

## HOW TO FILE A COMPLAINT

### Guidelines to Lodge a Complaint:

Anyone wishing to file a complaint against a lawyer is required to file the following:-

1. Four (4) sets of typewritten Letter of Complaint with detailed facts and relevant supporting documents addressed to:

**Secretary to  
Sabah Advocates Disciplinary Board  
Ground Floor, Kompleks Mahkamah Kota Kinabalu  
No. 1, Jalan Kebajikan  
88300 Kota Kinabalu  
Sabah  
Email: [discipline@sabahlawsociety.org](mailto:discipline@sabahlawsociety.org)**

A processing fee of RM100.00 (Cash / online banking Public Bank Account No.: 3205743235 ) is payable to Sabah Law Society

Please refer to sample / form to lodge a complaint.

2. A Statutory Declaration or an Affidavit in support of the said complaint (sample attached).

**Note:** the date of letter of complaint referred to in the Statutory Declaration, **must be the same date as in the letter of complaint.**

3. Copy of Complainant's Identity Card.
4. Supporting Documents  
All Supporting documents must be numbered for ease of reference during the hearing of the Complaint.

The form together with the supporting documents and other additional requisite documents are to be filed to:-

**Secretary to  
Sabah Advocates Disciplinary Board  
Ground Floor, Kompleks Mahkamah Kota Kinabalu  
No. 1, Jalan Kebajikan  
88300 Kota Kinabalu  
Sabah**

## **SAMPLE LETTER OF COMPLAINT**

Rebecca Tuil  
2, Jalan Desa  
Taman Seputeh  
88000 Kota Kinabalu  
Tel: 60 88 211 111  
Email: [komeng@hotmail.com](mailto:komeng@hotmail.com)

21 November 2017

Secretary to  
Sabah Advocates Disciplinary Board  
Ground Floor, Kompleks Mahkamah Kota Kinabalu  
No. 1, Jalan Kebajikan  
88300 Kota Kinabalu, Sabah

Dear Sir,

### **Complaint against Ben Timur of Messrs Ramli, Chong and Ranjit**

Respondent: Ben Timur  
Messrs Ramli, Chong and Ranjit  
31, Jalan Telok Hitam  
88000 Kota Kinabalu

I refer to the above and would like to lodge a complaint against the above-named advocate.

Kindly find enclosed herewith four sets of my typewritten letter of complaint addressed to your good selves and the relevant supporting documents as attachments. A copy of my identity card is enclosed together with a statutory declaration for your easy reference.

I have currently engaged Tina Sana of Messrs Soong and Co. whose address of practice is at 234, Jalan Gading, Taman Murni, 88000 Kota Kinabalu to represent me in this disciplinary proceeding.

## Facts and Chronology of Complaint

- i. The above legal firm acted on my behalf in the sales & purchase (S&P) Agreement between Rekabentuk Sdn Bhd (the developer) and myself. They omitted to inform me that they acted on behalf of the developer. See attached S&P and Vacant Possession letter from Rekabentuk Sdn Bhd (*Attachment 1*)
- ii. Refusal to provide the status of the stakeholder sum after three years, in which I was informed via the letter dated April 3<sup>rd</sup>, 2017 that I have no rights to enquire about the stakeholder sum (*Attachment 2*)
- iii. I suspect a conflict of interest in the S&P transaction.
- iv. There was a blatant refusal to reveal the status of the stakeholder sum despite the fact the said firm was the trustee of the monies.
- v. To date, Ben Timur has informed me that the trustee of the stakeholder sum has been changed due to unforeseen circumstances. This clearly shows that Ben Timur has been taking instructions from the developer instead of honouring his responsibility to me.

Thanking you in advance.

Yours sincerely,  
Rebecca Tuil

**Registration Form to lodge a Complaint / Letter of Complaint  
(Borang Pendaftaran Untuk Membuat Aduan / Surat Aduan)**

To: Secretary  
Sabah Advocates Disciplinary Board  
Ground Floor, Kompleks Mahkamah Kota Kinabalu  
No. 1, Jalan Kebajikan, 88300 Kota Kinabalu  
Sabah, Malaysia  
Email: discipline@sabahlawsociety.org

**1. Particulars of the Complainant**

***Please update if there are any changes / Butir-Butir Pengadu – sila kemaskinikan.***

1.1 Full Name (Nama Penuh) as in the IC / Passport)

\_\_\_\_\_

Home address (Alamat rumah)

\_\_\_\_\_

\_\_\_\_\_

City (Bandar) \_\_\_\_\_

State (Negeri) \_\_\_\_\_

Telephone No. (No. Telefon) \_\_\_\_\_ Email: \_\_\_\_\_

Employer (Majikan) \_\_\_\_\_

1.2 Office address ( Alamat Pejabat)

\_\_\_\_\_

\_\_\_\_\_

City (Bandar) \_\_\_\_\_

Telephone No. (No. Telefon) \_\_\_\_\_

Name of person who can always reach you (Nama sesiapa yang senantiasanya boleh menghubungi anda) \_\_\_\_\_

Address & Telephone No. ( Alamat & No. Telefon)

1.3 Particulars of the advocate and solicitor representing the complainant  
(Maklumat mengenai peguam yang mewakili pengadu)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**2. Particulars of advocate complained against – Butir-butir peguam yang diadu**

2.1 Full name of advocate (Nama penuh peguam)

\_\_\_\_\_

2.2 Address at the time of breach ( Alamat ketika salah laku kes tersebut berlaku)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2.3 Name of firm and current address of practice (Nama firma dan alamat terkini peguam)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

City (Bandar) \_\_\_\_\_

State (Negeri) \_\_\_\_\_

Telephone No. (No. Telefon) \_\_\_\_\_ Email: \_\_\_\_\_

2.4 When did you appoint this advocate? (Bilakah anda mula melantik peguam tersebut?)

\_\_\_\_\_

\_\_\_\_\_

2.5 What were your instructions to the advocate? (Apakah arahan anda kepada peguam tersebut?)

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**STATUTORY DECLARATION**

I, .....NRIC.....of .....  
.....solemnly and sincerely affirm  
that:

1. The contents of my letter of complaint dated .....to the Sabah  
Advocates Disciplinary Board, Kota Kinabalu against ..... of  
.....are true to the best of my knowledge.
  
2. I make this solemn declaration conscientiously believing the same to be true and by  
virtue of the provisions of the Statutory Declaration Act, 1960.

Subscribed and Solemnly )  
Declared by the abovementioned )  
At )  
On this            day of            )            .....

Before me,

.....  
(Signature of Sessions Courts Judge,  
Magistrate or Commissioner for Oaths)