

IN THE MATTER OF VINCENT OKEY UDAH, OZOMENA FRANCIS NWOGBO,
THOMAS EJKEME OLI, MARYLYN OBIANUJU OKOYE, solicitors

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

Mr A G Ground (in the chair)
Mr J C Chesterton
Mr M G Taylor CBE

Date of Hearing: 22nd September 2009

FINDINGS

of the Solicitors Disciplinary Tribunal
Constituted under the Solicitors Act 1974

An application was duly made on behalf of the Solicitors Regulation Authority (SRA) by Jonathan Richard Goodwin of Jonathan Goodwin Solicitor Advocate, 17E Telford Court, Dunkirk Lea, Chester Gates, Chester CH1 6LT on 24th October 2008 that Vincent Okey Uдах of Flat 152, Geffrye Court, Geffrye Estate, London N1 6R2, Ozomena Francis Nwogbo of Flat C, 245 Romford Road, Forest Gate, London E7 9HL, Thomas Ejikeme Oli of 71 Ojuelegba Road, Surulere, Lagos, Nigeria and Marylyn Obianuju Okoye of 25 Applegrath House, Bird in the Bush Road, Peckham, London SE15 6TD might be required to answer the allegations set out in the statement that accompanied the application and that such Order might be made as the Tribunal should think right. The supplementary statement, adding two further allegations against the first three Respondents was dated 20th August 2009.

The Allegations against the Respondents, Vincent Okey Uдах (First Respondent), Ozomena Francis Nwogbo (Second Respondent), Thomas Ejikeme Oli (Third Respondent) and Marylyn Obianuju Okoye (Fourth Respondent) were that:-

Allegations against First, Second and Third Respondents

1. Contrary to Rule 1 of the Solicitors Code of Conduct 2007 ("SCC") they had left the practice unattended;

2. Contrary to Rule 6 of the Solicitors Accounts Rules 1998 (“the 1998 Rules”), they had failed to ensure compliance with the Rules;
3. They had withdrawn money from client account other than as permitted by Rule 22 (1) of the 1998 Rules;

Allegations against the First and Second Respondents

4. Contrary to Rule 20.03 of the SCC they had failed to reply to correspondence from the SRA and/or cooperate;

Allegations against the First and Fourth Respondents

5. Contrary to Rule 19 (5) of the 1998 Rules, they had paid monies in respect of an agreed fee into client bank account;
6. They had withdrawn money from client account other than as permitted by Rule 22 (1) of the 1998 Rules;
7. They had failed to keep accounts properly written up in accordance with Rule 32 of the 1998 Rules;
8. They had failed to carry out the required reconciliations, contrary to Rule 32 (7);
9. They had failed to disclose material information to lender clients;
10. They had failed to provide adequate or sufficient costs information, contrary to Rule 15 of the Solicitors Practice Rules 1990;
11. They had failed to maintain a file of copy bills, contrary to Rule 32 (8) of the 1998 Rules;

Allegations against First Respondent alone

12. He had misled clients as to the identity and/or status of the person having conduct of client matter(s);
13. He had failed to act in accordance with lender clients instructions;
14. He had improperly paid away funds held on behalf of mortgagee clients, to third parties not entitled to the said funds (for avoidance of doubt this was an allegations of dishonesty).

The further allegations against the First, Second and Third Respondents were that:-

15. They had failed and/or delayed in the filing of an Accountant’s Report for the period ending 15th January 2008, due for delivery on or before 15th July 2008, contrary to Section 34 of the Solicitors Act 1974 (as amended) and the Rules made there under;

16. They had failed to comply with a direction of the Adjudicator dated 18th November 2008.

The application was heard at The Court Room, 3rd Floor, Gate House, 1 Farringdon Street, London EC4M 7NS when Jonathan Goodwin appeared as the Applicant. The First Respondent did not appear and was not represented. The Second Respondent appeared in person. The Third Respondent, who was not present was represented, by James Pyke. The Fourth Respondent who was present was represented by Peter Cadman.

The evidence before the Tribunal included statements from the Second and Third Respondents and a statement with limited admissions from the Fourth Respondent.

