



FOUNDED 1879

CHARTERED PROFESSIONAL ACCOUNTANTS OF ONTARIO
THE INSTITUTE OF CHARTERED ACCOUNTANTS OF ONTARIO

THE CHARTERED ACCOUNTANTS ACT, 2010


TO: CHARLES A. L. DANIEL, a revoked Member

AND TO: The Discipline Committee

The Professional Conduct Committee hereby makes the following allegation against Charles A. L. Daniel, a revoked member:

1. THAT the said Charles A. L. Daniel, in or about the period June 1, 2010 through August 31, 2012 failed to act in a manner which will maintain the good reputation of the profession and its ability to serve the public interest contrary to Rule 201.1 of the Rules of Professional Conduct in that:
 - a) He misappropriated from his employer, "ABC" Forensic LLC, monies in excess of \$78,000 through the submission of inappropriate expense claims; and
 - b) He forged the signatures of purported approvers of his expense claims on twelve different occasions.

Dated at Kitchener, Ontario this 13th day of December, 2013


SUSAN L. MINGIE, CPA, CA, CIPF
DEPUTY CHAIR
PROFESSIONAL CONDUCT COMMITTEE

Chartered Professional Accountants of Ontario is the registered name of The Institute of Chartered Accountants of Ontario.

CHARTERED PROFESSIONAL ACCOUNTANTS OF ONTARIO
THE INSTITUTE OF CHARTERED ACCOUNTANTS OF ONTARIO
THE CHARTERED ACCOUNTANTS ACT, 2010

DISCIPLINE COMMITTEE

IN THE MATTER OF: An allegation against **CHARLES LLOYD ABDALLA DANIEL**, a revoked Member, under **Rule 201.1** of the Rules of Professional Conduct, as amended.

TO: Mr. Charles L.A. Daniel
1 Avondale Unit 610
North York, ON M2N 7J1

AND TO: The Professional Conduct Committee, ICAO

DECISION AND ORDER MADE FEBRUARY 26, 2014

DECISION

THAT having heard the plea of guilty to the allegation, and having seen and considered the evidence, including the Agreed Statement of Facts, filed, the Discipline Committee finds Charles Daniel guilty of the allegation.

ORDER

IT IS ORDERED in respect of the allegation:

1. THAT Mr. Daniel be reprimanded in writing by the Chair of the hearing.
2. THAT Mr. Daniel shall not be eligible for reinstatement or readmission to membership in CPA Ontario other than by an application to the Discipline Committee pursuant to Rule 21 of the Rules of Practice and Procedure, and he is precluded from applying for readmission for a period of five (5) years from the date this Decision and Order is made, and must satisfy all of the requirements of Rule 21.03 of the Rules of Practice and Procedure before being readmitted.
3. THAT Mr. Daniel be and he is hereby fined the sum of \$5,000 to be remitted to CPA Ontario within twelve (12) months from the date this Decision and Order is made.
4. THAT notice of this Decision and Order, disclosing Mr. Daniel's name, be given in the form and manner determined by the Discipline Committee:
 - (a) to all members of CPA Ontario
 - (b) to all provincial bodies;and shall be made available to the public.
5. THAT notice of the Decision and Order, disclosing Mr. Daniel's name, be given by publication on CPA Ontario's website and in *The Globe and Mail*. All costs associated with the publication shall be borne by Mr. Daniel and shall be in addition to any other costs ordered by the committee.

IT IS FURTHER ORDERED:

6. THAT Mr. Daniel be and he is hereby charged costs fixed at \$10,000 to be remitted to CPA Ontario within twelve (12) months from the date this Decision and Order is made.

DATED AT TORONTO THIS 28th DAY OF FEBRUARY, 2014
BY ORDER OF THE DISCIPLINE COMMITTEE



DIANE WILLIAMSON
SECRETARY - DISCIPLINE COMMITTEE

CHARTERED PROFESSIONAL ACCOUNTANTS OF ONTARIO
(THE INSTITUTE OF CHARTERED ACCOUNTANTS OF ONTARIO)
THE CHARTERED ACCOUNTANTS ACT, 2010

DISCIPLINE COMMITTEE

IN THE MATTER OF: An allegation against **CHARLES LLOYD ABDALLA DANIEL**, a revoked Member, under **Rule 201.1** of the Rules of Professional Conduct, as amended.

