

IN THE MATTER OF THE *VETERINARIANS ACT*, S.B.C. 2010, c. 15
and
IN THE MATTER OF
THE COLLEGE OF VETERINARIANS OF BRITISH COLUMBIA
and a
hearing before a DISCIPLINE PANEL
of the COLLEGE DISCIPLINE COMMITTEE
and
DR. SUKHVINDER DHILLON

Decision on Sanctions and Costs
Section 61(2) and 63

Counsel for the Respondent	Luisa Hlus
Counsel for the College	Jessica Lithwick and Elyse Loewen
Discipline Panel	Carol Baird Ellan K.C., Chair Dr. Ian Welch Dr. Amy Cheung
Date of Decision:	October 6, 2026

1. Overview

[1] The Respondent veterinarian faces a citation in relation to allegations of failing to cooperate with a CVBC¹ investigation. The Respondent entered an agreed statement of facts in which he admitted seven instances of failing to respond to CVBC communications from November 2022 to May 2024.

¹ The Panel will refer to the College of Veterinarians of BC as the “College” when acting in its capacity as a party to a proceeding, and the “CVBC” when acting in its regulatory capacity.

[2] In a decision dated May 8, 2026 (amended May 12, 2026), the Panel accepted the Respondent's admissions and his concessions that each of the allegations constituted: 1) professional misconduct; 2) a breach of section 52(3) of the *Act*; 3) breaches of section 207(1) and/or (3) of the CVBC *Bylaws*; and 4) a breach of the CVBC *Professional Practice Standard* entitled "*Registrant Cooperation During Investigations and Accreditations*."

[3] The matter went over for submissions on sanctions and costs, including submissions relating to disclosure or discovery of information pertaining to the legal fees claimed by the College. Those submissions were completed on August 14, 2026.

[4] This is the Panel's decision on sanctions and costs.

2. Submissions

[5] The Respondent filed an affidavit in which he reports that his CVBC registration was cancelled effective January 1, 2025, due to insufficient continuing education hours. He re-applied for registration with renewed hours, but the CVBC required him to participate in a hearing, and a hearing panel ultimately decided in May 2026 that he had not met the onus in relation to reinstatement.

[6] Dr. Dhillon avers that the College made application in the BC Supreme Court to challenge his counsel, Ms. Hlus's, ability to act for him (and other registrants) based on an assertion that her previous employment with the CVBC was a disqualifying conflict. The application was dismissed in relation to Dr. Dhillon, but he says his ability to participate in the reinstatement process was hampered by the need to respond to it. He reports that he found it necessary to sell his practice, for \$600,000, in June 2025, using a portion of the proceeds to purchase a laundromat for \$190,000. He says this business yields less income, such that he has been living on the balance of the practice proceeds.

[7] As a result of the licensure issue and ongoing disciplinary matters, Dr. Dhillon avers, he suffers from depression and anxiety and has had a hospital admission. These challenges affected his ability to ensure that his prior counsel sufficiently addressed his CVBC responsibilities. He

states that he is unable to take on additional debt at present and asks that any costs award be deferred until he can be reinstated as a veterinarian.

[8] In its submissions, the College seeks a reprimand and a fine of \$10,000, noting that a suspension would be ineffective given the Respondent's currently inactive status. The College also seeks a \$21,526.77 reimbursement for 50% (the statutory maximum) of its costs pertaining to the discipline proceeding, the majority of which pertain to legal fees from outside counsel.

[9] The College accepts that the Respondent's admission of the allegations is a mitigating factor but submits that the breaches are nonetheless serious. It points to the fact that the underlying investigation has not yet been completed, in part due to the Respondent's lack of cooperation as established in this matter.