At the conclusion of the hearing the Tribunal made the following Orders:

The Tribunal Orders that the Respondent, Vincent Okey Udah of Flat 152, Geffrye Court, Geffrye Estate, London, N1 6RT, solicitor, be Struck Off the Roll of Solicitors and it further Orders that he do pay the costs of and incidental to this application and enquiry fixed in the sum of £36,223.85

The Tribunal Orders that the Respondent Marylyn Obianuju Okoye of 25 Applegarth House, Bird in the Bush Road, Peckham, London, SE15 6TD solicitor, be Reprimanded and it further Orders that she do pay the costs of and incidental to this application and enquiry fixed in the sum of £500.

The facts are set out in paragraphs 1-53 hereunder:

1. Vincent Okey Udah (First Respondent) born in 1959, was admitted as a solicitor in 2003. His name remains on the Roll of Solicitors.
2. Ozoemena Francis Nwogbo (Second Respondent) born in 1977, was admitted in 2007. His name remains on the Roll of Solicitors.
3. Thomas Ejikeme Oli (Third Respondent) born in 1964, was admitted in 2007. His name remains on the Roll of Solicitors.
4. Marylyn Obianuju Okoye (Fourth Respondent) born in 1974, was admitted in 2005. Her name remains on the Roll of Solicitors.
5. At relevant times the Respondents had carried on practice in partnership under the style of Okey Udah & Co from offices at 163 Rye Lane, Peckham, London SE15 4TL.
6. On 10th January 2008 an Adjudication Panel had resolved to intervene into the practice of Okey Udah & Co.

Allegations 1-3 against the First, Second and Third Respondents

Allegation 4 against the First and Second Respondents

7. On 5th December 2007 the Legal Complaints Service (“LCS”) had received a call from DB Mortgages indicating that they had released the sum of £484,500 to Okey

Udah & Co on 19th November 2007, but exchange had not taken place and they had been unable to contact the solicitors since that date. It had been indicated that telephone calls to the firm had been unanswered and had reached an answer phone message.

8. On 7th December 2007 the LSC had received an email from Mr H Horsfall, a trainee solicitor at the firm, who had indicated that Mr Udah had gone on holiday and could not be contacted. Mr Horsfall had said that the firm had been receiving telephone calls regarding failure to complete conveyancing transactions, despite receipt of mortgage advances from lender clients. He had indicated that documentation received from E Mortgages had suggested that the High Court had made an injunction freezing the accounts and assets of the firm. Mr Horsfall had said that he had been unable to contact any of the partners of the firm.
9. On 10th December 2007 an Investigation Officer (“IO”) from the Forensic Investigations Unit of the SRA had attempted to commence an inspection at the Respondent’s firm, but had been unable to gain entry to the firm’s premises. The office had been locked and in darkness and a telephone call to the firm had not been answered.
10. There had been no letterbox and the firm's post had been left on the window ledge near to the front door. The shopkeepers from nearby businesses had stated that they had not seen the partners for several weeks.
11. By coincidence, the IO had met a representative from DB Mortgages at the premises, who had been attempting to speak to the Respondents regarding a mortgage advance to the firm of approximately £500,000, but had been unable to successfully contact the firm.
12. The SRA had also received notification from Lloyds TSB that they had frozen the firm’s accounts to prevent further monies being withdrawn.
13. By letters dated 14th December 2007, the SRA had written to the First, Second and Third Respondents at both the practice address and their home address seeking clarification as to the position and as to whether the firm had closed and as to what arrangements had been made to deal with client matters. The First and Second Respondents had failed to reply or provide explanation.
14. By letter dated 8th January 2008, the Third Respondent, Mr Oli had written to the SRA in response to its letter of 14th December 2007 in which he had indicated that he had never been a partner in the practice. Contrary to the Third Respondent's assertion that he had not been a partner in the practice, his name appeared as a partner on the firm’s letterhead and the SRA held a form entitled “Change of Practising Details” dated 3rd July 2007 indicating that Mr Oli had become a partner with effect from 3rd July 2007.
15. Further, the SRA had received form RF3, “Application for a Practising Certificate” on behalf of the Third Respondent, indicating that he had become a partner with effect from 3rd July 2007.

