

CHARTERED PROFESSIONAL ACCOUNTANTS OF ONTARIO
CHARTERED PROFESSIONAL ACCOUNTANTS OF ONTARIO ACT, 2017

DISCIPLINE COMMITTEE

IN THE MATTER OF: Allegations against **JATIN SINGH (Student)** under **Rules 103, 401 and 402** of the CPA Ontario Student Code of Conduct.

BETWEEN:

**Chartered Professional Accountants of Ontario
Professional Conduct Committee**

-and-

Jatin Singh

APPEARANCES:

For the Professional Conduct Committee: Julia McNabb, Counsel

For Jatin Singh: Present
Lisa Feinberg, Counsel

Heard: January 17, 2025

Decision and Order effective: January 17, 2025

Release of written reasons: February 7, 2025

REASONS FOR THE DECISION AND ORDER MADE JANUARY 17, 2025

I. OVERVIEW

- [1] The Professional Conduct Committee (“PCC”) of the Chartered Professional Accountants of Ontario (“CPA Ontario”) made Allegations that Jatin Singh (the “Student”) provided false and misleading information regarding his work experience and his participation in the External Audit Pre-Approved Program (“EAP Program”), advised a mentor that he would complain about them to CPA Ontario after he received negative feedback, and failed to co-operate with the regulatory process of CPA Ontario.
- [2] This hearing was held to determine whether the Allegations were established and whether the conduct breached Rules 103, 401 and 402 of the *CPA Student Code of Professional Conduct* (the “Code”).

II. COMPLAINT AND THE ALLEGATIONS

- [3] On or about February 13, 2023, CPA Ontario's acting Director of Employer Relations filed a complaint against the Student as a result of allegedly false or misleading information the Student had reported to CPA Ontario regarding his work experience.
- [4] On November 29, 2023, the PCC appointed Patricia Harris, CPA, CA, CBV, DIFA, CFF MFAcc, LLM (the "Investigator") to investigate the complaint.
- [5] Following the investigation, the PCC made the following Allegations against the Student relating to his conduct while he was enrolled as a CPA Ontario student:
1. Contrary to Rule 103 of the CPA Ontario Student Code of Conduct (the "Code"), in or about the period of March 1, 2022 to January 31, 2023, he created or associated himself with information which he knew or should have known was false or misleading, in that he provided false and misleading information, regarding
 - i. his work at "Firm P" to CPA Ontario namely his qualifying hours,
 - ii. his enrollment in the EAP Program and the identity of his designated EAP mentor, and
 - iii. the extent of his involvement in audits;
 2. Contrary to Rule 401 of the Code, in or about September 2021, he failed to act at all times in a manner that will maintain the good reputation of the profession and serve the public interest, in that having sought feedback from his "Firm H" mentor regarding his Practical Experience Reporting Tool ("PERT") Report, upon receiving the feedback he told the mentor he would complain about her to CPA Ontario; and
 3. Contrary to Rule 402 of the Code, in or about the period of June 1, 2023 to March 1, 2024, he failed to co-operate with the regulatory processes of CPA Ontario, in that he failed to provide information regarding his employment history in an accurate and transparent manner during an investigation conducted by the PCC.

III. ISSUES

- [6] The following issues arose from the Allegations:
- (a) Did the evidence establish, on a balance of probabilities, the facts on which the Allegations made by the PCC were based?
 - (b) If the facts alleged by the PCC were established on the evidence on a balance of probabilities, did the Allegations constitute professional misconduct?

IV. DECISION AS TO MISCONDUCT

- [7] The Panel found that the evidence, namely the facts set out in the Agreed Statement of Facts (“ASF”) dated December 16, 2024 (Exhibit 1), established on a balance of probabilities the facts on which the Allegations were based.
- [8] The Panel was satisfied that the facts set out in the Allegations constituted breaches of Rules 103, 401 and 402 of the Code, and having breached these Rules, the Student committed professional misconduct.