[10] In relation to the facts, the College points out that this matter arose against the backdrop of a significant disciplinary history on the part of the Respondent. It observes that the misconduct at issue here arose out of the investigation of the death of a cat under the Respondent's care, and it occurred in three separate blocks of time wherein Dr. Dhillon declined to substantively respond to questions posed to him by CVBC personnel. Each commenced with a request followed by an extended failure to answer responsively, with multiple reminders of the duty to cooperate, including warnings of possible escalation. Portions of the CVBC's correspondence were with the Respondent's then counsel, Clea Parfitt, who appears to have been equally unresponsive.

[11] After the Respondent changed counsel, he provided a response on the original file and began arranging a resolution on this matter. While the College observes that the original investigation is not yet completed, it does not challenge the adequacy of the response now provided.

[12] The College accepts that the Respondent has some health challenges but contests the sufficiency of his evidence of inability to pay costs, observing that he has three properties registered in his name, with mortgages on each of them.

[13] In relation to assessing sanctions, the College relies on the *Dent*² factors which have previously been applied in CVBC matters.³ It asserts that the conduct involved is serious: “A registrant’s failure to promptly cooperate with an investigation is fundamentally unacceptable conduct from a regulated health services professional;”⁴ and it involves admitted ongoing and repeated professional misconduct over a period of 20 months. The College challenges any reliance on prior counsel’s inattention to the matter on several bases, including prior CVBC authority.⁵ The College also submits that the cited post-citation emotional or health challenges are not pertinent as mitigating factors in relation to the allegations. It says subsequent compliance is only relevant to acceptance of responsibility and not in relation to the seriousness of the conduct.

[14] In relation to the *Dent* factor of prior character, the College accepts that the Respondent does not have a history of failing to cooperate, but points to the fact that 13 complaint files arose between 2018 and 2024, only four of which were dismissed, in submitting that his discipline history is a serious aggravating factor which underscores the need for regulatory intervention and compliance. The College challenges whether Dr. Dhillon has demonstrated sober reflection or genuine remorse, as opposed to eventual cooperation with deflection of responsibility onto his former counsel. It outlines the negotiations leading up to the agreed statement of facts and request for deferral of costs as indicative of reluctance in the face of a strong case which was ultimately fully admitted.

[15] The College relies on cases under the *Veterinarians Act* and other regulatory schemes in which failure to cooperate has been treated seriously and resulted in suspensions between two and six months (excluding one involving a chiropractor in Ontario who received a 12-month suspension and a \$10,000 fine for conduct including non-cooperation and concomitant inappropriate messages to the complainant). It suggests a \$10,000 fine in lieu of a four to six-

² *Edward Dent (Re)*, 2016 LSBC 5

³ See *Re Chaudhry, Panel Ruling on Penalty and Costs*, CVBC File No. 20-105(b) (December 20, 2024) (“*Chaudhry*”); *Re Salhotra, Sanction and Costs Decision*, CVBC File No. 21-065(b) (March 17, 2025) (“*Salhotra*”) (this decision is currently the subject of an appeal); *Re Bajwa, Decision on Sanctions and Costs*, CVBC File No. 23-012 (March 3, 2026) (“*Bajwa 23-012*”); and *Re Kataria, Panel Decision of Sanctions and Costs*, CVBC File No. 20-064 (February 17, 2026) (“*Kataria*”).

⁴ College Submissions, para. 57

⁵ *Kataria*, supra, at para. 27.

month suspension and cites the concept of progressive discipline in light of the Respondent's disciplinary history.

[16] In relation to costs, the College adopts the customary Casey Factors⁶ in addressing the course of the proceedings and applications made, and the success rate in relation to those. It points out counsel's reduced rates, and discounts provided for changes in counsel. The amount claimed for legal fees, 50% of \$41,757, includes \$10,000 in anticipated billings for preparation of the submission on sanction and costs, and of honoraria paid to the Panel without billings for the costs and sanctions phase. The College addresses the nature of the tasks involved, including providing an affidavit regarding lawyers' rates, and advocates for the reasonableness of the legal costs incurred. It submits that the full 50% should be applied, because it builds in many of the considerations addressed in regulatory regimes without caps on costs; because the Respondent's defence contributed to additional costs; because the College was successful on all applications; and because as a matter involving non-cooperation, this strikes at the heart of the regulatory scheme.

