in voicing our common thoughts, and especially in giving life to the Association so it is the relevant and self-sufficient body we had all hoped it would become.

I would like to take this opportunity to recognize and thank John Mayr and Marny Morin; as well as the rest of the Society Staff. I can share that in meetings with Government and Law Society, John and Marny are well respected with a high level of contribution in representing our profession in a way we can each be proud.

David Watts  
*President*



## EXECUTIVE DIRECTOR'S REPORT



What a year it has been. This report considers the period from July 1, 2021, through June 30, 2022. We achieved a significant number of milestones during the period, not the least of which has been managing significant challenges due to the extraordinary volume of real estate transactions completed by members.

As the regulator of the profession, we recognized and responded to the effects of increasing stress on members. We did this by establishing professional and personal support systems for members. This foundation of support is fundamental to the Society seeking to ensure that the public is protected through services that meet the standards expected of regulated legal professionals.

As with the previous year, the ongoing pandemic affected the SNPBC and our members. There were two significant developments; the virus that causes COVID mutated to a more infectious strain just as safe and effective vaccinations were introduced. Somewhat surprisingly, an undercurrent of anti-vaccination, anti-government sentiment gained strength. I say somewhat surprisingly based on the historical success of childhood vaccination programs in virtually eliminating diseases like measles, rubella, and polio to name a few. I mention this in the context of Canada being a country that subscribes to the Rule of Law with the understanding that societal order is based on the Rule of Law and that the good of the whole relies on the recognition that individual rights only exist in an ordered society. Notaries Public are granted Royal Commissions and as such are agents of the Crown with obligations and duties as legal professionals.

During the period in question, we observed increasing cyber-attacks and cyber-frauds both generally and specifically targeted at legal professionals. Several members reported ransomware attacks that negatively affected their systems. The costs related to such events are significant and often without the successful recovery of data. Cheque fraud continues to create burdens for members, and we anticipate changes to the banking system through Payments Canada initiatives to increasingly support secure wire transfer systems.

As large financial institutions seek to protect their systems from fraud, and notwithstanding multibillion-dollar profits, we continue to see significant delays in those financial institutions complying with the law related to mortgage discharges. During the year, the Society provided information to Consumer Protection BC sufficiently detailed so

that the Consumer Protection Branch could undertake an investigation into the conduct and lack of compliance by financial institutions with the laws in BC related to the timely discharge of mortgages.

The year also included the submission of the final report of the Cullen Commission. At 1800 pages, the report included 101 recommendations. General Counsel for the SNPBC, Ron Usher, represented the Society and was generally pleased with the recommendations made by the Commission with respect to Notaries Public. The Society will seek to introduce and amend rules in response to the recommendations.

The Society was grateful for the cooperation of the team at FINTRAC who engaged with the Society to conclude an information-sharing agreement. As reporting entities under the PCMLTFA, the Members of the Society play a significant role in identifying and reporting suspicious transactions. The Memorandum of Understanding will enhance our ability to address gaps in knowledge through education and training.

The Society is also an active participant in the Counter Illicit Finance Alliance of BC and will continue to contribute to information sharing and regulatory best practices. CIFA has demonstrated capacity to build relationships that increase our knowledge of criminal and money laundering networks. Notaries are known and recognized for contributing to a just society.

Throughout the first part of the year, the Society worked in collaboration with the Ministry of the Attorney General to amend the Notaries Regulation dealing with examinations. The Notaries Regulation is atypical in that the Act establishes that the Board of Directors has the power to make regulations. This is a somewhat rare provision in that most regulations are made by the government. The collaboration resulted in the Lieutenant Governor in Council approving the amended regulation on November 29, 2021. The amended regulation updates the examination provisions and clarifies the relationship and responsibilities of the Board of Examiners. Many of the provisions in the repealed regulation had not been changed for over 50 years. The new provisions provide for the Society to implement a modern, valid, and reliable competency-based examination system.



In addition to the change to the examination procedures, the Regulation also included provisions for Notaries to engage in Limited Liability Partnership. Initially it was hoped that the Regulation could include a broader definition of the entities that could form a LLP to include lawyers; however, the language in the Act prevented the board from achieving that.