TO: Mr. Charles L.A. Daniel

AND TO: The Professional Conduct Committee

REASONS

(Decision and Order made February 26, 2014)

1. This tribunal of the Discipline Committee met on February 26, 2014 to hear an allegation of professional misconduct brought by the Professional Conduct Committee against Charles Daniel, a revoked Member.

2. Mr. Paul Farley appeared on behalf of the Professional Conduct Committee (PCC), accompanied by the investigator, Ms. Karen Ho James. Mr. Daniel attended with his counsel Mr. James Lane. Mr. Robert Peck attended the hearing as counsel to the Discipline Committee.

3. The decision of the tribunal was made known at the conclusion of the hearing on February 26, 2014, and the written Decision and Order sent to the parties on February 28, 2014. These reasons, given pursuant to Rule 20.04 of the Rules of Practice and Procedure, include the allegation, the decision, the order, and the reasons of the tribunal for its decision and order.

Allegation

4. The following allegation was made against Mr. Daniel by the Professional Conduct Committee on December 13, 2013:

THAT the said Charles A. L. Daniel, in or about the period June 1, 2010 through August 31, 2012 failed to act in a manner which will maintain the good reputation of the profession and its ability to serve the public interest contrary to Rule 201.1 of the Rules of Professional Conduct in that:

- a) He misappropriated from his employer, "ABC" Forensic LLC, monies in excess of \$78,000 through the submission of inappropriate expense claims; and
- b) He forged the signatures of purported approvers of his expense claims on twelve different occasions.

Plea

5. Mr. Daniel entered a plea of guilty to the allegation.

The case for the PCC

6. Mr. Farley advised the tribunal that the case for the PCC would be presented by way of an Agreed Statement of Facts, and there would be no other evidence submitted by either party on guilt or innocence. He then filed the Agreed Statement of Facts (Exhibit 1), signed by Mr. Daniel on his own behalf and by Mr. Farley on behalf of the PCC.

7. In presenting the case for the PCC, Mr. Farley reviewed the Agreed Statement of Facts. No other evidence was called on behalf of the PCC.

The relevant facts

8. The relevant facts are fully set out in the Agreed Statement of Facts. Mr. Daniel, whose membership was revoked in October 2013 for non-payment of membership fees, had been a member since 2004. Under Bylaw 2.4 and Section 19 of the *Chartered Accountants Act, 2010*, Mr. Daniel remains subject to the disciplinary powers of CPA Ontario.

9. Mr. Daniel was employed with ABC firm since 2002, eventually becoming a senior manager in the transaction services area. Mr. Daniel resigned from the firm in September 2012 as a result of the matters giving rise to the allegation. He is currently working as a director of finance and administration with a non-profit faith organization.

10. ABC provided Mr. Daniel with an American Express corporate credit card to be used for business purposes. Staff members were responsible for payment of their own credit card balance, and could recover business expenses by submitting electronic claims on the 15th and last day of each month. A hard copy expense claim, with the signature of the staff member as well as an approval from a partner, along with supporting receipts, was submitted to the accounting department. Reimbursements were made from the electronic claims and the accounting staff could make a charge-back adjustment if the claim was not properly supported by the hard copy documents.

11. Any of the partners in the transaction services group could approve expense reports of employees in that group. Staff members were trusted to submit appropriate expenses so items were not always reviewed in detail. Mr. Daniel failed to attach backup documentation to his hard copy expense reports on a number of occasions. The accounting staff obtained statements directly from AMEX and became concerned that the corporate credit card was being used for significant personal expenses. An investigation was conducted by ABC after the accounting staff brought their concern to the attention of the CFO and general counsel of the firm.

12. Mr. Daniel misappropriated more than \$78,000. He submitted duplicate claims for the same 31 receipts/invoices totaling approximately \$61,000. A portion of the duplicate receipts submitted were genuine errors, making the amount knowingly misappropriated approximately \$52,000. In addition, Mr. Daniel submitted six receipts totaling over \$5,000 for soccer club expenses. Mr. Daniel prepared these receipts himself for expenses which were never incurred.

13. Mr. Daniel also claimed reimbursement from the firm for expenses that were purely personal in nature, including airline tickets for family and friends. On one occasion, a claim was made for a cancelled flight and a subsequent flight. Mr. Daniel claimed reimbursement for personal entertainment and accommodation expenses totaling about \$3,600.

14. Mr. Daniel purchased seasons tickets for hockey and basketball games from Maple Leaf Sports and Entertainment, paying the first installment of \$17,523 on his firm AMEX credit card. The electronic expense claim made by Mr. Daniel was split into four equal line items, charged to

different client codes. Approval was not obtained for this purchase and the hardcopy claim was never seen by the firm partners. Since the client codes were "non-live" with credit balances, no client was charged for these expenses.