16. Following the intervention, the SRA had instructed Devonshire Solicitors to act as intervening agents. Devonshires had recovered all the papers that appeared to relate to the firm and had proceeded to analyse the same to ascertain to whom the papers belonged with a view to identifying those individuals so that the papers could then be distributed to their rightful owners.
17. It had become apparent to the intervening agents that substantial sums of money were missing from the firm's bank accounts, and that in October and November 2007 substantial payments had been made from the firm's client bank account held at Lloyds TSB. The intervening agent had ascertained that at the date of the intervention there had been £135,277.30 in the client bank account which had been subject to a freezing injunction following proceedings between E Mortgage Creators Ltd and the Respondent's firm.
18. However, an analysis of monies received as a result of a number of transactions had totalled £4,704,195 with the result that it had been clear to the intervening agents that the vast majority of the monies received in respect of the transactions had subsequently been transferred away from the client account.
19. The intervening agents had prepared a table detailing the transactions. It had appeared to the intervening agent that substantial documentation had been missing from the files and in particular none of the files had contained evidence that the transactions had been completed.
20. It was contended that the First, Second and Third Respondents had failed to ensure compliance with the Solicitors Accounts Rules and had withdrawn money from client account other than as permitted by Rule 22.1 of the 1998 Rules.

Allegations 13 and 14: Dishonesty - First Respondent (Vincent Okey Udah)

21. In relation to the First Respondent, it was also contended that he had improperly and dishonestly paid away funds held on behalf of mortgagee clients to third parties not entitled to the said funds. There were numerous Certificates of Title completed by the First Respondent and CHAPs transfer forms signed by the First Respondent in respect of transfers out of client bank account to third parties.
22. The intervening agents had been approached by a number of lenders requesting copies of the files in respect of which they had been carrying out investigations. By way of example, in relation to the claim of Chelsea Building Society in respect of an advance of £708,750 there was a letter from CMSCM dated 15th February 2008 to Quinn Direct, the insurers of Okoye Udah & Co. The transaction had related to a client a Mr A and five buy to let properties. Mortgage offers from the Chelsea Building Society to the Respondent's firm had been made in relation to the five properties. Certificates of title in respect of each of the five properties and copies of the Land Registry entries in respect of each of the five properties had demonstrated that the First Respondent had:-
 - (i) Failed to transfer the properties to the borrower;

- (ii) Failed to take an enforceable first charge by way of legal mortgage over the five properties on behalf of the lender client;
 - (iii) Failed to register the clients' mortgage as first legal charge at the Land Registry;
 - (iv) Failed to make any application to the Land Registry for priority to protect the lender client's interests, and
 - (v) Failed to hold the mortgage advance on the lender clients' behalf, and had instead released it to an unknown third party without the consent of the lender client.
23. The intervening agents had produced a spreadsheet in respect of transactions in the period 24th October 2007 – 27th November 2007 summarising the investigation carried out by the intervening agent, as at the date the schedule was prepared.
24. The transactions detailed in that spread sheet had related to payments totalling over £5.7 million in a period of approximately five weeks from 24th October 2007 to 27th November 2007.
25. On 10th January 2008, in addition to resolving to intervene into the practice of Okoye Udah & Co, the Adjudication Panel had resolved to refer the conduct of the First, Second and Third Respondents to the Solicitors Disciplinary Tribunal.

Allegations 5-11 re First and Fourth Respondents

26. On 23rd and 24th May 2007 the Assigned Risks Pool had carried out a monitoring visit at the Respondents' practice, and had produced a report dated 11th July 2007. Various client matters had been referred to in the report. The report had identified breaches to the Solicitors Accounts Rules in relation to each of the various clients, a failure to maintain adequate accounting records, failure to carry out the required reconciliations and a failure to maintain a file of copy bills. Further, in relation to the matters of B, T and D it had been ascertained that the client care letters had not differentiated between costs and disbursements in the estimate of charges and expenses, contrary to Rule 15 of the Solicitors Practice Rules.
27. In relation to the matter of B, it had been ascertained that the deposit had been paid direct to the seller, but there had been no evidence on the matter file that the lender client had been notified by the First and Fourth Respondents of that fact.
28. By letters dated 6th August 2007, the SRA had written to the First and Fourth Respondents enclosing a copy of the report and seeking their explanation in respect of the same.
29. The Fourth Respondent had replied by letter dated 30th August 2007. The First Respondent had replied by letter dated 6th September 2007.
30. On 7th November 2007 an Adjudicator had resolved to refer the conduct of the First and Fourth Respondents to the Solicitors Disciplinary Tribunal.