This was a year in which the Board of Directors continued to leverage video conference technology for meetings. The Board amended its per diem policy guidelines to recognize the benefits, including reduced expenses, of online meetings. The Board has had a highly productive year through the implementation of sound fiscal and governance practices. We have worked hard to transition to a policy governance board that acts consistent with the values set out in the strategic plan and in the public interest. I express my thanks to each of the directors for their time, effort, patience, and engagement.

I also wish to recognize the hard work and dedication of the staff of the Society. The Society has a small staff complement that works hard to meet the needs of the public and members. Each member of the staff plays a critical role in the success of the organization.

I will close my report with some brief comments about the government's single legal regulator initiative. Announced in March 2021, the initiative would see a statute that would create a new organization responsible for the regulation of all regulated legal professionals in the province. This would include lawyers, notaries, paralegals, and others. I believe it was 2008 when the idea was first proposed. The idea was further advanced in 2012 through 2015 through a memorandum of understanding under which the Law Society would be responsible for regulating notaries public who were not members of the Law Society. That this initiative never proceeded was likely for the best, however the correspondence from the Society of Notaries Public and the Law Society to the Ministry of the Attorney General at the time stating that a single regulator for legal professions would be in the best interest of the public are now central to the government's intentions. To be clear, consolidation of regulators has been happening in common law countries for many years. Canada has been slow to adopt the new model of professional regulation so I will admit that it is inspiring to see British Columbia leading the way in this country with changes to the professional regulatory frameworks. A well designed, forward looking, regulatory framework will benefit the public and, with few exceptions, benefits to the public also benefit the professions. There are far more potential benefits for members of this current initiative than there are costs and hazards. Excepting the extraordinary, the status quo of profession specific legislation for a profession with limited licensees, does not appear to be a viable option.

Your Society has worked hard to establish a respectful relationship with the government, the Law Society, and other stakeholders. Most importantly, Notaries Public has, for almost 100 years, demonstrated their ability to provide safe, effective, and beneficial legal services directly to the public. It is that reputation that will best serve the profession regardless of the regulatory framework.

John Mayr  
*Executive Director*



## SECRETARY REPORT



It has been my pleasure to act as Secretary of the Society of Notaries Public of British Columbia again this year. Below are the highlights and statistics for our Membership. As we have slowly come back after the months of restrictions due to Covid, the real estate market has flourished, keeping members busier than ever.

The Secretary has specific functions flowing from the Notaries Act and the Society's bylaws including being a member of the Executive Committee.

The Secretary is the liaison between the Society and the Registrar of the Supreme Court. On June 2, 2022, 25 graduates were commissioned in an in-person hearing before Chief Justice C. Hinkson of the BC Supreme Court. Justice Hinkson administered the Oath and conducted the swearing in of the new members. It was very nice to be back in the Court in person for this lovely event. Congratulations to all of our new graduates.

After numerous years of discussions, the federal government is prepared to make an application to join the Geneva Convention on the Apostille. As part of this process, the federal government consulted with the provinces seeking to determine the agencies in each province that would be recognized to process documents under the terms of the convention. The BC Government made it known that they would assume the function and no other agencies or organizations would be authorized. This resulted in the Society no longer processing documents for international use on April 1, 2022.

On a much more somber note, the Society lost four of its actively practicing members since my last report and has been informed of the deaths of four former members. One of those was Stanley J. Nicol, a practicing Notary in the Fraser Valley for many years. Stan will be best remembered, however, as Secretary of the Society of Notaries from 1986 until his retirement in 2001. Stan accomplished many great things while Secretary, including steering the formation of the Notary Education Course at the University of British Columbia, setting up and establishing the Notary Foundation, and presiding over the creation of the in-house insurance program. These were herculean efforts at the time and Stan handled all of it with grace and respect. Stan Nicol died in January 2022.

Marny Morin  
Secretary

## Active Members

As of June 30, 2022, there were 435 members of the Society.

