

SU2020CV00006



**FORMAL ORDER OF THE DISCIPLINARY COMMITTEE
OF THE GENERAL LEGAL COUNCIL**

COMPLAINT NO: 215/2017

IN THE MATTER OF NADINE DAWKINS VS HOWARD LETTMAN

AND

IN THE MATTER OF THE LEGAL PROFESSION ACT 1971

**PANEL: MRS. URSULA KHAN
MR. DANE MARSH
MRS. NADINE GUY**

UPON THE APPLICATION made under section 12 (1) (a) of the Legal Profession Act and dated the 6th day of May, 2017 coming on for hearing before the Disciplinary Committee on the 10th November 2018, 17th November 2018, 26th June 2019 and 20th July, 2019

AND UPON the Complainant Nadine Dawkins appearing and having given evidence on oath

AND UPON the Respondent Attorney-at-law Howard Lettman not appearing

AND UPON DUE CONSIDERATION of the sworn evidence of the Complainant Nadine Dawkins coupled with her documentary evidence

THE COMMITTEE FINDS THAT:

- (a) The Complainant was purchasing a parcel of land and by Bank transfer paid to the Attorney the deposit and half costs of the Agreement for Sale, stamp duty and registration fees in the sum of \$834,950 and signed the agreement for sale. The sale was subjected to a mortgage and the Attorney had carriage of sale.
- (b) That the Attorney's failure to send the relevant documents to the bank was inexcusably negligent when he knew or ought to have known that she would have had to incur much expenditure to support her loan application and he had received letter from the lender dated 23rd February 2017 that if the documents requested were not sent the loan offer would be automatically withdrawn.
- (c) The panel finds that his negligence caused her loan application to be cancelled.
- (d) That he is responsible for all the losses she sustained as a result of his negligence because he knew or ought to have known that for the bank to process her loan application she had to supply certain supporting documents which would cost her money

- (e) That in acting as he did he has brought the entire Legal Profession into disrepute as the public is entitled to believe that the attorneys on the Roll of attorneys entitled to practise in the several courts of Jamaica , would conduct their affairs in the best interests of the profession as a whole and of the clients who use their services
- (f) In the circumstances the panel finds that the Respondent Attorney is guilty of professional misconduct
- (g) The Attorney has breached Canon 1(b) of the Legal Profession (Canon of Professional Ethics) Rules

PURSUANT TO THE FOREGOING FINDINGS THE COMMITTEE UNANIMOUSLY ORDERED THAT: -

- (i) The Attorney at-law Howard Lettman be struck off the Roll of Attorneys entitled to practice in the several courts of the island of Jamaica.
- (ii) That by way of restitution the Respondent Attorney to pay the sum of \$1, 536.950.00 to the Complainant on or before the 31st December, 2019 being the deposit of \$834,950.00. plus \$702,000.00 being expenses incurred
- (iii) The Attorney to pay to the General Legal Council costs in the sum of \$300.000.00 on or before the 31st December, 2019 and from that said sum \$100.000.00 is to be paid to the Complainant as costs.


CHAIRMAN OF PANEL

Dated the 13th day of November 2019.