

# **Angelo Luiz-Barrea**

## **Solicitor**

### **006745**

**[Employee-related decision Date: 15 April 2025](#)**

## **Decision - Employee-related decision**

Outcome: Control of non-qualified staff (Section 43 / Section 99 order)

Outcome date: 15 April 2025

Published date: 22 April 2025

## **Firm details**

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

Name: Hunter's Solicitors LLP

Address(es): Suffolk House, 54-55 The Green, High Wycombe, Buckinghamshire, HP10 0EU, England

Firm ID: 597315

## **Outcome details**

This outcome was reached by SRA decision.

### **Decision details**

#### **1. Agreed outcome**

1.1 Mr Angelo Luiz-Barrea, a solicitor and partner of Hunter's Solicitors LLP, agrees to the following outcome to the investigation of his conduct by the Solicitors Regulation Authority (SRA):

- a. he is rebuked
- b. to the publication of this agreement
- c. he will pay the costs of the investigation of £600.

### **Reasons/basis**

#### **2. Summary of Facts**

2.1 While acting in a complex commercial property refinancing transaction, Mr Luiz- Barrea gave an undertaking on 8 December 2021



on behalf of Hunter's Solicitors LLP to Brabners LLP (Brabners) who were acting for the new lender. The Undertaking comprised 12 paragraphs, in effect 12 separate undertakings within the overall undertaking.

2.2 The Undertaking included a commitment, at paragraph three, to submit applications to the Land Registry within the priority period of the Land Registry official search carried out against the Property (separately defined as all relevant registered titles of land), and to include the details of Brabners in panel 8 of the Form AP1 filed, collectively defined as the "Registration Applications".

2.3 Paragraph nine of the Undertaking confirmed that Hunter's Solicitors LLP would "maintain a priority search in favour of the Lender against the titles to the Property pending completion of the Registration Applications".

2.4 The initial priority period obtained from the Land Registry official searches expired on 12 January 2022. Hunter's Solicitors LLP were unable to submit a new priority search due to technical issues at this time. The available evidence shows that new priority searches were undertaken by Brabners on 14 January 2022 on nine of the titles with all new searches to expire on 24 February 2022. There is no evidence that any further priority searches were submitted after this date.

2.5 During 2022, Brabners were periodically chasing Hunter's Solicitors LLP, including Mr Luiz-Barrea directly, for confirmation of the Land Registry applications and/or documentation confirming them.

2.6 Hunter's Solicitors LLP made applications on the parcels of land on 27 July 2022, 13 and 14 December 2022, but those applications were cancelled as there were complications relating to third party consents which were required to complete the registrations.

2.7 Successful applications to register the legal charges against seven titles being transferred were made by Hunter's Solicitors LLP on 27 March 2023 with the charges being registered on 22 April 2023. Hunter's Solicitors LLP's undertakings register states the Undertaking was discharged on 30 April 2023.

### **3 Admissions**

3.1 Mr Luiz-Barrea makes the following admission which the SRA accepts:

- a. By failing to fully comply with the terms of an undertaking he gave to another firm of solicitors, Brabners LLP, on 8 December 2021, Mr Luiz-Barrea breached Paragraph 1.3 of the Code of Conduct for solicitors, RELs and RFLs and Principle 2 of the SRA Principles.

### **4 Why a written rebuke is an appropriate outcome**



4.1 The SRA's Enforcement Strategy sets out its approach to the use of its enforcement powers where there has been a failure to meet its standards or requirements.

4.2 When considering the appropriate sanctions and controls in this matter, the SRA has taken into account the admissions made by Mr Luiz-Barrea and the following mitigation which he has put forward:

- a. Mr Luiz-Barrea accepts that there was a breach of part of the Undertaking, in relation to failing to maintain overlapping priority searches beyond 12 January 2022 until registrations were completed.
- b. Technical issues prevented Hunter's Solicitors LLP extending the priority period initially on 12 January 2022 and Brabners assisted with the application on 14 January 2022.
- c. Mr Luiz-Barrea believes once the application was made by Brabners on 14 January 2022 this prevented Hunter's Solicitors LLP making any further applications and limits the breach of undertaking. However, he accepts the Undertaking was Hunter's Solicitors LLP's responsibility and was breached as above. Mr Luiz-Barrea has explained that the breach was not intentional and derived from his misunderstanding that Brabners would carry out the ongoing obligations of the priority searches following their application on 14 January 2022.
- d. Mr Luiz-Barrea asserts that full compliance with the Undertaking was prevented in late March 2023 by Unilateral Notice applications made by Brabners on 11 January 2023. Mr Luiz-Barrea further asserts that such Unilateral Notice applications were withdrawn to allow completion of the Hunter's Solicitors LLP's registrations.
- e. Mr Luiz-Barrea has apologised for the communication issues in responding to Brabners correspondence on this matter.
- f. No actual harm ultimately arose.
- g. The evidence does not show that the breach identified was the result of deliberate actions on the part of Mr Luiz-Barrea.
- h. Mr Luiz-Barrea has not benefited financially or otherwise from the issues that arose.

4.3 The SRA considers that a written rebuke is the appropriate outcome because:

- a. Although the breach has been rectified, it persisted longer than reasonable.
- b. An undertaking is binding even if performance is outside the immediate control of the professional giving it, so the wording should be properly and carefully considered if there are concerns in that respect.
- c. As noted by the Court in *Briggs and another v The Law Society* [2005] EWHC 1830, "The recipient of an undertaking must be able to assume that once given it will be scrupulously performed." Given



the reliance placed by Brabners on the undertaking given by Mr Luiz-Barrea on behalf of Hunter's Solicitors LLP, some public sanction is necessary to uphold public confidence in the delivery of legal services.