V. REASONS FOR THE DECISION ON MISCONDUCT

Student’s Background

- [9] The Student was a 34-year-old university graduate with a bachelor’s degree. He registered as a student with CPA Ontario in August 2014 and was subject to the provisions of the Code.
- [10] After he registered as a student, the Student worked at a smaller firm for approximately five months.
- [11] In 2017, the Student passed the Common Final Examination (“CFE”).
- [12] The Student began working at a large national firm in 2017. From 2017 to 2023, the Student worked at seven (7) different accounting firms, including Firm P and Firm H. Since January 2024, the Student has been working as a Junior Manager for another firm registered with CPA Ontario.
- [13] CPA Ontario students are required to complete a minimum of 30 months of practical experience as one of the components to obtain their CPA designation. In addition, CPA Ontario students must also demonstrate certain technical and enabling competencies to specific proficiency levels. All duration and competencies must be verified by the student’s employer and approved by CPA Ontario.
- [14] The Student had fulfilled over 30 months of practical experience at the time of the hearing, however he had not demonstrated all of the mandatory competencies to the required proficiency levels. The Student had therefore not yet fulfilled the practical experience requirements at the time of the hearing.

Allegation 1: Student’s False or Misleading Information Provided to CPA Ontario

- [15] The Student was employed at Firm P for approximately nine (9) months from March 2022 to November 2022. During that time, he submitted information to CPA Ontario regarding his work experience at Firm P that he knew or ought to have known was misleading.

(i) Incorrect Information Regarding His Qualifying Hours

- [16] In November 2022, the Student exchanged a series of emails with an Employer Relations staff member at CPA Ontario regarding his work at Firm P.
- [17] In an email dated November 25, 2022 to the Employer Relations staff, the Student wrote that

he had the following experience: 220 hours - audit, 13 hours - review, 197 hours – tax, and 785 hours - accounting/bookkeeping.

- [18] The Student's characterization of his hours was incorrect. At the time of the email, the Student had in fact only recorded 192 auditing hours, 36 review hours, 193 tax hours, 20 bookkeeping hours and 455 eligible accounting hours. Accordingly, the total practical experience that the Student reported to CPA Ontario was inflated from 896 total hours to 1,215 total hours.
- [19] During the investigation, the Student stated that the overstatement of his hours was unintentional and a result of carelessness. He stated that the hours he provided to CPA Ontario inadvertently and erroneously included administrative hours. The Student further stated that he had intended to provide the hours as an estimate and he believed the hours would ultimately be reviewed and approved by his mentor before being formally submitted to CPA Ontario.
- [20] Given the significant disparity between the hours reported and the hours recorded, the Student agreed in the ASF that he ought to have recognized at the time that he was providing erroneous information to CPA Ontario regarding his work at Firm P.

(ii) Incorrect Information Regarding the Student's Enrollment in EAP Program and Identity of his Supervisor

- [21] Students pursuing a Public Accounting Licence must complete the EAP Program. Prior to working at Firm P, the Student was enrolled in the EAP Program.
- [22] After starting with Firm P in March 2022, on July 7, 2022, the Student attempted to create a profile for himself with Firm P in the PERT system. The Student identified a partner at Firm P, "PK", as his mentor. He said that he understood from conversations with the Managing Partner at Firm P that PK could be his mentor.
- [23] However, PK was already a mentor for another student and had not agreed to be the Student's mentor. Further, Firm P was only approved for one EAP student at the time and another student had already been approved.
- [24] In July 2022, PK told the Student that he could not be his mentor because the firm already had a student registered in the EAP Program. The Student was advised that he would have to wait to address the issue in September.
- [25] In October 2022, PK announced his retirement from Firm P. The Student and PK exchanged further messages about the mentorship issue. PK told the Student that he "communicated with CPAO and they informed me that we can only have 1 student at a time under [EAP] program" but that if "the firm adds audit hours that would accommodate another student then firm can apply to CPAO for another student capacity." PK informed the Student that given his retirement from Firm P, this issue was now in the hands of the Managing Partner.
- [26] In November 2022, the Student again attempted to create a profile with Firm P with CPA Ontario. The Student updated his records with CPA Ontario to reflect that he was enrolled in the EAP Program and that his mentor was "PK", a partner at Firm P.