15. During the period June 2010 through August 2012, Mr. Daniel submitted 27 expense claim reports totaling approximately \$220,000. Mr. Daniel forged the purported approvals on 12 of these expense reports to avoid questions about the expenses charged.

16. Mr. Daniel made restitution to ABC in the amount of \$94,316.55, although some of the amounts may have been valid expenses. Based on the PCC's investigation, it was agreed by the parties that the total misappropriation was \$78,284.

Submissions

17. Mr. Farley submitted that based on the acknowledged facts as set out in the Agreed Statement of Facts, it was clear beyond doubt that Mr. Daniel failed to act in a manner which maintained the good reputation of the profession and its ability to serve the public interest, contrary to Rule 201.

18. Mr. Lane stated that although Mr. Daniel, in his own mind, disputed the figure claimed by ABC's investigation, he paid the full amount requested. Mr. Lane stated that he had nothing further to add on behalf of Mr. Daniel.

Decision

19. The tribunal found, on the uncontested evidence which was clear, cogent and convincing, that the allegation had been proven. After deliberating, the tribunal announced the following decision:

THAT having heard the plea of guilty to the allegation, and having seen and considered the evidence, including the Agreed Statement of Facts, filed, the Discipline Committee finds Charles Daniel guilty of the allegation.

Reasons for Decision

20. The tribunal found that the Agreed Statement of Facts set out in a clear, cogent and convincing manner that Mr. Daniel was guilty of the allegation that he failed to maintain the good reputation of the profession and its ability to serve the public interest, contrary to Rule 201.1.

21. The fact that the numerous improper acts took place for more than two years, and the different types of expenses that were claimed, demonstrate that these actions were not careless errors of a busy person, but a conscious plan to enrich his lifestyle at the expense of his employer.

22. The details set out in the Agreed Statement of Facts, together with Mr. Daniel's plea of guilty to the allegation, left the tribunal in no doubt that the allegation had been proven beyond the necessary standard of "on the balance of probabilities" and constituted professional misconduct.

Sanction

23. Mr. Lane called Mr. Daniel to testify on the matter of sanction. Mr. Daniel stated that his actions were contrary to his faith, beliefs and values, and have brought stress to his wife, family and friends. He had spent eight good years with the ABC firm but the last two were horrible, based on his actions. Mr. Daniel, in his desire to move up in the firm and become a partner,

had misused credit cards and expense reports to buy clothes for himself, and provide dining and entertainment for clients.

24. Mr. Daniel tried to right the situation at the time the firm discovered what he had done. Mr. Daniel repaid ABC within two to three weeks by borrowing money from his parents, which was later repaid from the sale of his condominium. Mr. Daniel and his wife are currently living with his parents.

25. Mr. Daniel has sought counsel from Pastor Rees and is involved with an accountability group. In addition, Mr. Daniel has received debt counselling and is involved in a theology society. He has enrolled in a Masters of Theology program and is receiving spiritual counselling from Pastor Rees. Mr. Daniel is also enrolled in an MBA program on non-profit management at York University.

26. Since 2012, Mr. Daniel has been employed with a faith-based fellowship Bible chapel, as a finance administrator, and counselling and teaching life skills in a clergy position. Mr. Daniel's position involves budget and planning, and he is the treasurer on the Board of Directors. His employer is aware of his past history. Mr. Daniel has been promoted to a position where he does have signing authority but funds must be authorized by two persons. There are no expenses incurred or submitted in his present job.

27. Mr. Daniel stated that the incident has impacted many people and he regrets his actions. He had a skewed view of success and felt it necessary to maintain a certain lifestyle in order to get ahead in the firm as he had aspirations to become a partner. Mr. Daniel submitted that his values have now changed back to what they once were. Mr. Daniel said he is active in the community, speaking to inmates and counselling youth groups. Mr. Daniel stated if he had not been caught, his life may have spiraled further down and his actions could have been much worse.

28. Mr. Daniel submitted that he did not pay his 2013 membership fees, which led to the revocation of his membership, as he felt his actions did not meet the integrity required by the profession. Mr. Daniel stated that he hopes someday to return to the profession and regain the designation that means a lot to him. While he does not plan to return to public practice, regaining his designation would be a valuable asset to the not-for-profit organizations he is involved with. Mr. Daniel expressed his apologies to the PCC, the investigator and CPA Ontario.