- d. Given the complexity of the transaction, Mr Luiz-Barrea should have been scrupulous in monitoring every aspect of the Undertaking and always ensure he adequately updated Brabners. 5 Publication 5.1 The SRA considers it appropriate that this agreement is published in the interests of transparency in the regulatory and disciplinary process. Mr Luiz-Barrea agrees to the publication of this agreement.

## **6 Acting in a way which is inconsistent with this agreement**

6.1 Mr Luiz-Barrea agrees that he will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

6.2 If Mr Luiz-Barrea denies the admissions or acts in a way which is inconsistent with this agreement, the conduct which is subject to this agreement may be considered further by the SRA. That may result in a disciplinary outcome or a referral to the Solicitors Disciplinary Tribunal on the original facts and allegations.

6.3 Denying the admissions made or acting in a way which is inconsistent with this agreement may also constitute a separate breach of principles 2 and 5 of the Principles and paragraph 7.3 of the Code of Conduct for Solicitors, RELs and RFLs.

## **7 Costs**

7.1 Mr Luiz-Barrea agrees to pay the costs of the SRA's investigation in the sum of £600. Such costs are due within 28 days of a statement of costs due being issued by the SRA.

**Sanction Date: 1 February 2023**

## **Decision - Sanction**

Outcome: Rebuke

Outcome date: 1 February 2023

Published date: 8 March 2023

## **Firm details**

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

Name: Stocker & Co LLP



Address(es): 10a Buttermarket, THAME, OX9 3EW, England

Firm ID: 613628

### **Firm or organisation at date of publication**

Name: Hunters Solicitors LLP

Address(es): Suffolk House, 54-55 The Green, High Wycombe, Buckinghamshire, HP10 0EU England

Firm ID: 597315

### **Outcome details**

This outcome was reached by SRA decision.

#### **Decision details**

#### **Findings**

It was found that Mr Luiz-Barrea failed to fulfil an undertaking he gave on 26 June 2019 and in doing so he breached Principle 6 of the SRA Principles 2011 and failed to achieve Outcome 11.2 of the SRA Code of Conduct 2011.

Outcome 11.2 required Mr Luiz-Barrea to perform undertakings given by him within the agreed timescale. Mr Luiz-Barrea stated on 26 June 2019 that he would provide a copy of the conveyancing file and the list of documents by the 3 July 2019. The conveyancing file was supplied sometime between 8 July 2019 and 24 July 2019. It would appear the list of documents was not supplied, and as of 20 January 2021 remained outstanding. Therefore, it is clear that the undertaking given on 26 June 2019 was not complied with in the agreed timescale. This is a breach of the undertaking and a failure to achieve Outcome 11.2 of the SRA Code of Conduct 2011.

Undertakings are promises made by solicitors to do something by a particular date. They are widely used in the legal profession and heavily relied upon. They go to the heart of the profession as one in 'which ever member can be trusted to the ends of the earth' as stated in Bolton v the Law Society. It is an absolute obligation on the part of any solicitor to ensure that undertakings are complied with.

Principle 6 relates to behaving in a way that maintains the trust the public places in solicitors and in providing legal services. A solicitor's role, other than to provide fair and effective legal advice, is also to comply with their legal and regulatory obligations in a fair and transparent way. They are trusted to do so to the best of their ability. These professional standards must be adhered to at all times. The public

expects that each solicitor would not do anything that would put into jeopardy that trust and adherence.

In the case of *Wingate and another v SRA* [2018] EWCA Civ 366 the court stated that: ‘...the professions have a privileged and trusted role in society. In return they are required to live up to their own professional standards.’

The SRA issued a topic guide on Public Trust and Confidence on 25 November 2019. The guide says that:

‘Public trust and confidence in the solicitors and firms we authorise is at the heart of the legal system.’

‘We will therefore act where we see conduct in a legal professional or firm which could question the trustworthiness and integrity of the profession, or delivery of regulated legal services.’

The Principles define the fundamental and ethical standards expected of all solicitors. Members of the public would expect solicitors to comply with the Principles and anyone failing to do so puts at risk the trust placed in the provision of legal services. Mr Luiz-Barrea by failing to comply with an undertaking has fallen below the standards expected of him. The underlying aim of the undertaking was to ensure papers were provided to allow for effective mediation in a dispute. By failing to provide those papers promptly, he allowed the mediation process to be delayed. His failure to act undermined the trust the public would have in him and damaged the public’s trust in the provision of legal services. Mr Luiz-Barrea has acted in breach of Principle 6.

#### **Reasons:**

It was decided that a rebuke was an appropriate and proportionate sanction for the following reasons:

Mr Luiz-Barrea was at all material times a qualified and experienced solicitor. He had control and influence over his actions. He willingly gave the undertaking and then proceeded to fail to comply with it. He has provided no explanation as to why he failed to comply with it.

The delay in complying with the undertaking was unacceptable. While I note the file was provided within a month from the initial due date, the list of documents remained outstanding until at least the 20 January 2021. In fact, it is unclear if the list of documents was ever provided. The breach persisted for longer than reasonable.

The delay in providing the documents jeopardised the mediation process and caused delay. There was a real risk of harm to the parties involved.

Mr Luiz-Barrea has accepted the sanction and there is no evidence of any further or continuing issues with Mr Luiz- Barrea's compliance with SRA rules.

While there is a low risk of repetition, some public sanction is required to uphold public confidence. Mr Luiz-Barrea's actions related largely to the trust placed in a solicitor and the efficacy of undertakings. It is important for the public, and the profession, to see that the SRA takes appropriate action when there is a breach of Principle 6, particularly in relation to solicitors' undertakings. Therefore, I do not consider that a warning would be appropriate or sufficient to protect the public interest in this case or act as a credible deterrent.

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