

## Québec's public curator "...no longer above suspicion!"

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While it's always easier to invest, spend or otherwise lose other people's money - especially when the money belongs to some of the weakest and most vulnerable people in the province, some believe it's time Francine Charbonneau –Premier Philippe Couillard's Minister responsible for Québec's senior citizens – begins to take a closer look at what Québec's Public Curator (QPC) is doing with financial assets that belong to some of the 12 000 sick, old and vulnerable people who are presently (or were formerly) under the public curator's care.

"If this is an example of what they did with my friend's assets," said Montreal's Denis Guibord, "...you've got to wonder what they're doing with the assets of all the other people who are under their care."

Following years of obstruction on the part of the QPC, Montreal's intrepid Ura Greenbaum finally had to ask the province's ombudsman to force the curator to release its annual reports for the years 2007, 2008 and 2009 after which the full extent of the curator's multi-million dollar losses on the stock market became public knowledge. Years later, the curator's officials still use "private and confidential" as a convenient reason as to why they continue to deny the public any kind of access to any kind of substantial information that may indicate what they are doing with their client's assets.

"How many people don't know about this scandal and how many people might have a claim if they knew about what the curator did with their relative's money" asked Greenbaum. "The public should be informed about this [the curator's powers] and they should be informed about the risk of what might happen if their relatives fall into the hands of the curator so that they can make plans for their own future as a result of what happened to their relatives who are or were under the curator's authority."

While his friend did not leave a substantial estate, Guibord was still its beneficiary, and as such, he was legally permitted to receive all of the information relevant to the estate. As a result of a number of problems encountered while dealing with Québec's Public Curator, Guibord decided to provide The Suburban with a number of documents that he believes indicate how the curator's executives neglected to complete their due diligence with his friends' assets and the estate. Aside from spending more money on assorted legal fees, other charges continued to add up until the curator's office finally sent him a cheque for a total of \$3,296 that represents little more than a minimal fraction of what was supposed to be an estate that was worth up to \$40,000 . Aside from the \$6,940 they charged Guibord to administer and finally 'close' the estate, he was surprised to discover that the curator lost some \$3,700 on what was supposed to be a "secure term-deposit" that somehow turned out to be a less-than-secure investment on the stock-market.

“They told me that it was a term-deposit that was supposed to produce a solid 6% per year,” said Guibord. “That wasn’t the truth and they knew it.” According to both Guibord and Greenbaum, the Public Curator also has to account for two term deposits that are worth some \$25,000 that were held by the Bank of Nova Scotia and left to his friend in order to pay back a debt that was earlier incurred by her late brother. While the curator’s executives evidently knew about the two term deposits, Guibord said they did little in order to identify and retrieve them after which it is now up to the bank to unravel the mystery as to who has the money. While letters do indicate that the curator did ask the bank about the two term deposits, the bank’s reply indicates that they would require more information (IE: Certificate numbers) before it could provide any information about what happened to the deposits and who had the money. While Guibord has a copy of both the brother’s will and the numbers of the two term deposits, the curator never followed up on the issue and Guibord believes the money is now well and truly gone.

“Here’s the final piece of the puzzle,” said Greenbaum. “The cover-up!” On the 23rd of September, both he and Guibord went to the Public Curator’s office to consult assorted documents in his (now deceased) friend’s file as was Guibord’s right. According to Greenbaum, the two men found the computerized identification numbers of both the purchase and sale of the term deposit’s participation certificates. Three days later, Guibord then went back to the office to ask for a copy of the documents when a QPC official told him that there were no documents because they didn’t exist. As far as Greenbaum is concerned, there is more than enough evidence available to prove that the documents were ‘lost’ or conveniently destroyed because “...if the documents didn’t exist, why was there a need to attribute a computerized retrieval number for documents that don’t exist?”

As further evidence continues to indicate the QPC is trying to cover up their failure to properly manage his friend’s assets, both Guibord and Greenbaum mentioned that the law requires them to provide a full and final accounting (with all the pertinent documents) to the liquidator of the succession. As Guibord only has a summary financial statement without any kind of relevant documentation, the curator must retain all documents for a minimum of three years after which it must notify the will’s beneficiary (in this case, Guibord) of its intentions in order to give him a chance to retrieve them before they are destroyed.

“If they have already destroyed the documents without telling Denis [Guibord] about their intentions,” said Greenbaum, “...they broke the law.” But as the government considers the province’s Public Curator to be “au dessus de tout soupçon” – above all suspicion - the public entity still does not have to answer to anyone including the Premier, his minister and the rest of Québec’s National Assembly. And aside from a few concerned citizens, that means that there is no one available willing to speak for any and all of the 12,000 weak and vulnerable people that are still presently under the curator’s care.

Following a number of phone calls, Jacqueline Racicot – a spokesman for Québec's Public Curator – confirmed that Guibord's friend was, in fact, under the care of the public curator's office after which she also reminded The Suburban that she could not discuss any details about the file because it was still considered to be personal and confidential information.

Editor's note: As Guibord's late friend was a ward of Québec's Public Curator, The Suburban was also advised to maintain her anonymity because it could be breaking some of the province's privacy laws if her name was mentioned in print without the curator's permission.