

### SUMMARY OF COMPLAINT HANDLING PROCEDURES

Shah Financial Planning Inc. ("SFP") has procedures in place to handle any written or verbal complaints received from clients in a fair and prompt manner. This is a summary of those procedures, which we provide to new clients, clients who have filed a complaint and that is also available to clients on our website at <a href="http://www.shahfinancial.ca">http://www.shahfinancial.ca</a>.

## **The Client Complaint Information Form**

We also provide new clients and clients who complain with separate information [or "a separate document"] called the *Client Complaint Information Form* ("CCIF") that provides general information about their options for making a complaint.

# How to File a Complaint with SFP

You may wish to complain to SFP in writing or by email<sup>1</sup> to our Head Office, Attention to The Compliance Officer at the address noted at the bottom of this page. Where clients have difficulty putting their complaint in writing, they should advise us so that we can provide assistance. For confidentiality reasons, we will only deal with the client or another individual who has the client's express written authorization to deal with us. All complaints are forwarded to qualified compliance or supervisory personnel to be handled.

## **Complaint Handling Procedures**

We will acknowledge receipt of complaints within five days from the date of the receipt. We review all complaints fairly, taking into account of all relevant documents and statements obtained from the client, our records, our AP, other staff members and any other relevant source. Once our review is complete, we provide clients with our response, which will be in writing if the complaint was made in writing. Our response may be a solution to resolve your complaint, a denial of the complaint with reasons or another appropriate response. Where the complaint relates to certain serious allegations<sup>2</sup>, our initial acknowledgment will include copies of this summary and the CCIF. Our response will summarize your complaint, our findings and will contain a reminder about your options with the Ombudsman for Banking Services and Investments.

We will generally provide our response within ninety days from the date of the complaint acknowledgment, unless we are waiting for additional information from you, or the case is novel or very complicated. We will respond to communications you send us after the date of our response to the extent necessary to implement a resolution or to address any new issues or information you provide.

#### Settlements

If we offer you a financial settlement, we may ask you to sign a release and waiver for legal reasons.

## **Contacting SFP**

Clients may contact us at any time to provide further information or to inquire as to the status of their complaint, by contacting the individual handling their complaint or by contacting the compliance officer.

1 Clients who choose to communicate by email should be aware of possible confidentiality issues regarding internet communications. 2 As defined in the Policies of the Canadian Investment Regulatory Organization of which SFP is a Member.

**Head Office:** 10 Great Gulf Drive, Suite 208, Vaughan, Ontario, Canada L4K 0K7 Tel: 905-669-5000 • Fax: 905-669-6900 ❖ SFP@ShahFinancial.ca • www.ShahFinancial.ca

# **Canadian Investment Regulatory Organization**

**Client Complaint Information Form** 

Clients of a mutual fund dealer who are not satisfied with a financial product or service have a right to make a complaint and to seek resolution of the problem. CIRO Member dealers have a responsibility to their clients to ensure that all complaints are dealt with fairly and promptly. If you have a complaint, these are some of the steps you can take:

- Contact your mutual fund dealer. Member firms are responsible to you, the investor, for monitoring the actions of their representatives to ensure that they are in compliance with by-laws, rules and policies governing their activities. The firm will investigate any complaint that you initiate and respond back to you with the results of their investigation within the time period expected of a Member acting diligently in the circumstances, in most cases within three months of receipt of the complaint. It is helpful if your complaint is in writing.
- Contact the Canadian Investment Regulatory Organization ("CIRO"), which is the self-regulatory organization in Canada to which your mutual fund dealer belongs. The CIRO investigates complaints about mutual fund dealers and their representatives, and takes enforcement action where appropriate. You may make a complaint to the CIRO at any time, whether or not you have complained to your mutual fund dealer. The CIRO can be contacted:
  - o By completing the on-line complaint form at www.ciro.ca
  - o By telephone at 1-877-442-4322
  - o By e-mail at info@ciro.ca1
  - o In writing by mail to 40 Temperance Street, Suite 2600, Toronto, ON M5H 0B4 or by fax at1-888-497-6172

#### Compensation:

The CIRO does not order compensation or restitution to clients of Members. The CIRO exists to regulate the operations, standards of practice and business conduct of its Members and their representatives with a mandate to enhance investor protection and strengthen public confidence in the Canadian mutual fund industry. If you are seeking compensation, you may consider the following:

- Ombudsman for Banking Services and Investments ("OBSI"): If you do not receive a response from your investment firm within 90 days or you are not satisfied with the firm's response you can go directly to OBSI. OBSI is Canada's free, independent and impartial service for resolving investment and banking disputes with participating firms. CIRO requires all the investment firms it regulates to take part in the OBSI process. OBSI can recommend compensation up to \$350,000, but currently its decisions are not legally binding. You have 180 days to bring your complaint to OBSI after receiving a response from your investment firm. If your firm has not responded within 90 days, then you can take your complaint to OBSI without your firm's response. You can contact OBSI:
  - o By telephone 1-888-451-4519
  - o By e-mail at ombudsman@obsi.ca
  - Online obsi.ca<sup>1</sup>
  - o In writing by mail to 20 Queen Street West, Suite 2400, P.O. Box 8, Toronto, ON M5H 3R3
- Going to Court: You can hire a lawyer to take legal action or to assist you with your complaint, however this can
  be an expensive option. There are also time limits on legal action, which vary by province or territory. Once the
  time limit expires you may not be able to pursue your claim.
- Arbitration: Arbitration is a process where a qualified arbitrator, chosen in consultation with both you and the investment firm, hears both sides and makes a final, legally binding decision about your complaint. This option is available if your CIRO firm is an investment dealer. There are costs to using arbitration, though often less than going to court. The arbitrator acts like a judge and reviews facts presented by each side of the dispute. Either side can choose to be represented by a lawyer, though this is not required. Arbitrators in the CIRO arbitration program can award up to \$500,000.

- Other Provinces or Territories: Some provincial or territorial securities regulators can, in certain cases, seek an
  order that a person or company that has broken securities law pay compensation to harmed investors who make
  a claim. These orders are enforced similar to court judgments. Access the link to your provincial or territorial
  securities regulator by visiting the following Canadian Securities Administrators page:
  - o Securities-administrators.ca/about/contact-us
- Québec:
- If you live in Quebec, in addition to the options previously described, you can use the free services of the Autorité des marchés financiers (AMF). If you are dissatisfied with the firm's handling of the complaint or the outcome, you can request to have the complaint examined by the AMF. The AMF will assess the complaint and may offer conciliation and mediation services, though firms are not required to participate.
- o If you think you are a victim of fraud, fraudulent tactics or embezzlement, you can contact the AMF to see if you meet the eligibility to submit a claim to the Fonds d'indemnisation des services financiers ("Financial Services Compensation Fund"). Up to \$200,000 can be payable for an eligible claim.
- o For more information on the AMF:
  - 1. Contact 1-877-525-0337
  - 2. Visit lautorite.qc.ca/en

<sup>&</sup>lt;sup>1</sup> You may wish to consider issues of internet security when sending sensitive information by standard e-mail.