- [27] Employer Relations staff contacted PK to confirm this information and PK advised that he had not agreed to be the Student's mentor nor had the Student been approved to join the EAP Program at Firm P.
- [28] The Student stated during the investigation that as a result of conversations with the Managing Partner at the firm, he had believed that PK would be his mentor and he could be enrolled in the EAP Program. When PK communicated to the Student in October 2022 that he could not be his mentor, the Student said that he understood this to be a student capacity issue and he thought that PK would act as his mentor if the Student addressed this issue with CPA Ontario. However, the Student failed to take steps to verify this directly with PK prior to notifying CPA Ontario of this update.
- [29] The Student acknowledged in the ASF that on two occasions he tried to inform CPA Ontario of his mentor's identity and his continued enrollment in the EAP Program in circumstances where he had not adequately confirmed this information. He thereby provided information to CPA Ontario that he knew or ought to have known was false and misleading.

(iii) Incorrect Information Regarding the Student's Audit Experience

- [30] On May 17, 2022, the Student wrote to the CPA Ontario Assessment and Registration team to request a second extension to complete his Practical Experience Requirement ("PER"). The Student had previously requested an extension in September 2021 which was granted and he was provided until May 20, 2022 to complete his PER.
- [31] In furtherance of his request for an extension, by email dated May 17, 2022, the Student provided information to CPA Ontario regarding his professional experience at Firm P. He stated in part:
- "With [Firm P], I've already completed four audits from March to May, from start to finish. I am also assigned on another four to six more audits from May to September, which each audit consisting of minimum 80 hours."
- [32] This was not true. According to his time logs at Firm P, at the time of the email the Student had only worked on two audits; one for 35 hours (from May 3, 2022 to May 16, 2022) and a second audit for three hours on May 16, 2022. Accordingly, his representation to CPA Ontario that he had already completed four audits from start to finish was untrue and (again) his claim about hours spent was inaccurate.

Allegation 2: Student's Threat to Report His Former Mentor to CPA Ontario

- [33] Before the Student worked at Firm P, he was employed at Firm H as a Staff Accountant from July 2018 to May 2019. During his time at Firm H, Singh was enrolled in the EAP Program and his mentor was a partner at Firm H, "DJ".
- [34] Although his employment relationship ended with Firm H in May 2019, the Student did not reach out to DJ until September 2021.
- [35] On September 8, 2021, the Student began reporting his PERT hours to CPA Ontario for Firm H. This triggered a notification email to DJ which resulted in her emailing the Student to

inquire. The Student told her that he was completing his PERT report and that he was hoping to submit it by the end of the day.

[36] On September 14, 2021, the Student sent an email to DJ requesting that she provide mentor feedback regarding his PERT report. A meeting between the two was scheduled for September 17, 2021.

[37] Following the meeting on September 17, 2021, DJ provided her written feedback and advised the Student via email that it had been submitted to CPA Ontario. DJ's feedback on the Student's PERT report included the following:

[The Student] was with [Firm H] for approx. 10 months. As his mentor observing his work performance, he did not show progression during his employment. As discussed with [the Student], the enabling competency #5 was not accurately written -audit [year] was June 30, due Oct 31. In addition, he was the new junior staff and did not supervise individuals on the audit. We wanted to note this as it is not properly worded. [The Student] agreed that I would add these commentaries. I commented on the not progressing on enabling competencies and progressing as a future CPA as it was too long ago. As his mentor I requested this meeting to be completed several times, during his time with [Firm H] and subsequently. (emphasis added)

[38] On September 20, 2021, the Student emailed DJ to express his dissatisfaction with DJ's comments. His email stated, in part:

Thank you once again for the mentor meeting on Friday. I appreciate the time you took out of your day to provide the feedback; however, there were a few comments I need clarification on.

The first one being that you did not feel that I showed any progression during my employment at [Firm H], which I strongly disagree with. Would this not have been a pressing discussion point, that you would have ensured is addressed beforehand, as my mentor, or even on Friday's meeting where it was not brought up at all?

The last mentor meeting was back in December of 2018, before the Christmas holidays. There has been sufficient time for you to bring your concerns to me (January to May), especially since, again, you are my mentor. Also, I have only ever received one request for a mentor meeting with you (not several, as you stated) since, and only AFTER I had left [Firm H]. This is very perplexing to me, as you can understand when I read that you felt I had not shown any progress because it was too long ago, I feel it's completely misleading, absurd and more so unwarranted.