29. In response to Mr. Farley's query in cross-examination, Mr. Daniel affirmed that his use of the term "incident" referred to the misappropriation and forgery. Mr. Farley enquired if Mr. Daniel knew, on the over 40 different occasions, that what he was doing was wrong. Mr. Daniel responded that he knew his actions were wrong, and does feel guilt and remorse.

30. Mr. Farley asked Mr. Daniel if he was aware that stealing and dishonesty could result in expulsion. Mr. Daniel replied that he understood the consequences of his actions, and acknowledged that he was 100% wrong and has learned from his poor choices.

31. Mr. Daniel also answered questions from members of the panel and in doing so clarified: what he did with the money he misappropriated; his involvement with the not-for-profit sector prior to his misappropriation; the \$30,000 raise he got in the summer of 2012; and his debts other than the loan he secured from his parents. Mr. Daniel said he had used the money, including the raise, to enhance his lifestyle including the clothes he wore, and that he had no debts other than the debt to his parents. He also made it clear that he had been engaged with

not-for-profit community activities prior to and while he was working at the firm.

32. Mr. Lane called Pastor Keran Rees as a witness on behalf of Mr. Daniel. Pastor Rees, the executive producer of Crossroads TV, was ordained in 1994 and provides preaching and counselling services. Mr. Daniel had contacted Pastor Rees, admitting he had taken the money and that the matter had now surfaced. Pastor Rees stated Mr. Daniel appeared remorseful and was depressed that he had harmed his firm, CPA Ontario, his family and church.

33. Pastor Rees had regular phone conversations with Mr. Daniel which involved scriptural healing. He felt that progress had been made as Mr. Daniel has again become involved in the community and made a lifestyle change. Pastor Rees stated that spiritual guidance will help to correct Mr. Daniel's behavior. Mr. Daniel has repented for his wrongdoing and has been hurt by what he did to himself and his family.

34. Pastor Rees stated that in addition to phone conversations, he had met with Mr. Daniel on four occasions. Pastor Rees felt that Mr. Daniel was dealing with his depression through the scriptures and did not feel it was necessary to refer him to a physician or a psychiatrist.

35. Mr. Farley had no questions of Pastor Rees.

36. Members of the tribunal did have some questions for Pastor Rees, particularly questions about Mr. Daniel's depression which Pastor Rees attributed to feelings of guilt; and to the counselling which Pastor Rees provided, which he said was a deep spiritual counselling which involved listening carefully and repeatedly to Mr. Daniel who he thought was genuinely remorseful.

Submissions on Sanction

37. Mr. Farley submitted that this is a most serious allegation against Mr. Daniel involving dishonesty and moral turpitude, which is a fancy word for theft. Mr. Daniel's misconduct took place over a two-year period, on 40 occasions, which allowed him plenty of time to reflect on what he was doing.

38. Mr. Farley indicated that as a senior manager in a firm, Mr. Daniel was in a position of trust as a professional colleague. Mr. Farley submitted that Mr. Daniel expressed that he had made a mistake only after he was caught and realized the consequences. Mr. Farley stated that Mr. Daniel may have felt guilty but not enough to stop. Shortly before getting caught, Mr. Daniel had received a \$30,000 raise but continued with his misconduct. Mr. Farley submitted that Mr. Daniel's remorse began after he was caught and, at that time, he went into counselling.

39. Mr. Farley stated that the PCC has considered all the facts in this case and feels it is important to reach other Members with the message that abuse of trust and theft will result in revocation of membership. When a CPA, CA's name is affixed to a report, there is a certain degree of trust by the public and regulators. He submitted the most important principle is general deterrence to preserve the professions reputation for trustworthiness and the case should result in revocation except Mr. Daniel's membership had already been revoked.

40. Mr. Farley, on behalf of the PCC, submitted that an appropriate sanction in this matter would be: a written reprimand; a fine in the amount of \$5,000; an order precluding Mr. Daniel from applying for readmission for five years, and full publicity including publication in the *Globe and Mail*. The PCC also sought an order for costs of \$10,000, which was approximately one-half of the costs incurred. Mr. Farley said there would be no objection to giving a year to pay the fine and costs.

