

26 June 2017

**Private and Confidential**

Mr Peter Mericka  
Lawyers Real Estate Pty Ltd  
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Hewish Road  
CROYDON VIC 3136

**By email to:** [peter@lawyersconveyancing.com.au](mailto:peter@lawyersconveyancing.com.au)

Dear Mr Mericka

**Application for renewal of practising certificate for 2017-2018 – Preliminary view**

**Our ref:** SMO-2017-0130 - Daniel Deeks

I refer to your application to renew your principal practising certificate, with trust authorisation, for the 2017-2018 practising year.

This letter addresses your renewal application, and expresses my preliminary view about this application. It also provides you with an opportunity to respond.

**Licensing matters**

Section 45(2) of the *Legal Profession Uniform Law (Victoria)* (**the Uniform Law**) provides that the Legal Services Board (the Board) must not grant or renew a certificate if it considers that the applicant is not a fit and proper person to hold a certificate.

On 1 August 2016, the Board delegated the power to make licensing decisions to me as the Victorian Legal Services Commissioner (the Commissioner). I must therefore determine whether you are a fit and proper person to hold a certificate.

**My preliminary view**

For the reasons outlined in Annexure A to this letter, I have formed the preliminary view that you are not a fit and proper person to hold a certificate, and that your practising certificate should not be renewed for the 2017-2018 practising year. The preliminary view about refusal is made pursuant to section 45 of the Uniform Law.

**Response sought from you**

In light of the matters outlined in Annexure A, I now invite you to make submissions or provide any information that you consider relevant in relation to my preliminary view that you are not a fit and proper person to be licenced to engage in legal practice and, accordingly, that your application to renew your practising certificate should be refused.

Please provide your response together with any accompanying material for my consideration within **14** days of this letter.

Given the issues raised by this letter any reasonable extension of time sought by you to obtain independent advice would be granted.

If you have any questions or would like to discuss the matter, please contact Daniel Deeks on 9679 8000 or at [DDeeks@lsbc.vic.gov.au](mailto:DDeeks@lsbc.vic.gov.au).

Yours faithfully



Michael McGarvie  
**Board CEO & Commissioner**