The role and responsibilities for a mentor through the CPA Ontario guidelines states that mentor is someone who not only coaches the mentee but also provides positive feedback and guidance to becoming a CPA, of

which none of the above was provided by you during my time at [Firm H].

Again, thank you for taking the time from your day on Friday for the feedback. I'll be discussing this review with CPA Ontario and as a mentor, how your responsibilities and due diligence was not fully portrayed during my time at [Firm H].

- [39] Notwithstanding his stated intention to do so, the Student did not have a discussion with CPA Ontario about DJ's role as his mentor. The concerns stated in his email were prompted by his disappointment in DJ's mentor review.
- [40] In the ASF, the Student admitted that it was unprofessional to seek mentor feedback over two years after his employment, and then upon receiving negative feedback, to advise his mentor that he would discuss his complaints about the mentor with CPA Ontario.

Allegation 3: Student's Failure to Co-operate with the Investigation

- [41] On April 19, 2023, the Student was informed of the complaint made by CPA Ontario's Employer Relations. On June 9, 2023, he provided a written response to Standards Enforcement through his counsel. On November 29, 2023, the Investigator was appointed. During the investigation, the Student participated in two interviews with the Investigator on January 12 and February 15, 2024.

(i) Overstatements of Work Experience in the Student's Resumé

- [42] During the investigation, the Investigator asked the Student to provide a copy of his resumé that was used to apply to his three most recent employers.
- [43] The Student provided the three requested résumés to the Investigator. They set out his prior employment history at eight different accounting firms. The resumés that were provided included erroneous information regarding the duration of his employment at five of the eight positions listed. The discrepancies ranged from two to six-month overstatements, resulting in a total overstatement of 16 months.
- [44] When questioned by the Investigator about these discrepancies, the Student first characterized the errors as formatting errors. However, when questioned further, he admitted that he was trying to "fill in the gaps" during the job interview process so that "questions don't arise."
- [45] In the ASF, the Student agreed that his resumés contained material discrepancies regarding his employment history and when asked about it, he did not answer in a cooperative manner in that he initially characterized the inaccuracies with his resumés as formatting issues before ultimately admitting that the discrepancies were intentional.

(ii) False Information given to Partner Regarding Audit Work

- [46] During the Student's employment at Firm P, an issue arose involving his work on an audit file. In the course of his audit work, the Student documented that he contacted the client, which satisfied a particular audit procedure.

- [47] While reviewing the Student's work on the audit, the audit partner PK asked the Student to confirm that he had spoken to the client, in accordance with the documented audit procedure. The Student advised PK that he had.
- [48] PK then spoke with the client and verified that the client had not spoken to the Student. When PK asked the Student a second time whether he had spoken to the client, the Student advised it was via email correspondence.
- [49] PK advised the Student that had an email been sent, it would have been automatically copied into the system. At this point, the Student reviewed the file and then subsequently acknowledged to PK that he had not contacted the client. Accordingly, two different concerns arose involving documenting an audit procedure: the audit had not been completed at the time and the Student misled the audit partner.
- [50] In initial written responses to CPA Ontario and subsequently during an interview with the Investigator, the Student downplayed his conduct and indicated that he did not intend to backdate the working papers, and it was his intention to contact the client subsequently. He did not admit to misleading "PK".
- [51] Ultimately, after the Investigator asked the Student several questions about this issue and received multiple prior evasive and misleading characterizations of the incident, the Student agreed that he had misled PK about his communications with the client.