Category	Number of Members
Active	412
Administrative (Included into the total number)	6
Roving	8
Non-Practicing	15

## Retirements

The Board approved the following resignations from the membership:

[Christine Choquette](#)

Commissioned June 13, 2018

Retired September 7, 2021

[Patricia J. Bekar](#)

Commissioned June 15, 1989

Retired November 15, 2021

[Janice Rutherford](#)

Commissioned May 7, 2009

Retired September 30, 2021

[K. Louise Currier](#)

Commissioned June 13, 2002

Retired March 14, 2022

[Laurie Salvador](#)

Commissioned August 8, 1986

Retired November 1, 2021

[Amber Goddyn](#)

Commissioned June 19, 1984

Retired May 5, 2022

[Robert Pooni](#)

Commissioned June 12, 2019

Retired November 1, 2021

[Daniel J. Campbell](#)

Commissioned June 11, 1987

Retired June 24, 2022

[Tina M. Lloyd](#)

Commissioned June 10, 1986

Retired November 1, 2021

[Stephen A. Tidder](#)

Commissioned June 10, 1988

Retired June 30, 2022

[Sudershan K. Gupta](#)

Commissioned June 10, 1988

Retired November 1, 2021

[William Rutledge](#)

Commissioned May 6, 2004

Retired June 30, 2022

[Elisabeth Rechsteiner](#)

Commissioned June 8, 2000

Retired June 30, 2022

[Peter P. Y. Woo](#)

Commissioned December 5, 1991

Retired June 30, 2022

[William W. M. Gee](#)

Commissioned June 15, 1989

Retired June 30, 2022

## Deceased

[Kenneth R. Sherk](#)

Commissioned June 27, 1983

Passed away August, 2021

[Leanne Rebantad](#)

Commissioned June 15, 1989

Passed away October, 2021

[Peter Reimer](#)

Commissioned December 2, 1993

Passed away August, 2021

[Yvonne Geib](#)

Member 1990 - 2013

Passed away November, 2021

## Former Members

[Arne Tveit-Pettersen](#)

Member 1976 - 2000

Passed away August 27, 2021

[Stanley J. Nicol](#)

Member 1971 - 2003

Passed away January 2022

[Hans Podzun](#)

Commissioned December 7, 1995

Passed away August 2021

[Margaret Jeffels](#)

Member 1987 - 2000

Passed away January 2022

## Suspensions and Terminations

[Ma Nguyen](#)

Commissioned May 3, 2007

Terminated July 27, 2021

## Newly Commissioned Licensees

25 members from Cohort 13 were commissioned on June 2, 2022.

## Notary Education Program

An update to the Notary Education Program was undertaken in the period. The update is required as a result of the approval of the change in the education program. Part of the process to update the NEP involved looking at new and ongoing issues in notarial practice, recognizing the importance of new notaries being equipped with practical knowledge in those areas. Consideration is being given to including topics with expanded subject matter and defined learning outcomes and objectives:

- Cybersecurity Awareness Training
- FINTRAC and Anti-Money Laundering
- Business and Practice
- Practice Management Course



be a newly developed course anticipated to cover business structures, drafting a business plan, running a notarial practice, the legal significance of types of contracts and how to provide legal advice, understanding professional regulatory programs, and strategies to ensure compliance.

The Practice Management Course will be available to all members of the Society. The PMC covers all the steps and considerations in running a professional practice, from hiring employees, paying taxes, and dealing with difficult clients, to proper file management and using diary systems. New notaries will be required to complete this course during the NEP.



The Practice Management Course was developed by the Law Society of BC and is offered by the SNPBC under an agreement with the LSBC.

The NEP will continue to have the following core courses:

- Notarial Procedures
- Residential Conveyancing
- Wills and Personal Planning
- Estate Administration

The NEP emphasizes practical skills training activities in the classroom, with enhanced engagement activities for students.

An elective component will be added to the NEP allowing students to select topics relevant to their location of practice. At this early time, topics likely to be included are:

- Manufactured Homes
- Land Use Planning (Subdivisions)
- Personal Property Security Agreements
- Small Business Conveyancing

- New Development Disclosures (REDMA) and Rural Property Issues
- Acting as Executor in Personal Capacity and the Role of the Public Guardian and Trustee in Estate Administration
- Aboriginal land

The mentoring component will also be expanded to ensure that new notaries have deeper and more meaningful experience and exposure to practice. The Society is confident that the new NEP will benefit the public receiving services from newly commissioned notaries, students as they progress through the program, and mentors and member alike.