[17] After the College filed its submissions, Ms. Hlus filed an application to have the College provide "documentary and explanatory disclosure" of the bases for its claimed external legal fees in order that she might address their reasonableness in her submissions. The College resisted the application as premature and the Panel directed that the Respondent file his full response submissions, including the challenge to the underpinning of the legal fees. The College would then reply, and the Respondent would be afforded a right of sur-reply.

[18] In his response, the Respondent takes the position that the costs and fine advanced by the College are unreasonable in many respects and the costs are insufficiently supported by the materials provided by the College. He points out that he is facing costs and fines in other discipline matters and submits that the totality of those financial penalties should be considered by the Panel on this matter. The Respondent submits that the cumulative effect of the penalties and costs sought by the College are extremely punitive and raise access to justice concerns. His

⁶ These are derived from James T. Casey, *Regulation of the Professions in Canada*, Chapter 14.4, where Professor Casey set out a list of ten factors (the "Casey Factors") to be considered in assessing a regulatory award for costs.

counsel submits that the approach of the College constitutes “*a thinly veiled attempt to bring an already crippled former registrant to his knees and concurrently erect a virtually unsurmountable barrier to future reinstatement.*” (Emphasis added). He also submits that the College has wrongly applied the principle of progressive discipline in relation to the various matters currently facing the Respondent.

[19] Ms. Hlus goes into some detail regarding the reasons for the cancellation of the Respondent’s licence and submits that the CVBC used unresolved matters against him to create a reverse onus in relation to reinstatement by requiring a hearing based on his disciplinary history. She contrasts the CVBC approach of essentially automatic cancellation with the grace period provided by the BC Law Society. She challenges the College’s assertion that the underlying matter has not resolved given that the Respondent has been responsive, and says any delay subsequent to her appointment as counsel has been attributable to actions of the CVBC, including the failed BCSC application. She submits that the Respondent should receive credit for initiating a consent order and the agreed statement of facts as mitigating factors, which she says should result in a lower percentage of costs being applied. She characterizes the case as one of delayed cooperation with full compliance after a change in counsel. She challenges the suggested fine as out of proportion based on the *Dent* factors and “bordering on offensive.” She points to the range of costs in CVBC cases resolved by consent and suggests this matter be viewed in that context.

[20] In relation to the assessment of the reasonableness of the claimed legal costs, Ms. Hlus relies on a line of authority under the *Legal Profession Act* S.B.C. 1998, c. 9 in support of applying the assessment prescribed for “full indemnity” costs under various regulatory and legislative regimes. This line of cases contemplates waivers of solicitor-client privilege where required to justify costs, and Ms. Hlus submits that the lack of detail in relation to claims for lump-sum hours, and the timing of the CVBC’s accounts and estimates, require “proof of billing.” In the application for disclosure filed earlier, Ms. Hlus submitted that invoices and time sheets, and possibly some file contents, were necessary for the Panel to assess reasonableness. She requested that the College waive privilege as required to produce the documentation or withdraw its claim for legal fees.

[21] The Respondent advocates for a greater reduction in the percentage of costs than that applied in *Posnikoff*,⁷ (where the registrant was also facing two citations) on several bases, including that the Respondent entered into an agreed statement of facts on both matters here; that in *Posnikoff* the College used the same firm for both matters thereby creating efficiencies; that the Respondent has now complied whereas Dr. Posnikoff had not; and that Dr. Dhillon is unable to practice. She submits that the percentage to be applied should be 10% because of the Respondent's ultimate cooperation in the investigation and agreement to a finding of misconduct.

