

# **Siamak Goudarzi**

## **Solicitor**

### **804491**

**Fined Date: 8 January 2024**

## **Decision - Fined**

Outcome: Fine

Outcome date: 8 January 2024

Published date: 4 March 2024

## **Firm details**

### **Firm or organisation at date of publication and at time of matters giving rise to outcome**

Name: Leonard Solicitors LLP

Address(es): 62a The Avenue, Southampton, Hampshire SO17 1XS

Firm ID: 627655

## **Outcome details**

This outcome was reached by SRA decision.

### **Decision details**

Mr Goudarzi was directed to pay a financial penalty of £18,750 and ordered to pay costs of £1,350.

### **Reasons/basis**

The SRA has fined Mr Goudarzi for his conduct when acting in various conveyancing transactions between December 2020 and January 2022. There were a number of issues arising from Mr Goudarzi's conduct of these files, which included:

- a. causing or allowing the firm's client account to be used as a banking facility
- b. failing to undertake proper client due diligence or source of funds checks for files in circumstances where money was received piecemeal, from third parties and/or foreign jurisdictions
- c. undertaking reserved legal activity without a suitably qualified supervisor and



- d. as a manager and owner of the firm, failing to ensure that the firm complied with various requirements under the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLRs 2017).

### **Facts of the misconduct**

It was found that:

#### **Allegation One**

Mr Goudarzi allowed the firm's client account to be used as a banking facility for two clients between December 2021 and March 2022, in breach of Rule 3.3 of the SRA Accounts Rules 2019 and Principle 2 of the SRA Principles 2019.

#### **Allegation Two**

On four separate client files, Mr Goudarzi failed to:

- a. conduct adequate customer (client) due diligence
- b. conduct source of funds checks
- c. conduct ongoing risk assessment checks and
- d. maintain proper files and documentation.

In doing so, he breached paragraph 7.1 of the SRA Code of Conduct for Solicitors, RELs and RFLs, paragraph 2.1(a) of the Code of Conduct for Firms and Principle 2 of the SRA Principles 2019.

#### **Allegation Three**

Mr Goudarzi, who is an RFL, carried out a reserved legal activity without being supervised in breach of Regulation 9.4 of the SRA Authorisation of Individuals Regulations.

#### **Allegation Four**

Between December 2020 and 30 January 2022 Mr Goudarzi failed to:

- a. ensure that the firm had a compliant firm-wide risk assessment, as required by Regulation 18 of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLRs 2017).
- b. ensure that the firm had policies, controls and procedures (PCPs) as required by Regulation 19 MLRs 2017 and
- c. ensure that the firm had a nominated money laundering reporting officer as required by Regulation 21(3) of the MLRs 2017.

In doing so, he breached paragraph 2.1(a) of the Code of Conduct for Firms and Principle 2 of the SRA Principles 2019.

#### **Decision on sanction**

Mr Goudarzi was directed to pay a financial penalty of £18,750 and ordered to pay costs of £1,350.

This was because his conduct was serious by reference to the following factors in the SRA Enforcement Strategy.

1. He demonstrated a repeated pattern of misconduct over a period of time.
2. He failed to adequately comply with anti-money laundering legislation and his regulatory obligations which left the firm vulnerable to the risk of money laundering.
3. He allowed the firm's bank account to be used as a banking facility, which is an inherently serious finding.
4. He was responsible for his own conduct which had the potential to cause harm to the public interest and which harmed public confidence in the legal profession.

The following mitigating factors were taken into account:

- Mr Gourdarzi admitted the misconduct in response to the SRA's notice and before it was referred to a decision maker.
- He co-operated with the SRA and remediated some of the harm caused by his misconduct. The firm now has a compliant FWRA and PCPs in place. It has an MLRO and now has a supervisor for conveyancing work.

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