### Applications Procedure

Over the past year, the application process for the Notary Education Program underwent a substantial change as for the first time students were able to make an application to Simon Fraser directly for the MA ALS program. As the students enter their final semester at Simon Fraser University, they will become eligible to make application to the Society for the Notary Education Program. The new application process is more streamlined for prospective students.

According to MA ALS program director, Dr. Margaret Hall, there were 146 fully qualified applicants to the MA ALS program during this year's application cycle. SFU offered admission to 32 of those applicants.

Beginning in September 2023, applicants who have successfully completed the MA ALS program may apply to the SNPBC and will receive a 'Conditional Acceptance' into the Notary Education Program to begin in January 2024. The Society is confident that we will continue to fill 30-35 seats in the Notary Education Program under this new process.

Interest in the profession remains high with the Society responding to inquiries from 35 individuals looking for general information on the Notary Education Program. The Society has also responded to three inquiries from individuals with Canadian law degrees (LLB and JD). Most inquiries received up to the date of this report relate to the overall education requirements of notaries in the province, clarification of the changes to the application process, and assessment inquiries based on previous work experience and/or education.

The admission process and the requirements for entry into the Notary Education Program are listed in the [Frequently Asked Questions \(FAQ\)](#) resource now available on the public website.

## **Custodianships**

There were three active Custodianship for the period of this report.

## **Special Fund Claims**

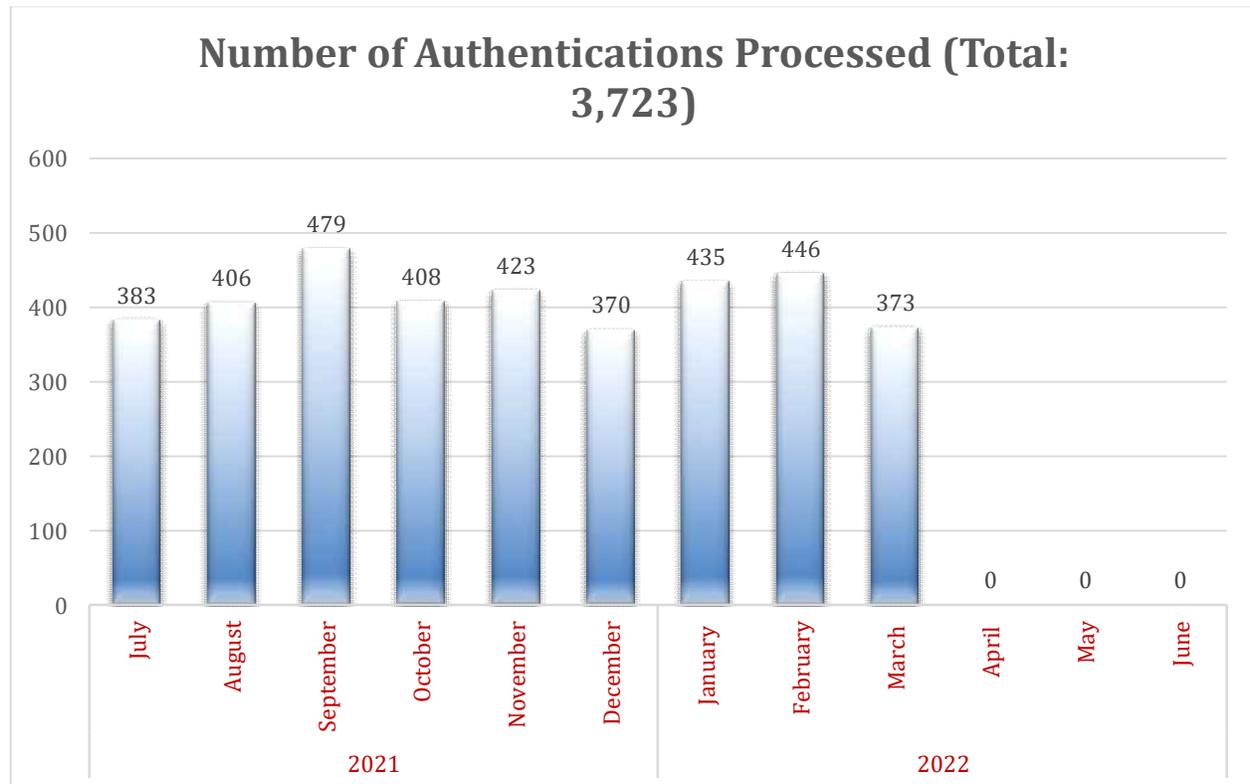
There were no Special Fund claims in 2021-2022.