[22] In reply, the College submits that the line of authorities relied upon by the Respondent in favour of disclosure of materials pertaining to legal fees is not applicable to matters under the *Veterinarians Act*; that this line of authorities has been attenuated by subsequent decisions; and that in any event there are decisions under the *Veterinarians Act* and in other regulatory spheres that have declined to order disclosure of the kind sought by the Respondent here. The College also takes issue with certain aspects of the Respondent's submissions, including the passage highlighted in paragraph 18 above, that it submits are, essentially, inflammatory, unbalanced, misleading, and inappropriate. The College responds to the Respondent's submissions regarding the prolixity of the proceedings and applications against him by asserting out that the Respondent's disciplinary history has justified them. The College challenges Ms. Hlus's claim that the Respondent has already paid a fine and costs on a matter,⁸ providing affidavit evidence that these have not been paid and that the directed training has not been taken. Finally, the College submits that while progressive discipline may not apply, the circumstances of other matters have relevance to the outcome here.

[23] In her sur-reply, regarding this issue of further disclosure by the College Ms. Hlus concedes that the line of BCSC authorities requiring proof of legal bills does not apply to decisions under the *Veterinarians Act* but relies on those cases as helpful examples of fuller disclosure of legal accounts. She does not concede that the prior CVBC cases relied upon by

⁷ *CVBC v. Posnikoff, Decision on Sanctions and Costs*, File No. 24-147, <https://cvbc.ca/wp-content/uploads/2026/05/2026.05.21-CVBC-v-Posnikoff-No.-24-147-Decision-on-Sanctions-and-Costs.pdf>

⁸ *CVBC v. Dhillon*, File No. 18-097(b), <https://cvbc.ca/public-protection/notification/consent-orders/>

College counsel are determinative on the issue of disclosure and waiver of privilege. She relies on basic principles of natural justice and transparency which, she submits, “surely encompass... at least a limited waiver of privilege.” She responds extensively to the College’s alternative argument that cases from other regulatory schemes are distinguishable, relying on a combination of those and the Alberta case of *Charkandeh*⁹ in resisting the College’s assertion that the 50% cap obviates the kind of detailed analysis performed in other spheres.

[24] Ms. Hlus also corrects her misstatement regarding Dr. Dhillon’s payment of the prior costs award, and then relies on his failure to pay as evidence of hardship. In response to the information regarding the Respondent’s mortgage obligations, she confirms the value of the mortgages against two of the Respondent’s three properties as exceeding \$2.5 million, with payments on one of them of almost \$5000 per month. One of the mortgages bears an interest rate of 10%, which Ms. Hlus relies upon as evidence of the Respondent’s financial desperation.

3. Sanctions

[25] The Panel observes that cases involving breaches of the duty to cooperate with investigations generally result in suspensions and it agrees with the position taken by both counsel here that in light of the Respondent’s current unregistered status, a suspension is not appropriate as a sanction. While bearing in mind that an overall fairness and ability to pay assessment should be made in imposing a fine, particularly where the costs award is significant, it appears that a fine is the only reasonable option as a penalty for the Respondent’s non-compliance. We are not in a position to quantify the cost to him of a suspension in the applicable range of four to six months, but in light of the mortgage obligation on one of his properties, we conclude that a fine of \$10,000 is not excessive or, as argued by Ms. Hlus, “offensive.”

[26] Without chronicling the *Dent* factors beyond stating that the Panel agrees with the College’s assessment of their application to the facts of this case, we see no reason to deviate from the amount suggested by the College as an apt way to capture the degree of misconduct exhibited in this matter. The fact that the Respondent has now largely complied with the CVBC’s requests, according to his counsel, is encouraging; however, we agree it is not a mitigating factor

⁹ *Charkandeh v. College of Dental Surgeons of Alberta*, 2025 ABCA 258

where the compliance occurs after a citation for non-compliance has been issued. It is not just a case of late compliance; it is a case in which the lack of cooperation reached the point where the College was required to take action. We agree that disposing of the matter by agreed facts is some mitigation, but perhaps less so where the outcome appears to have been inevitable.