41. Mr. Farley stated that the mitigating factors were that Mr. Daniel was a relatively young Chartered Professional Accountant. He did cooperate with the firm once he was caught and cooperated with the PCC investigation. Mr. Daniel did plead guilty and signed an Agreed Statement of Facts. Mr. Farley submitted that Mr. Daniel has shown remorse and has made restitution to the firm. As a consequence of his actions, Mr. Daniel lost his job. There is no history of any disciplinary matters involving Mr. Daniel and there were no criminal charges laid against him by the firm.

42. The aggravating factors, Mr. Farley stated, include that Mr. Daniel was in a position of trust which he abused for his own gain. His misappropriation of a significant amount of money took place over a significant period of time and involved many occurrences. Mr. Daniel failed to see the error of his ways until he was caught. The PCC would normally ask for the revocation of Mr. Daniel's membership but his membership has already been revoked.

43. Mr. Farley distributed an Authorities Brief containing similar cases under Rule 201.1. Mr. Farley referred to the case brief containing *Locke, Shillington, McCutcheon, Hermann and Butler*, pointing out relevant facts and circumstances in each case. The precedents contained a common theme of misappropriation of funds, thereby not upholding the integrity of the profession, resulting in revocation of membership. Mr. Farley also distributed the *Harris* reasons, a similar case of a young CA who was expelled for misappropriation of funds from his employer.

44. Mr. Farley stated that the proposed sanctions send out a strong message to Members and the public. Publicity in the newspaper with the cost to be borne by Mr. Daniel is appropriate, as if Mr. Daniel's membership was being revoked. Mr. Farley filed a Costs Outline (Exhibit 2) showing the costs to be \$21,575, of which the PCC is seeking approximately half.

45. Mr. Lane acknowledged that the sanctions requested fell within the range of sanction which would be appropriate and usually expected in this type of case. However, he submitted that precluding Mr. Daniel from applying for membership for a period of three years would send a significantly strong message to the membership, and at the same time recognize that Mr. Daniels rehabilitation was well underway.

46. Mr. Lane submitted that the assessment of rehabilitation is not a precise exercise but he submitted that it was apparent that Mr. Daniel had already begun a deep and meaningful rehabilitation and three years would be a sufficient time to exclude him from reapplying for membership. This exclusionary period of three years could be more like a period of suspension than an expulsion and still constitute a significant sanction.

47. Mr. Lane submitted that specific deterrence should not be the driving consideration as the mistakes Mr. Daniel made are an experience that will not be repeated. He also stated that general deterrence is important for other like-minded Members. Mr. Daniel is in the process of rehabilitation, is deeply involved in good works in the community and has brought his skills as a CPA, CA to his employment in the non-profit sector.

48. Mr. Lane referred to letters from various pastors (Exhibit 3), concerning Mr. Daniel's character and his commitment to community involvement, theological studies and personal development through counselling.

49. Mr. Lane submitted that the costs incurred were high due to the investigator's fees, noting that the firm had already conducted a forensic audit. Due to Mr. Daniel's current financial situation, Mr. Lane requested that he be given two or three years to pay the fine and costs.

50. Mr. Farley stated that the costs being requested of \$10,000 are approximately one-half of the actual costs incurred. Although Mr. Daniel's former firm had done a forensic audit, the PCC had to conduct their own interviews and investigation into the matter.

51. Mr. Farley stated that the penalty being requested by Mr. Lane would be tantamount to a suspension, rather than a revocation. A suspension would not be in accordance with the precedents over the past five years and would not be an appropriate sanction in this case.

Order

52. After deliberating, the tribunal made the following order:

1. THAT Mr. Daniel be reprimanded in writing by the Chair of the hearing.
2. THAT Mr. Daniel shall not be eligible for reinstatement or readmission to membership in CPA Ontario other than by an application to the Discipline Committee pursuant to Rule 21 of the Rules of Practice and Procedure, and he is precluded from applying for readmission for a period of five (5) years from the date this Decision and Order is made, and must satisfy all of the requirements of Rule 21.03 of the Rules of Practice and Procedure before being readmitted.
3. THAT Mr. Daniel be and he is hereby fined the sum of \$5,000 to be remitted to CPA Ontario within twelve (12) months from the date this Decision and Order is made.
4. THAT notice of this Decision and Order, disclosing Mr. Daniel's name, be given in the form and manner determined by the Discipline Committee:
 - (a) to all members of CPA Ontario
 - (b) to all provincial bodies;and shall be made available to the public.
5. THAT notice of the Decision and Order, disclosing Mr. Daniel's name, be given by publication on CPA Ontario's website and in *The Globe and Mail*. All costs associated with the publication shall be borne by Mr. Daniel and shall be in addition to any other costs ordered by the committee.

