

## **PUBLIC GUIDELINES TO IDNL'S COMPLAINTS PROCESS**

### **How IDNL Protects the Public**

IDNL is authorized under Titles Act legislation to permit registered members to use the title "Interior Designer". IDNL protects members of the public who deal with registered interior designers who are members of IDNL by investigating complaints against members and disciplining members who breach IDNL's Standards of Practice. IDNL is not responsible for individuals practicing interior design who are not members of IDNL.

### **Filing a Complaint**

If a person dealing with a designer has a concern about or dispute with a designer, the individual should contact IDNL to ask whether the designer is a member of IDNL. If the designer is a member of IDNL, the individual can request a Complaints Form from IDNL's Registrar to file a complaint.

### **IDNL's Complaint Process**

Upon receipt of a complaint, the Registrar will send a copy to the IDNL member who is the subject of the complaint. The member must respond to the complaint in writing within 30 days. The complaint and the response will be given to the Complaints Committee. The Complaints Committee is made up of registered interior designers who have expertise in the area of interior design. As experts, they are best able to assess the nature of the dispute and whether the interior designer may have breached IDNL's Standards of Practice.

The Complaints Committee may decide (1) to recommend mediation if the complaint is substantially a commercial dispute; (2) to dismiss the complaint if there has been no breach of the Standards of Practice; or (3) to investigate the complaint and refer the complaint to the Discipline Committee if there are grounds to believe that a Standard of Practice may have been breached by the member.

#### **(1) IDNL'S Mediation Process**

If the issue is substantially a commercial dispute, such as a dispute about the interior design contract, the Complaints Committee may recommend mediation. The mediation process is completely voluntary, that is, both the complainant and the interior designer must agree to participate.

IDNL will appoint a neutral mediator who is a registered interior designer, to discuss the dispute and help determine whether the complaint may be resolved in a mutually satisfactory manner. IDNL's mediator cannot make a binding decision unless both the complainant and the designer have agreed to be bound. After mediation, if there is no agreement, the complainant has no further recourse through IDNL's complaint process.\*

#### **(2) Dismissal of a Complaint**

If the Complaints Committee determines that the complaint is without merit and the member has not breached IDNL's Standards of Practice, the Complaints Committee may dismiss the complaint.\*

#### **(3) IDNL's Discipline Process**

If after investigating the complaint, the Complaints Committee refers the complaint to discipline, IDNL's Registrar will present the complaint before the Discipline Committee at a hearing. The

Discipline Committee is made up of registered interior designers with expertise in interior design. The Discipline Committee can dismiss the complaint, discipline the member, put restrictions on the member or expel the member from IDNL. \*\* Because the consequences for a member are severe, a member may be represented by an agent or lawyer. The complainant may participate in the discipline process by giving evidence about the facts which led to the complaint.

### **Request for an Extension of a Time Period**

Any request for an extension of a time period set out in the By-law or set by the Complaints Committee or Discipline Committee must be made to the applicable Committee, at least seven days' prior to the expiration of the time period. All requests must be made in writing with reasons for the request. Time extensions may be granted at the discretion of the applicable Committee.

### **Time Limitations**

There is no time limit, but IDNL recommends that complaints be made as soon as possible after the event which gives rise to the complaint. The earlier a complaint is received, the easier it is to investigate. For example, it is more likely that relevant documents still exist, witnesses can be more easily located, memories will not have faded, and evidence will not be missing.

In most cases, the complaints investigation and decision process takes from two to four months to complete. Discipline proceedings may take six months to complete subject to whether a settlement is reached or an appeal is filed.

These are general guidelines and do not constitute legal advice. IDNL's complaint, mediation and discipline proceedings are fully described in IDNL's By-law. Please feel free to discuss any issues, concerns or questions you may have with IDNL's Registrar.

\* If mediation fails to resolve the complaint or the complaint is dismissed, the complainant may still seek legal remedies through the court process.

\*\* IDNL does not have the authority to award financial compensation or to award legal or other costs. If a complainant seeks financial compensation, the complainant must seek legal remedies through the court process. IDNL does not have the authority to enforce regulatory or other offences and the complainant should contact the proper authorities to report any regulatory or other offences.