Analysis of Finding

- [52] With respect to Allegation 1, Rule 103 of the Code prohibits students from making or associating with any information which the student knows, or should know, is false or misleading. Commentary 3 for Rule 103 reminds students of the importance of diligence in ensuring that all information provided to CPA Ontario is true, factual and complete, and contains no errors or anything false or misleading. Accurate and truthful reporting to a student's professional regulator is an essential requirement as it ensures that CPA Ontario can govern its students and can maintain public confidence in the competence and integrity of the profession.
- [53] The Student admitted that the information about his qualifying hours that he provided to CPA Ontario on November 25, 2022 was incorrect (inflation of his reported hours of 896 to 1,215 hours claimed) and he ought to have known that the information he provided to CPA Ontario was erroneous.
- [54] The Student also provided false information to CPA Ontario about the identity of his mentor. It was clear from the record that PK advised him in writing that he would not be the Student's mentor in October 2022. Despite this recent and clear advice from PK, the Student falsely advised CPA Ontario that PK was his mentor in November 2022.
- [55] Finally, the Student misrepresented the number of audits he had completed (he said he completed four audits when in fact there were only two), and the hours he reported (he said each audit was 80 hours when in fact his two audits were only 38 hours). The purpose of making these untrue statements was apparently to obtain an extension of time to complete his PER by showing he was closer to completion than he actually was.

- [56] As a result of these three established particulars, the Panel found that the Student breached Rule 103 of the Code on multiple occasions.
- [57] With respect to Allegation 2, students are required to act at all times in a manner that maintains the good reputation of the profession and serves the public interest. The evidence clearly established that the Student threatened to make a complaint against his mentor because she provided a negative review respecting his work and conduct. Allegations of professional misconduct are serious and should not be threatened to further a personal dispute or grievance.
- [58] The Panel found that the evidence clearly established that the Student breached Rule 401 of the Code.
- [59] Finally, with respect to Allegation 3, Rule 402 of the Code requires students to cooperate with the regulatory processes of CPA Ontario. The commentary states that lack of cooperation includes attempts to delay, mislead or misdirect CPA Ontario by, amongst other things, providing false or misleading statements or information.
- [60] The Panel found that the Student's untruthful statements in the three resumés that he provided to the Investigator breached Rule 402. Furthermore, the Student was not honest with the Investigator when this information was detected and was evasive and untruthful about why he had provided false information in his resumés. His explanation that he was trying to "fill in the gaps" during the job interview process so that "questions don't arise" was troubling.
- [61] Finally, when the Investigator raised concerns about a complaint from the Student's mentor about untruthful information he had given her respecting his compliance with client communication requirements during an audit, the Student failed to honestly address these issues during his interviews with the Investigator. The Panel noted that he had also given false information to the audit partner on more than one occasion.
- [62] In conclusion, the Panel found that the Student breached Rule 402 on multiple occasions.

VI. DECISION AS TO SANCTION AND COSTS

- [63] After considering the joint submission of the parties, the Panel concluded that the appropriate sanction was a six-month suspension of the Student's membership in CPA Ontario, a fine of \$10,000 payable within six (6) months of the final Order, publication of the Decision and Order, sanctions in the event of non-compliance with the terms of the Order, and costs of \$11,000 payable within twelve months of the final Order.

VII. REASONS FOR THE DECISION AS TO SANCTION

- [64] The purpose of sanction in a professional discipline matter is to provide specific deterrence to the student or member who has committed professional misconduct and general deterrence to others in the profession at large. Sanctions are intended to demonstrate to the public that CPA Ontario is serious about disciplining its students and members for contraventions of their respective Codes to protect the public and to maintain public confidence in the profession.

[65] Prior to the hearing, the parties came to an agreement about the proposed sanctions and costs.

[66] Where there is a joint submission from the parties about the appropriate sanctions, the agreement reached by the parties is entitled to a high level of deference. A joint submission should be adopted unless it is contrary to the public interest, and it would bring the regulatory process into disrepute because it was beyond the reasonable range of sanction for similar professional misconduct. In the words of Justice Moldaver of the Supreme Court of Canada in the matter of [*R. v. Anthony Cook*](#), rejection of a joint submission:

denotes a submission so unhinged from the circumstances of the offence and the offender that its acceptance would lead reasonable and informed persons ... to believe that the proper functioning of the justice system had broken down (para 34).

[67] Counsel for the PCC and the Student submitted that the joint submission was reasonable and fair, and that the rejection of the joint submission would bring the regulatory process of CPA Ontario into disrepute. For the reasons set out below, the Panel accepted the joint submission.