[27] In relation to the amount of the fine, which as we have observed amounts to two mortgage payments on one of the Respondent's three properties – perhaps but a small percentage of his former income as a veterinarian – it seems appropriate when weighed against the amount of the costs award that must also be made here.

[28] The Panel does not rely on progressive discipline in this matter as it is the first non-compliance case on the Respondent's part. His disciplinary history underscores the need for intervention by his regulator and highlights the importance of compliance with its efforts but serves mainly to place the nature of the misconduct high on the scale of seriousness.

[29] Because the amount of the fine is in our view somewhat tempered, and despite the sentiments expressed in *Posnikoff* regarding the merits of a reprimand, the Panel considers it appropriate to also impose a reprimand in this matter, as an “up-front” message to the Respondent and to others of the importance of complying with the regulator's efforts to fulfill its mandate; particularly for registrants who have more than one outstanding complaint.

4. Costs

a. Further disclosure in relation to legal accounts

[30] The Panel agrees with the College that the matter of disclosure of legal accounts and privileged details of services in support of the reasonableness of costs has been decided for these purposes by the prior CVBC cases cited by the College. We find it unnecessary to wade into the question of whether other regulatory cases apply or may be distinguished, interesting as it may appear. We are also mindful that the costs claimed by the College do not include any costs that might be related to having the Panel perform that distillation, in addition to the time involved in making the necessary reasonableness assessment without that. While the Panel's collective hourly rate is but a fraction of that charged by private counsel, the tasks of reading submissions,

considering the nature and range of applicable costs, and preparing written reasons will add up even without embarking upon a novel argument that appears to be settled, at least until it is considered at a higher adjudicative level,

[31] In any event it is the considered view of the Panel that, taken together, *Chaudhry, Salhotra, Bajwa No. 19-045*, and *Posnikoff No. 24-147*, previously cited, all stand as definitive authority for the exercise of assessing costs under the *Veterinarians Act* being significantly abbreviated as compared with those in the cases cited by the Respondent. Some of this is accounted for by the 50% cap, and some may be attributable to the absence in the *Act* of a reference to the assessment of reasonableness in relation to legal fees. While it is appropriate to perform a relatively perfunctory analysis of the rates charged and hours spent by counsel, if the amount charged by private counsel is roughly “in the ballpark” in comparison with other CVBC cases, it is our view that further dissection is not required. In particular, for example, parsing counsel’s respective statements about how much time they did or did not spend with each other on the phone is frankly unseemly. The Panel’s view is that the statutory cap was designed purposefully to avoid such prolonged and arduous exercises which themselves have the potential to rack up costs.

b. Reasonableness of costs claimed

[32] The total of the legal fees claimed here is \$41,757, which includes a \$10,000 estimate of the fees relating to sanctions and costs submissions that we now understand were billed at over \$14,000. The hourly rates charged by counsel were \$325 for senior counsel and \$225 for junior counsel, which the College’s materials establish are well below the market rate for lawyers of their seniority. Even at the higher rate, the total fees claimed would represent about 130 hours of time. In fact, as pointed out by Respondent’s counsel, the total hours claimed were under 100.

[33] Previous panels have observed that a figure in the range of \$24,000 per day in legal fees for a disciplinary hearing is not unreasonable. There was of course no hearing in this matter, but the yardstick of two days’ worth of hearing time may be helpful, with some caution. The matter encompassed at least three preliminary applications entailing submissions and rulings on two or three prior occasions, in addition to the fairly brief process involved in the hearing itself, which

as counsel have noted proceeded by agreed facts and written submissions. Considered against the very rough prior yardstick of \$24,000 per day, however, the costs have the appearance of reasonableness in light of the degree of process that was involved. The Panel is nonetheless mindful that counsel in this case have discounted their fees to some extent, and for that reason its use as a future yardstick may be limited.