**SOCIETY SERVICES**

**Authentications**

Authentications processed from July 1, 2021, to April 1, 2022



**Authentication Update**

In preparation for Canada to submit formal application to join the Hague Apostille Convention, the BC Government has assumed the function of authentications as of April 1, 2022. The Society of Notaries Public of BC will no longer authenticate documents for international use. Since then, documents have been sent directly from the notary’s office or the clients themselves to the office in Victoria for processing.

**Notaries Registered with the OIC Office**

There were 271 Notaries registered as of June 30, 2022.

## PUBLIC PROTECTION PROGRAMS

### Practice Inspections

The Society has three Practice inspectors, who work diligently to ensure that Members operate a practice that meets or exceeds the Society’s standards. Practice inspections were conducted remotely for the period. We acknowledge that this created additional work for members and thank those who were inspected for their cooperation.

Inspections completed from July 1, 2021 to June 30, 2022

Inspection type	Number of inspections
New Notary	18
Scheduled	60
Re-inspection	8
<b>Total inspections</b>	<b>86</b>

### Member Trust Audit

The member trust audit program is one of the primary programs the Society relies upon to ensure members are meeting the requirements of the Rules as they apply to trust accounts.

For the period of this Annual Report, the Society’s external auditors completed the audit and reported the following:

Member Trust Audits	Number of inspections
<b>Total for period</b>	<b>172</b>
% of members audited	42%
<b>Failed to meet standards</b>	<b>13</b>

Member trust audits were conducted remotely for the period. We acknowledge that this created additional work for members and thanks to those who were subjected to audit for their cooperation.

### Practice Advisory Line (PAL)

The Society of Notaries Public provides support to members through the practice advisory line. Staffed by three experienced Notaries, PAL responds to emails and telephone queries by members.

For the period July 1, 2021, to June 30, 2022, there were:

- More than 3580 email inquiries.
- Hundreds of telephone calls made to PAL.

Practice Advisors respond to notary members seeking clarification of their professional obligations and evaluation of potential risk. The Practice Advisors seek to provide direction and help with practice and ethical questions without giving legal advice. Members are directed to counsel as may be appropriate.

Practice Advisors provide advice on Rules, the Code of Professional Conduct, practice management, client and notary relationships, scams, and fraud alerts.



STRATEGIC PLAN 2020 - 2023

Values	Trust   Transparency   Competence   Integrity   Fairness   Flexibility					
<b>Foundational Activities</b>	<p><i>Complete the separation from the formerly associated entities</i></p> <p><i>Continue to enhance and improve governance</i></p> <p><i>Build a capacity for evidence-based decision making and data collection to support it.</i></p>					
<b>Strategic Directions</b>	<b>Public interest and risk-focused regulation</b>		<b>Enhancing Professional Competence</b>		<b>Stakeholder Engagement</b>	
<b>Priorities</b>	<ol style="list-style-type: none"> <li>1. Public interest defined</li> <li>2. Regulatory risks</li> <li>3. Right Touch Regulation</li> </ol>		<ol style="list-style-type: none"> <li>1. Baseline Competence articulated</li> <li>2. Competence assessment framework</li> <li>3. Notaries enhance their competence</li> </ol>		<ol style="list-style-type: none"> <li>1. Member Engagement Plan</li> <li>2. Agency Engagement Plan</li> <li>3. Government Engagement Plan</li> </ol>	
<b>Strategic Initiatives 2020-2021</b>	Develop Regulatory Objectives		Review and revise Notary Competence Profile		Eliminate barriers to engagement	
	Articulate – internal and external regulatory risks		Assess requirements for training, assessment of competence and skills for new graduates and experienced practitioners		Crisis management plan	
	Develop an Enterprise Risk Framework				Outreach/monitoring – e.g. President’s messages	
					Track member contact	
Maximize benefits of Practice Inspections						
<b>Strategic Initiatives 2021-2022</b>	Develop a plan to implement ‘Right Touch Regulation’ across the Society				Identify opportunities for engagement	
					Member Assistance Program	
<b>Strategic Initiatives 2022 - 2023</b>					Independent intermediary	