Allegation 12 - re First Respondent

31. By letter dated 4th December 2007 Mr O had written to the SRA making complaint against the First Respondent. Mr O had been employed by Okey Udah & Co on work experience which had commenced on 3rd May 2006. He had been supervised by the First Respondent. Mr O had discovered that the client care letter sent to clients had held him out as the person having conduct of the particular matter and/or as a solicitor, when he had been neither.
32. Following a request for further information from the SRA, Mr O had written to the SRA on 11th January 2008 and had enclosed samples of the client care letters to which he had referred.
33. By letter of 22nd January 2008 the SRA had written to the First Respondent seeking his explanation.
34. The First Respondent had failed to reply or provide explanation and it had been necessary for the SRA to write again by letter dated 6th February 2008. A further letter had been sent on 12th February 2008 to which the First Respondent had failed to reply or provide any explanation.

Allegation 15 re First, Second or Third Respondents

35. By letter dated 15th August 2008, The Law Society had written to the First, Second and Third Respondents in respect of the outstanding Accountant's Report for the period ending 15th January 2008, due to be delivered on or before 15th July 2008. (The Law Society had also written to the Fourth Respondent, Ms Okoye, who had responded indicating that she had left Okey Udah & Co on 13th April 2007 with the consequence that she had not been responsible for the filing of the outstanding report).
36. The Respondents had failed to reply. By letter dated 5th September 2008, the SRA had written to the First, Second and Third Respondents seeking their explanation.
37. By letter dated 20th November 2008, Mr Oli (Third Respondent) had replied. He had set out the background to his involvement and had indicated that he had not been aware whether or not the Accountant's Report for the period ending 15th January 2008 had been received. This was because he had not commenced practice with Okey Udah & Co, due to his failure to obtain entry clearance from the British High Commission in Nigeria. On 27th November 2008, a telephone conversation had taken place between the case worker and Mr Oli who had indicated that he could not comment on the late delivery of the report, because he had only been a partner for a brief time.
38. The report remained outstanding. It was understood that the last report filed with the SRA had been in October 2007, for the period ending 30th April 2007.

Allegation 16 re First, Second and Third Respondents

39. A complaint had been made by Mr B to the Legal Complaints Service (LCS).

40. An Adjudicator had considered the matter on 18th November 2008 and had found that the service provided by Okey Udah & Co had been inadequate.
41. The Adjudicator had directed Okey Udah & Co to pay £750 to Mr B by way of compensation and to account to Mr B for the sum of £2,000 which he had paid to the firm on account of costs.
42. By letter dated 28th November 2008, the LCS had written to the First, Second and Third Respondents, enclosing a copy of the Adjudicator's decision. The First, Second and Third Respondents had failed to comply.
43. Following the First, Second and Third Respondents' failure to comply with the Adjudicator's decision, the matter had been raised with the Respondent's insurers which had resulted in a payment being made in a sum of £2,750, via the Assigned Risks Pool, by Capita Insurance Services on 31st March 2009.
44. Following the matter being referred to the SRA, the SRA had written to the First, Second and Third Respondents by letter dated 13th February 2009 seeking an explanation for their failure to comply with the direction of the Adjudicator dated 18th November 2008.
45. On 13th March 2009, Mr Oli had telephoned the SRA indicating that he had just returned from Nigeria, had received the SRA's letter and requested a week in which to respond. This had been agreed. By email dated 7th April 2009, Mr Oli had provided a letter dated 6th April 2009 setting out his response to the complaints.
46. Mr Nwogbo had replied by letter received at the SRA on 18th June 2009 setting out his position.
47. Mr Nwogbo had indicated that he had not joined the firm as a partner but conceded that he had signed the RF3 document for renewal of his practising certificate in anticipation of him joining as a partner. He had denied knowledge of the matter concerning Mr B.

Preliminary matter concerning the First Respondent

48. The Applicant explained that the First Respondent, Mr Udah, had failed to acknowledge or take any part in the proceedings. He detailed the arrangements for service of all the documentation. The Tribunal declared that it was satisfied as to good service of the Rule 5 statement under Rule 10 of its Disciplinary Proceedings Rules proceedings and that the hearing against Mr Udah should proceed in his absence. The Tribunal said that the supplementary statement was to lie on the file as against the First Respondent.

Application as to adjournment/severance on behalf of the Third Respondent

49. Mr Pyke, on behalf of the Third Respondent, Mr Oli, explained that his client was permanently resident in Nigeria and although he had tried to attend the hearing, he had been unable to get his visa in time to enable him to enter the country. Mr Pyke

stressed that his client wished to appear and sought an adjournment to December 2009. Alternatively he sought severance.