Aggravating and Mitigating Factors

[68] Counsel for the PCC argued that the aggravating factors in this matter were as follows:

- a) The false and misleading information referenced in Allegation 1 (about the Student's hours, his mentor and his involvement in audits) was information provided to CPA Ontario, his regulator.
- b) The Allegations were serious and had an impact on public protection but also, they reflected poorly on the profession as a whole.
- c) All students and members are expected to be honest and several of the particulars in the Allegations demonstrated that the Student had not been forthright with CPA Ontario or people with whom he had worked (e.g. PK and DJ); and
- d) The misconduct found in respect of all of the Allegations showed more than a fleeting moment of poor decision-making; there was a pattern of conduct that was either careless or intentionally misleading.

[69] Counsel for the PCC also noted mitigating factors, including the Student's lack of discipline history, his attendance at two interviews with the Investigator and his agreement to the facts in the ASF and the joint submission on sanction at an early stage in the proceeding. The Student had also proactively registered and completed an ethics course, which showed some insight.

[70] Counsel for the Student concurred and added that the Student's agreement to the sanctions and his completion of the ethics course demonstrated that he was "quite remorseful" and now appreciated the importance of his relationship with his regulator. She told the Panel that the Student was committed to a different path going forward in his career.

Range of Sanctions in Other Student Discipline Hearings

- [71] The Panel was provided with a Case Brief that included the reasons for decision for three cases where the Discipline Committee found that the students had committed professional misconduct: *Mehta*, September 18, 2024; *McKenzie*, June 9, 2020; and *Banerjee*, August 21, 2017.
- [72] Both Counsel agreed that *Mehta* was the most comparable decision of the Discipline Committee. There, Mehta's former mentor filed a complaint with CPA Ontario regarding the student's submission of his experience and qualifying hours. When Mehta was advised of the complaint, he complained to CPA Ontario about his mentor, making false and misleading statements. Finally, Mehta was found to have failed to cooperate with the information requests made by the PCC investigator. Mehta claimed that he was unable to provide the records requested by the investigator for technical reasons and that he misunderstood the PERT reporting process.
- [73] The outcome of *Mehta* was identical to the sanctions proposed by the PCC counsel and counsel to the Student, other than a different amount for costs. In both matters, the students were found to have provided false information to CPA Ontario about their hours, although the Student's misleading information was considerably more extensive than that of Mehta. While Mr. Mehta actually reported his mentor to CPA Ontario without justification, the Student merely threatened to do so. Finally, the extent of the Student's failure to cooperate was distinguishable from Mehta's situation in that the Student provided false and misleading documents to the Investigator (his resumés) and he did not immediately make admissions about his resumés and the misinformation that he had provided to PK about his failure to contact the audit client. Mehta, on the other hand, said that he was unable to cooperate.
- [74] Overall, the Panel found that the outcomes of the cases referred to it by the parties were sufficiently similar to justify the sanctions that they had agreed upon.

Conclusion Respecting Sanctions

- [75] In conclusion, the Panel found that the Student's misconduct was serious and demonstrated a pattern of providing information to CPA Ontario that he knew or ought to have known was false and misleading. When confronted with his misconduct, the Student often minimized the misconduct or provided implausible explanations before finally admitting that he was in the wrong.
- [76] Despite this, the Panel was mindful of the high threshold set by *Anthony-Cook* and accepted the joint submission. The Panel concluded that the proposed sanctions that had been negotiated between the parties were reasonable.

VIII. REASONS FOR THE DECISION AS TO COSTS

- [77] With respect to costs, the law is settled that an order against a student or member for costs with respect to disciplinary proceedings is not a penalty. Costs are intended to indemnify the PCC based on the underlying principle that the profession should not bear all of the costs of the investigation, prosecution and hearing arising from a student's or member's misconduct.

[78] The PCC requested costs of \$11,000, which were two-thirds of their actual costs. The Panel reviewed the PCC's Bill of Costs and found that the agreed-upon costs were fair and reasonable.

DATED this 7th day of February, 2025

A handwritten signature in black ink, appearing to be 'John Love', written in a cursive style.

John Love, CPA, CMA
Discipline Committee – Deputy Chair

Members of the Panel

Jeremy Cole, FCPA, FCA
Jaspreet Singh, CPA, LPA
Nancy Tran, Public Representative

Independent Legal Counsel

Susan J. Heakes, Barrister & Solicitor