## SUMMARY OF SNPBC FINANCIAL STATEMENTS

### Statement of Financial Position (Condensed)

<b>June 30</b>	<b>Total</b>	
	<b>2022</b>	<b>2021</b>
<b>Assets</b>		
Cash	\$ 10,908,809	\$ 8,670,689
Receivables	383,671	467,794
Accrued interest receivable	10,852	10,567
Prepaid expenses	107,966	2,082
Short-term investments	3,213,502	3,451,126
Govt. Remittance Receivable	47	45
Due from The Notary Foundation of British Columbia	-	541,047
	<b>14,624,847</b>	<b>13,143,350</b>
Capital Assets	85,611	85,736
Due from ProSuite Software Ltd.	85,221	484,493
Investment in ProSuite Software Ltd.	812,684	28,972
Investment in BC Notaries Captive Insurance Co.	2,738,690	4,159,823
	<b>\$ 18,347,053</b>	<b>\$ 17,902,374</b>
<b>Unclaimed trust funds</b>	<b>\$ 917,359</b>	<b>\$ 725,485</b>

The above figures are a summary only and are not a replacement for the audited financial statements. Consult the audited financial statements for additional information.

**Statement of Financial Position  
(Condensed)**

<b>June 30</b>	<b>Total</b>	<b>Total</b>
<b>Liabilities</b>	<b>2022</b>	<b>2021</b>
<b>Current</b>		
Accounts payable and accrued liabilities	\$ 158,232	\$ 47,454
Government remittances payable	68,816	89,088
Dues received in advance and unearned	1,041,847	1,221,692
Due to related parties	4,383	3,515
	1,273,278	1,361,749
Provision for settlement of claims	-	255,000
	1,273,278	1,616,749
<b>Fund Balances</b>		
Equity in capital assets	85,611	85,736
Internally restricted	10,289,366	8,766,030
Externally restricted	2,152,453	2,538,369
Unrestricted	4,546,345	4,895,490
	17,073,775	16,285,625
	\$ 18,347,053	\$ 17,902,374
<b>Unclaimed trust liability</b>	\$ 917,359	\$ 725,485

The above figures are a summary only and are not a replacement for the audited financial statements. Consult the complete audited financial statements for additional information.

## Statement of Operations (Condensed)

<b>June 30</b>	<b>Total</b>	<b>Total</b>
<b>Revenue</b>	<b>2022</b>	<b>2021</b>
Authentication fees	\$ 298,261	\$ 365,014
Distribution from Foundation	-	541,782
Investment income	16,742	401,970
Membership dues and incorporation fees	1,190,545	968,506
Trust administration	2,732,358	2,903,461
Other	263,683	228,090
	<b>\$ 4,501,589</b>	<b>\$ 5,408,823</b>
<b>Expenses</b>		
Legal fees	\$ 143,705	\$ 135,596
Member audits	507,846	505,116
Office supplies and service	250,527	275,815
Practice inspection and assistance	141,418	127,096
Rent and utilities	252,322	253,516
Tuition	238,434	258,488
Wages and benefits	1,246,251	1,086,380
Others	550,515	458,772
	<b>\$ 3,331,018</b>	<b>\$ 3,100,779</b>
<b>Other Items</b>		
Settlement of claims	\$ 255,000	\$ -
Equity in income of controlled entities	(637,421)	281,194
<b>Excess (deficiency) of revenue over expenses</b>	<b>\$ 788,150</b>	<b>\$ 2,589,238</b>

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## COMMITTEE REPORTS

### Audit Committee

#### Activities

The Audit Committee met once during the year to consider unsatisfactory member audit reports as received from the auditors. The most common errors have been identified as:

- 1. Funds deposited to the wrong bank account,*
- 2. Property Transfer Tax form errors – PTT being drawn out of the wrong bank account because of withdrawing land title transfer documents and refiling and PTT being debited twice,*
- 3. Clients using bank apps to deposit cheque electronically then months later depositing the physical cheque,*
- 4. Amount recorded on the statement of adjustments different from the dollar amount received and deposited creating a shortfall,*
- 5. Banks placing a hold on deposited funds. This appears to be the most common error consistently on all the Trust Account Error Reports,*
- 6. Like the bank hold problem described above, bank deducts an arbitrary hold amount and does not advise notary. Bank Statement balance will show current balance but will show a lower amount called "available balance" usually shown in small font at top of bank statement,*
- 7. Miscellaneous bank errors,*
- 8. Excess deposit cheques from realtors deposited into a different bank account than the transaction proceeds,*
- 9. Remote deposit capture cheques showing as scanned and deposited to the account but not appearing in the account.*