50. The Applicant said that he was ready to proceed with two witnesses subject to witness summons. If there was a severance, it would lead to increased costs as both witnesses would need to give evidence at both hearings. Moreover, he sought to withdraw allegations 9 and 10 as against the Fourth Respondent and to proceed on her admissions in relation to allegations 5-8 and 11. On behalf of the Fourth Respondent, Ms Okoye, Mr Cadman confirmed that his client was extremely anxious to proceed on the basis of her admissions.
51. The Tribunal granted leave for allegations 9 and 10 to be withdrawn as against Ms Okoye.
52. The Second Respondent, Mr Nwogbo stressed the he was very keen to proceed because the matter had been going on for a very long time.

The decision of the Tribunal on the application as to adjournment/severance

53. The Tribunal directed that the allegations against all four Respondents be heard together as listed. The Second and Fourth Respondents had indicated that they were anxious for the case against them to proceed. Although, the Third Respondent could not be present, the Tribunal had the benefit both of his witness statement and of his legal representative, Mr Pyke. The application had been made in October 2008 arising from events that took place in 2007. Taking into account the passage of time and the submissions of the parties the Tribunal believed it to be in the public interest in the timely administration of justice that the hearing proceed.

The submissions of the Applicant

54. The Applicant outlined the 14 allegations and the facts and documentation in support. He reminded the Tribunal of the dishonesty test as set out in the case of *Twinsectra*. In the absence of the First Respondent, Mr Udah, he was assumed to deny the allegations. The Applicant submitted that Mr Udah had improperly and dishonestly misappropriated significant sums of money from lender clients and had paid those monies to third parties not entitled to those funds.
55. Turning to Mr Oli's assertion that he had not been a partner in the practice, the Applicant noted that not only had his name appeared as a partner on the firm's letterhead but that the SRA held a form entitled "Change of Practising Details" dated 3rd July 2007 indicating that Mr Oli had become a partner with affect from 3rd July 2007. Further, that the SRA had received form RF3 "Application for a Practising Certificate" on behalf of Mr Oli, indicating that he had become a partner with effect from 3rd July 2007.
56. The Applicant noted that by letter received by the SRA on 18th June 2009, Mr Nwogbo had indicated that he had not joined the firm as a partner but he had conceded that he had signed the RF3 document, "Application for a Practising Certificate" for the renewal of his practising certificate in anticipation of him joining as a partner, subject to obtaining a work permit.

Submissions on behalf of the Fourth Respondent

57. Mr Cadman explained that allegations 9 and 10 having been withdrawn against Ms Okoye, she had made admissions relating to the remaining allegations concerning breaches of the Solicitors Accounts Rules on a strict liability basis. These basis of these admissions had been accepted by the Applicant. Mr Cadman referred to his client's statement dated 21st September 2009.
58. Mr Cadman stressed that Ms Okoye ceased to be a partner at the end of April 2007 after 11 months at Okey Udah & Co. Her areas of work had been family and housing and none of the files under consideration by the SRA had ever been under Ms Okoye's control or supervision. Moreover, Ms Okoye had not been a signatory on any of the accounts of the firm and from January 2007 had hardly attended the office due to illness. Her involvement with the firm had been based on obtaining commission for work she introduced. Ms Okoye had neither been salaried nor paid throughout her 11 months with the firm.
59. While the proceedings had been hanging over her for some two years, Ms Okoye made no attempt to evade her responsibilities. Mr Cadman gave details of her current employment as a paralegal. He stressed that she had gained nothing from her involvement with the firm and had not been personally culpable. While aware that costs were in the region of some £35,000, Mr Cadman submitted that Ms Okoye had been responsible for a very small amount of those costs and she offered £1,000 as a contribution.

The Decision of the Tribunal as to the Fourth Respondent

60. Having considered all the evidence and the helpful submissions of both the Applicant and of Mr Cadman, on behalf of Ms Okoye and noting Mrs Okoye's denial of personal culpability in respect of her limited involvement in the firm, the Tribunal accepted that her admissions of Accounts Rules breaches were made on a strict liability basis only. The Tribunal also noted that Mrs Okoye had cooperated fully with the SRA from the outset. Having taken account of all the circumstances the Tribunal issued a reprimand and Ordered Ms Okoye to make a contribution of £500 to the costs of the proceedings.