IT IS FURTHER ORDERED:

6. THAT Mr. Daniel be and he is hereby charged costs fixed at \$10,000 to be remitted to CPA Ontario within twelve (12) months from the date this Decision and Order is made.

Reasons for Sanctions

53. In its deliberations, the tribunal took into account the evidence of the witnesses and the submissions made by both counsel. It considered the aggravating and mitigating factors argued by both Mr. Farley and Mr. Lane as set out in the above paragraphs. The tribunal took into consideration that upon discovery of the fraudulent charges by his employer, Mr. Daniel admitted his wrongdoing, and cooperated fully with both his employer and CPA Ontario's

investigator. It concluded that the sanctions were appropriate and just.

54. The written reprimand by the Chair of the hearing serves as a specific deterrent to Mr. Daniel to emphasize the seriousness of his professional misconduct, and the high standard of ethical conduct expected of a Member.

55. The tribunal found that Mr. Daniel's actions amounted to moral turpitude. He was in a position of trust which he abused numerous times over a two-year period. As such, the sanctions need to send a clear message to Mr. Daniel, members of the profession, and to the public, that our profession will not tolerate such actions.

56. The tribunal determined that a fine was appropriate for this offence. In setting the amount of the fine, the tribunal considered Mr. Daniel's financial situation and the fact that he and his wife had to sell their home and move in with his parents in order to make restitution to his employer. The fact that Mr. Daniel promptly made restitution to his employer was a mitigating factor in the determination of the amount of the fine. The quantum of the fine is significant given his financial situation, and serves as a tangible reminder of the consequences of his misconduct.

57. Mr. Daniel's membership was revoked in October 2013 for non-payment of membership dues. The tribunal carefully considered the submissions of Mr. Farley and Mr. Lane as to the length of time that should pass before Mr. Daniel could apply for reinstatement of his membership. The tribunal acknowledges that Mr. Daniel's rehabilitation is underway but was not persuaded that a three year period of exclusion from applying for reinstatement of membership was sufficient considering the gravity of his misconduct. The tribunal determined that the seriousness of his professional misconduct over a sustained period against a firm he wished to become a partner in was such that he should not be permitted to apply for reinstatement of membership for a five-year period, and until other requisites of the application process are met in accordance with Rule 21 of the Rules of Practice and Procedure. Again, this serves as specific and general deterrent to Mr. Daniel and the membership, and demonstrates the seriousness with which the profession considers this misconduct.

58. Publication of the essential terms of a Decision and Order in a public notice is perhaps the most effective means of deterring Members from engaging in unprofessional activities. Only on rare occasions is publication withheld, and then only in unusual and compelling circumstances. The tribunal did not find any circumstances that would warrant the withholding of this notice. Publication of the notice serves to advise Members and the public that CPA Ontario is vigilant in maintaining its hard-earned reputation of integrity and is in keeping with the transparency of the disciplinary process of CPA Ontario. Since Mr. Daniel lives in Toronto, *The Globe and Mail* newspaper serves to inform the general public of this matter.

59. The tribunal determined that the sanctions of reprimand, fine and publication of a notice of the Decision and Order are within the range of sanctions that have been previously imposed in similar cases. The conditions set down for an application for readmission are appropriate as the tribunal would have ordered revocation if Mr. Daniel's membership had not previously been revoked.

Reasons for Costs

60. The tribunal balanced the arguments of both counsel in making its determination of appropriate costs to be imposed on Mr. Daniel and also on deciding the amount of time given to settle the fine and costs ordered.

61. It was Mr. Daniel's professional misconduct over a sustained period that culminated in this hearing and rather than CPA Ontario's membership bearing all of the costs, he should bear a portion of them. The tribunal agreed with the PCC's submission that approximately one-half of the estimated costs of the hearing are appropriate. Given his financial situation, a one-year period was determined to be a reasonable time in which to pay the costs. This assessment of costs is within the range of cost awards in similar cases heard by other Discipline Committee tribunals.

DATED AT TORONTO THIS *9TH* DAY OF JUNE, 2014
BY ORDER OF THE DISCIPLINE COMMITTEE



A.D. NICHOLS, FCPA, FCA – DEPUTY CHAIR
DISCIPLINE COMMITTEE

MEMBERS OF THE TRIBUNAL:

B.G. ALLENDORF, CPA, CA
R.A. FERNANDES, CPA, CA
G. HINTON (PUBLIC REPRESENTATIVE)