[34] Another means of comparison used in some cases has been to count the number of pages of submissions or rulings, which in this case amounted to well over 100 for submissions alone, without attachments or rulings. When reading, distilling, responding and writing are factored in, a figure of less than \$400 per page is in the Panel's view, again, not inordinate.

[35] As the Panel observed in *Posnikoff No. 24-147*, the accumulating body of case law under the *Veterinarians Act* provides a backdrop for an abbreviated assessment of the reasonableness of costs, and in this matter, the Panel finds the costs claimed in relation to legal fees to be reasonable, without requiring further in-depth analysis.

c. Appropriate percentage

[36] Prior CVBC cases also provide a framework for assessment of the appropriate percentage of costs that should be awarded to the College. Some of those cases have involved a detailed analysis of phases of the proceeding, levels of success, and an analysis that comes close to re-litigation of the merits of the issues raised in the various applications.

[37] In some respects, one might expect the "penalty" of an ultimate costs award to serve as a governor on the raising of tenuous arguments or applications, just as it might serve as incentive to resolve a matter without a hearing as in this case. In any event, where, as here, none of the applications, arguments or defences raised by the Respondent at any of the phases appear to have been successful, there is little argument for reducing the percentage awarded below the statutory cap.

[38] In the view of the Panel, the ultimate question in this matter is one of fairness, considered against other awards and the Respondent's personal situation, including his health and emotional challenges and his other outstanding obligations. He has experienced significant consequences

for his conduct issues; some of them financial. Although he appears to be “property rich,” as some would describe it, he is clearly going to continue to have challenges meeting his financial obligations, including whatever costs award we impose in this matter, and he may find himself needing to dispose of some of that property.

[39] Again, without a sequential litany of the Casey Factors and how they relate here, we see no reason to deviate from the range of costs awards in other CVBC cases, which to date have not exceeded 37.5% or gone below 30%. It may be that in due course it becomes accepted that the statutory cap encompasses most arguments that are made in regimes where there are no caps, and an even more abbreviated analysis may be applied. In any event, registrants now have a body of law to which to refer in assessing their strategy and considering their potential liability.

[40] Accepting all of the points made by both parties, the amount we consider appropriate in this case, at this time, is 37.5% of the total claimed by the College. Accordingly, the Respondent will be required to pay total costs of \$16,145.

d. Time to Pay

[41] The Panel agrees that it is not appropriate to defer costs or the fine beyond a reasonable initial period. However, in light of the totality and the timeframe of the Respondent’s other outstanding matters, we consider six months to be appropriate. The period for either the fine or costs may be extended on application with appropriate evidence if in fact the Respondent finds he is unable to pay within the assigned period.

5. Orders

[42] The Panel makes the following orders:

1. The Respondent is ordered to pay a fine of \$10,000 within 6 months of delivery to him of a copy of this Order;
2. The Respondent is hereby reprimanded, as follows:

You are hereby reprimanded for failing to cooperate with the investigation into your care of a cat conducted by the CVBC between November 2022 and May 2024; specifically, by failing on seven separate occasions to respond to communications or correspondence from CVBC personnel.

Your failure amounts to professional misconduct and strikes at the heart of the CVBC's ability to regulate the profession; and

3. The Respondent is ordered to pay costs in the amount of \$16,145, within 6 months of delivery to him of a copy of this Order.

[43] The Panel hereby gives notice to the Respondent pursuant to Section 61(6)(b)(ii) of the Act of his right to appeal this decision to the Supreme Court of British Columbia under Section 64 of the Act. The Panel also directs the College Registrar to publish this decision as required under Section 68(1)(a) of the Act, after any appropriate redactions are applied.

Carol Baird Ellan

Carol Baird Ellan, K.C., Chair

Ian Welch

Dr. Ian Welch

Amy Cheung

Dr. Amy Cheung