The Allegations as against the First, Second and Third Respondents

61. The Tribunal proceeded to ask the Applicant to deal with the case against the First, Second and Third Respondents. The Applicant explained that he was calling oral evidence from Mr Dunn, Mr Horsfall and Ms Kuma.
62. James Henry Roberts Dunn gave evidence on oath. He relied on his witness statements of 12th and 13th August 2009. As a partner in Devonshire Solicitors, the intervening agent, in the firm of Okey Udah & Co, he had telephoned Mr Horsfall to ask him various questions about the firm. Mr Dunn explained that Mr Horsfall had told him categorically that the First, Second and Third Respondents were all partners of the firm. Mr Horsfall had said that he had met all three partners in the offices of the firm as a result of his work at the firm.

63. Referring to his witness statement of 12th August 2009, Mr Dunn gave evidence as to how the mortgage fraud had been carried out by the First Respondent. He explained that the files contained instructions from the lender to act but did not contain documentation from the lay clients. Transactions had been set up by the First Respondent with or without lay clients. Lenders had advanced monies but had received no security documents. Mr Dunn had prepared an analysis in spreadsheet form of transactions relating to payments totalling over £5.7m received into the firm's client account in a period of some five weeks. The analysis had been prepared for High Court tracing proceedings.
64. In cross examination, Mr Dunn agreed that nothing had been found to indicate that either Mr Oli or Mr Nwogbo had been involved in the transactions.
65. In response to a question from the Tribunal, Mr Dunn said that Mr Horsfall had not been willing to answer his questions as to how many times he had met each of the partners at the firm's offices. His impression had been that Mr Horsfall had not wished to be involved.
66. In evidence, Mr Horsfall said that he had qualified as a solicitor in November 2008. He had been a trainee at Okey Udah & Co from May 2006 to January 2008. He did not know when Mr Oli and Nwogbo became partners. They were partners of the firm on the letterhead but they did not attend the office regularly. He had been aware that Mr Oli lived in Nigeria and he could not remember the last time Mr Oli had attended the office or what he did there.
67. In response to questions from the Tribunal, Mr Horsfall explained that he had believed Mr Nwogbo and Mr Oli to be partners because of the firm's letterhead. He had not had a contact telephone number for Mr Oli. He said that early in December 2007, Mr Udah had told him that he was going on holiday. Subsequently, Mr Horsfall had had to deal with constant telephone calls from lenders and had felt badly treated as none of the partners had been in the office.
68. Mrs Kuma gave evidence of her attendance note dated 27th November 2008 when she had spoken briefly to Mr Oli who had said that he had only been a partner of the firm for a brief time. She explained that although she could not recall the actual conversation, she would have typed her attendance note after that conversation on the same day.
69. Mr Norton, a senior investigator with the SRA, had not recalled seeing any evidence of either Mr Nwogbo or Mr Oli working at Okey Udah & Co.

The decision of the Tribunal as to the Second and Third Respondents

70. Having considered all the evidence, the Tribunal was not satisfied that either Mr Nwogbo or Mr Oli had a case to answer. The Tribunal did not consider that the evidence, both documentary and oral, supported the allegations against them based on the alleged partnership in the firm. Although the Tribunal considered that the case had been properly brought by the SRA, the Tribunal was not satisfied that either Mr Nwogbo or Mr Oli had been partners in the firm or had been facilitating or

participating in a sham partnership. The Tribunal saw both men as victims of Mr Uдах. The Tribunal was not minded to make any orders for costs against them.

The decision of the Tribunal in relation to the First Respondent

71. The Tribunal was satisfied so that it was sure, that all the allegations (save for those in the supplementary statement that were to lie on the file) had been proved as against Mr Uдах. Mr Uдах had been the instigator of an appalling fraud whereby a number of transactions were set up by the firm resulting in the firm receiving mortgage advances aggregating over £5m where the transactions were not completed and the mortgage monies paid away to persons not entitled shortly prior to the practice being abandoned by the First Respondent. He had been guilty of systematic dishonesty in his dealings with lenders. The Tribunal Ordered that he should be Struck off the Roll of Solicitors.
72. The Tribunal assessed the costs and Ordered that the First Respondent do pay costs of £36,223.85.

Dated this 7th day of June 2010.
On behalf of the Tribunal

A G Ground
Chairman