

Allsop Durn LLP (Allsop Durn LLP)
2 Midcroft, Ruislip, Middlesex , HA4 8ES
Recognised body
8000125

[Sanction Date: 24 September 2024](#)

Decision - Sanction

Outcome: Rebuke

Outcome date: 24 September 2024

Published date: 27 September 2024

Firm details

No detail provided:

Outcome details

This outcome was reached by SRA decision.

Decision details

1. To rebuke Allsop Durn LLP.
2. To publish the rebuke.
3. To direct Allsop Durn LLP to pay £1,350 in relation to the SRA's costs of investigating this matter.

Reasons/basis

Who does this disciplinary decision relate to?

Allsop Durn LLP, a regulated body, located at 2 Midcroft, Ruislip, Middlesex HA4 8ES (the firm).

Short summary of decision

We have issued the firm with a rebuke for failing within a reasonable time to comply with an undertaking made on 25 June 2021 to the buyers' solicitors during the conduct of a residential property transaction.

Facts of the misconduct

It was found that between 25 June 2021 and 14 September 2022 the firm failed to comply with an undertaking to discharge a mortgage on the

property post-completion, and in doing so breached Paragraph 1.3 of the SRA Code of Conduct for Firms 2019.

The firm made enquiries with the relevant authority prior to completion but overlooked the need to follow up, and therefore the requisite paperwork and transfer of funds to discharge the mortgage was not completed. It was only when the buyers' solicitors brought the issue to its attention in January 2022 that the firm realised there was an issue, and it was another four months before substantive action was taken to remedy the default.

The mortgage was finally discharged and the buyers' legal title properly registered in September 2022, 14 months post-completion.

Decision on sanction

It was decided that a rebuke was an appropriate and proportionate sanction.

This was because the firm's conduct was serious by reference to the following factors in the SRA Enforcement Strategy:

- The breach persisted for a longer period than was reasonable. The firm has conceded that had appropriate processes and procedures been in place the issue could have been identified and rectified earlier.
- A lower sanction is not appropriate given the seriousness of the firm's misconduct.
- Some public sanction is required to uphold public confidence in the delivery of legal services.

A more serious sanction was not considered to be proportionate by reference to the following factors in the Enforcement Strategy:

- The firm accepted full responsibility and admitted the allegation from the outset.
- The firm has co-operated fully with the SRA's investigation.
- The risk of repetition is low. The firm has taken steps to improve its processes and procedures in relation to undertakings and residual client account balances.
- There was no lasting significant harm to clients.
- There was no financial gain from the misconduct.
- The firm's conduct was not considered to be as a consequence of wilful or reckless disregard of risk or regulatory obligations.

Code of Conduct for Firms 2019

Paragraph 1.3 You perform all undertakings given by you and do so within an agreed timescale or if no timescale has been agreed then within a reasonable amount of time.

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