#### Committee Members

Megan Knight (Chair)  
Liza Aboud  
Cheryl Kwok  
Odina Skovgaard

#### Mandate

The Audit Committee shall receive, scrutinize, and assess the Self-Audit reporting form to be submitted to The Society each year by every member under the Rules of The Society made by the Directors, by authority of the Act. The Audit Committee shall enforce all Rules concerning the audit of the Trust account(s) of members of The Society.

## Discipline Committee

### Activities

#### *Complaints:*

During the period of this report, the Society received 60 formal complaints through our website and 32 via email, phone, fax or letter for a total of 92 of which:

- 13 under active investigation
- 14 referred to the Committee
- 12 on hold as legal proceedings or police investigations are in progress
- 53 were closed

Investigations of complaints are conducted in compliance with Section 27(2) of the Notaries Act (“Preliminary Inquiry”) and Rules 8.01 to 8.03.

Complaints are assessed under the provisions of the Notaries Act and specifically section 28(1):

- (a) *misappropriation or wrongful conversion by the person of money or other property (...);*
- (b) *incompetence;*
- (c) *other professional misconduct;*
- (d) *a breach of a provision of this Act or a regulation or rule made under it, or of a bylaw of the society.*

#### **Hearings:**

Of the 14 pending matters brought before the discipline committee 3 are being considered for Alternative Dispute Resolution and 7 could result in an Agreed Statement of Fact. 2 matters are still under review and for 1 matter a dismissal is proposed. In 1 matter a hearing has been held and a Penalty hearing will be organized.

Hearings are conducted in compliance with Section 27 and following of the Notaries Act (“Inquiry”).

### Committee Members

Steve Woo, Chair  
 Megan Knight  
 Liza Aboud  
 Sabrina Hanousek  
 Kate Manvell

### Mandate

The mandate of the Discipline Committee is to further the aims and objectives of The Society by setting policy and procedures regarding the investigation and parameters of the resolution of complaints. The *Notaries Act*, The Society’s Rules, and The Society’s Principles for Ethical and Professional Conduct set out a guide for the professional, ethical, and moral integrity of BC Notaries.

## Executive Committee

### Activities:

The Executive Committee has been active throughout the year with meetings prior to most meetings of the Board. In addition, the Committee made recommendations to the Board on the Executive Directors performance.

### Committee Members

David Watts, President  
Hassan El Masri, 1<sup>st</sup> VP  
Steve Woo, 2<sup>nd</sup> VP  
Marny Morin, Secretary  
Jessie Vaid, Past President

### Mandate

The Committee is charged with the responsibility of dealing with issues of an urgent nature that arise between Board meetings. On such items, the Committee may approve unbudgeted expenditures from the Contingency Fund or surplus to a maximum amount of \$20,000. The Committee is also charged with the responsibility for the employment of the Chief Executive Officer/Secretary.

## Finance Committee

### Activities:

The Finance Committee is primarily responsible for receiving and considering the auditor's report to the committee, considering, and recommending for approval of the Board the audited financial statements, and considering and approving the annual budget for the Society.

The Committee met on three occasions as well as conducting business by electronic means throughout the year.

### Committee Members

Hassan el Masri , Chair  
Liza Aboud, Vice Chair  
Alex Ning  
Andrea Banks  
Alan Treleaven

### Mandate

The mandate is to supervise the financial affairs of the Society to ensure there is a provision for sound financial planning, an adequate accounting system, and proper accounting procedures and to report to the Board of Directors.

## Legislation, Bylaws, and Rules Committee

### Activities

The Legislation and Bylaws Committee was not active throughout the year. No bylaws and no amendments to the Rules were made.

The revision of the Bylaws project, which was and remains high on the list of priorities, was delayed due to the health pandemic, internal capacity, and funding.

