

Filing A Complaint Against A Professional Fiduciary

The Bureau is authorized to investigate the actions of any professional fiduciary for violations of the licensing laws under the Professional Fiduciaries Act [Business and Professions Code (BPC) section 6500 et seq.] and its regulations, or of any of the statutes, rules, or regulations pertaining to duties or functions of a professional fiduciary. You may view the statutes and regulations governing the practice of a professional fiduciary on the Bureau's web site [here](#). Upon the finding of a violation, the Bureau has the authority to impose sanctions, such as administrative citations, fines or formal discipline.

Pursuant to BPC section 6581, a licensee, or an agent working on behalf of a licensee, including an attorney, is not permitted to bill a client or impose a fee on the estate or trust of a client for responding to a complaint filed with the Bureau against the licensee.

To file a complaint with the Bureau, click on one of the options below. [Print/Fill out](#) a complaint form and mail it to the Bureau. You may also email the complaint form to fiduciary@dca.ca.gov.

[File online](#)

[En Español](#)

Here is some important information to consider prior to submitting your complaint:

- When filing a complaint with the Bureau, please provide as much detailed information as possible, including supporting documents to assist with the investigation. Please be advised that the Bureau will not return records that you provide. It is highly recommended that you only submit copies of records to the Bureau.
- Each investigation is unique and there is no specific timeframe for the Bureau to conclude its investigations. The Bureau will contact you if more information is needed or at the conclusion of its investigation. Please note that information relating to the Bureau's investigatory process is considered privileged information and will not be disclosed.
- The Bureau does not conduct criminal investigations nor can the Bureau determine whether criminal violations have occurred. Complaints involving alleged criminal conduct should be filed with the appropriate law enforcement or investigative agency.

- The following matters fall outside of the Bureau’s authority and may require court involvement. (You may need to seek legal advice to determine what legal remedies are available to you.)
 - amending, interpreting, or enforcing the terms of a conservatorship, guardianship, trust, durable power of attorney, or will.
 - Determining appropriate placement, treatment, or visitation.
 - Enforcing, overturning, or determining violations of a court order.
 - Removing a licensee from serving in his or her duly appointed capacity or appointing a licensee as conservator, trustee, guardian, agent under a durable power of attorney, or personal representative of a decedent’s estate.
 - Determining or compelling repayment of funds for mismanagement/misuse of assets.
 - Determining and directing payments or distributions from estate/trust assets.
 - Compelling someone to release documents and information to other individuals and/or entities.

- The Bureau's enforcement jurisdiction applies only to professional fiduciaries subject to licensing. If your complaint involves matters outside of the Bureau’s jurisdiction, the Bureau will notify you and may refer you to another government agency, if appropriate.

- The Bureau does not oversee the Probate Courts and cannot overturn court decisions or investigate complaints against the Probate Court.

For matters related to Veteran’s Affairs benefits (VA) or Social Security (SS) benefits, please refer to the information below:

Veterans Affairs Benefits: <https://www.justice.gov/elderjustice/va-benefits-fraud-0>

Please note: Link will redirect to a website that does not belong to the Bureau and any information contained within that link is managed by the agency it belongs to.

Social Security Benefits: <https://oig.ssa.gov/what-abuse-fraud-and-waste/misuse-benefits-representative-payee>

Please note: Link will redirect to a website that does not belong to the Bureau and any information contained within that link is managed by the agency it belongs to.

PROVIDING YOUR PERSONAL INFORMATION ON COMPLAINT FORM

Collection and Use of Personal Information

The information provided on the Complaint Form is maintained by the Chief of the Professional Fiduciaries Bureau, Department of Consumer Affairs. This information is requested pursuant to Business & Professions Code Sections 325, 326, and 6580. The

Bureau uses this information to investigate complaints and enforce licensing standards set by law.

Providing Personal Information is Voluntary

You are not required to provide personal information in order to file a complaint. If you do not wish to provide personal information, such as your name, address, or telephone number on the form, you may remain anonymous. In that case, however, the Bureau may not be able to contact you or help resolve your complaint.

Possible Disclosure of Personal Information

The Bureau makes every effort to protect the personal information on the form and keep it confidential. However, in order to follow up on your complaint, the Bureau may need to share the information you provide with the person or business you are complaining about or with other government agencies. This may include sharing your personal information.

The information you provide may also be disclosed in the following circumstances:

- To another government agency as required by state or federal law.
- Upon request by a law enforcement agency or a Bureau referral related to a criminal investigation, information may be disclosed to the relevant law enforcement agency.
- In response to a court or administrative action and/or a subpoena