### Committee Members

Lilian Cazacu, Chair  
Tegan Tang, Vice Chair  
Kate Manvell  
Odina Skovgaard  
Jonathan Wong  
Juliana Castro

### Mandate

The mandate is to recommend amendments and additions to the Act, Bylaws, Rules, and the Code of Ethics ensuring that they reflect the intent of the legislation and current policies governing the practice of The Society of Notaries Public of BC.

## Membership and Admissions Committee

### Activities:

The Membership and Admissions Committee oversees and is responsible for the selection and recommendation of suitable applicants to the Notary Education Program. For the period in question no interviews were conducted. The Committee was actively engaged in responding to the Office of the Ombudsperson with a respect to a complaint by a person who was rejected.

### Committee Members

Cheryl Kwok, Chair  
Steve Woo, Vice Chair  
Liza Aboud  
Megan Knight  
Tegan Tang  
Virginia Ashley  
Amy Badesha  
Juliana Castro  
Ravi Dhami  
Odina Skovgaard  
Jonathan Wong  
Susan Tong

### Mandate

- Screen and consider all applications and evaluate the character fitness, financial responsibility, credentials, and professional qualifications of all Applicants and Candidates.
- Confirm applications where appropriate.
- Hold in abeyance, at their discretion, any application from a person involved in an action pending before any Court of this province, either as plaintiff or defendant, until such time as that action has been resolved.
- Recommend admission and transfer Applicants to the Board of Directors for their decision if the Committee sees fit to do so.
- Follow the guidelines set out in the Membership and Credentials guide and amend such guide from time to time.

## Practice Standards Committee

### Activities:

The Practice Standards Committee was not active throughout the year. Staff will revisit and discuss with the Committee how to move this project forward. The work of the committee requires significant time and effort on behalf of the members of the Committee. Regretfully, the demands of practice made it challenging for the committee to meet.

### Committee Members

Hassan El Masri – Chair  
Sabrina Hanousek – Vice  
Chair  
Virginia Ashley  
Megan Knight  
Jonathan Wong  
Cheryl Kwok  
Juliana Castro  
Alex Ning  
Alan Treleaven  
Vicki Van As

### Mandate

The Practice Standards Committee establishes and communicates the minimum standards of practice for the profession.

Professional standards guide Members in their practice and may be used by the public in understanding the roles and responsibilities of Notaries Public.

## Taxation Committee

### Activities:

The Taxation Committee considered matters related to fees charged by a member. The reasons for decisions are published on the Society's public website ([www.snpsc.ca](http://www.snpsc.ca)). See the Professional Regulation tab, under Discipline and Committee reports.

There were no decisions of the Taxation Committee for the period of this report.

### Committee Members

David Watts - President  
Hassan El Masri – Chair of Finance  
Steve Woo – Chair of Discipline

### Mandate

The Taxation Committee shall consist of the President, and the chairmen of the Finance and Discipline Committee. The Taxation Committee shall investigate complaints of excessive notarial fees charged by Members. The decisions of the Taxation Committee shall be final and binding upon all Members.

## WHOLLY OWNED CORPORATIONS

### ProSuite Software Corporation

ProSuite is a wholly owned corporation that receives royalties from the sale of an asset under the terms of an agreement. The ProSuite Board members are:

- Todd McKendrick, Chair
- Eric Fryatt
- Ron Usher

Shareholder Representative

- John Mayr

Financial performance is reflected in the SNPBC Financial Statements.

### BC Notaries Captive Insurance Corporation

BCNINSCO is a wholly owned corporation that provides insurance to members of the Society. Insurance of members through the Captive Insurance provider is mandatory providing assurance to and protecting the public. The BCNINSCO was formed in January 2018 and began operation in October 2018. BCNINSCO is registered with the B.C. Financial Services Authority BC and is licensed to provide insurance services.

The BCNINSCO Board members are:

- Todd McKendrick, Chair
- Brent Atkinson, Treasurer
- Bill Anderson, Director
- Joan Letendre, Director
- John Mayr, Shareholder Representative

The Society sets the minimum requirement for insurance coverage for members. The Captive looks to the market place to obtain that coverage.

During the period, the Board of Directors considered the move to a form of transactional insurance for the next insurance period.

Financial performance is reflected in the SNPBC Financial Statements.



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