

SINGLE MEMBER OF REGULATORY TRIBUNAL DECISION SHEET

RICS Regulatory Tribunal Rules 2020

Part VI, Regulatory Tribunal Single Member Decision

Regulated Member: Christian Navlet [6360513]

Single Member Decision of: Dr Stephen Moore MSc FRICS FCIQB

Case Number: CON001697

Date of Decision: 25 June 2023

CHARGE:

The charge against the Regulated Member is:-

“Between 1 January 2021 and 1 February 2022, you have failed to comply with RICS’ requirements in respect of Continuing professional Development (CPD) in that you have not completed and recorded, or caused to be recorded, at least 20 hours of CPD on the RICS CPD Portal. An extension period was granted by RICS until 26 May 2022 by which date you had still failed to complete and record or cause to be recorded at least 20 hours of CPD on the RICS CPD Portal for the period between 1 January 2021 and 1 February 2022”.

Contrary to Rule 6 of the Rules of Conduct for Members 2007 version 6

ALLEGED RULE/S BREACH

RICS requirements in respect of CPD are set out in the RICS document ‘CPD Requirements and obligations’. They include requirements that ‘*All members (AssocRICS, MRICS and FRICS) must undertake a minimum of 20 hours CPD each calendar year (January to December)*’ and that ‘*Members must record their CPD activity online by 31 January.*’

MATERIALS CONSIDERED

Rule 6 of the Rules of Conduct for Members 2007 version 6.

RICS Bye-law 5.2.2(c).

RICS CPD requirements and obligations dated 14/03/2019.

RICS CPD FAQs Section 5.

Statement of Natasha Reid dated 28 November 2022

Navlet, Christian contact details

Navlet, Christian CPD Annual Summaries

Navlet, Christian RICS Membership Status

Statement of Claire Hoverd dated 28 November 2022

Statement of Claire Hoverd second statement dated 28 November 2022

Statement of Natasha Reid second statement dated 28 November 2022

Letter from Anna Sawbridge, undated, Fixed Penalty second caution for 2022

RICS Invoice Status for Christian Navlet dated 6/1/2022

Email from Christian Navlet to Isabelle Ung dated 28 May 2022 (in French)

Email from Isabelle Ung to Christian Navlet dated 1 June 2022 (in French)

Email from Elise Wesley to Christian Navlet dated 9 June 2022

Email from Sophia Tseng to Christian Navlet dated 9 August 2022

Letter from Natasha Reid to Christian Navlet dated 28 November 2022

Email from Natasha Reid to Christian Navlet dated 16 January 2023

Email from Christian Navlet to Natasha Reid dated 17 January 2023 (in French)

SMD dated 3 February 2023 (also translated into French)

Email from Natasha Reid to Christian Navlet dated 9 February 2023 (in French)

Email from Natasha Reid to Christian Navlet dated 6 March 2023 (also in French)

Email from Natasha Reid to Christian Navlet dated 7 March 2023 (in French)

Email from Christian Navlet to Natasha Reid dated 7 March 2023

Email from Natasha Reid to Christian Navlet dated 7 March 2023

Email from Christian Navlet to Natasha Reid dated 7 March 2023

Email from Adeel Qureshi to Christian Navlet dated 15 March 2023

Email from Natasha Reid to Christian Navlet dated 22 March 2023

Email from Christian Navlet to Natasha Reid dated 24 March 2023

Email from Christian Navlet to Natasha Reid dated 26 March 2023

Email from Natasha Reid to Christian Navlet dated 27 March 2023

BACKGROUND

RICS clearly states in its document 'CPD requirements and obligations' that *"All members (AssocRICS, MRICS and FRICS) must record their CPD online"*.

RICS consider that the seriousness of this mandatory requirement is emphasised in the following statements:

- Practising members must recognise their obligations to the public, business, and commerce for the provision of specialist knowledge and expertise.
- The requirement for CPD ensures consistent standards within the profession,
- The requirement for CPD ensures that individuals maintain up to date knowledge in their area of expertise,
- The requirement for CPD ensures that members of RICS demonstrate this by evidencing the completion of a current record of CPD at RICS.

The Regulated Member (6360513) was admitted as a Member (MRICS) 14 October 2013 and practices and resides in France.

RICS records confirm that the Regulated Member has not paid membership subscription fees for 2023.

FINDINGS OF FACT

RICS records confirm that the Regulated Member recorded compliant CPD for the years 2014, 2015, 2016, 2017, 2019, however the Regulated Member did not record CPD hours for the years 2018, 2020 and 2021. In essence these responses indicate that the Regulated Member had cognisance of RICS Rules of Conduct.

RICS records confirm that the Regulated Member received a CPD Caution in 2018 and a Caution and Fine in 2020. The fine has been paid.

RICS records do not evidence any mitigating circumstances or concessions afforded to the Regulated Member.

Regarding the Regulated Member's CPD for the year January 2021 to February 2022, RICS issued to the Regulated Member 8 No. CPD Notification emails between 15 November 2021 and 7 June 2022.

Between May 2022 and March 2023 correspondence in the form of 18 No. emails and letters took place between RICS representatives and the Regulated Member involving translations from English to French and French to English. The Regulated Member responded on 6 No. occasions however the relevant CPD records remain outstanding for 2021.

Notably, RICS Regulatory Support emailed the Regulated Member 9 June 2022 offering to manually upload the Member's CPD. An RICS Regulatory Support and CPD Officer emailed again 9 August 2022 confirming non-compliance, however the Regulated Member did not respond to either of these emails.

Evidence presented by RICS shows that this is the Regulated Member's third breach of the requirement to complete and record CPD online in accordance with Rule 6 of the Rules of Conduct for Members 2007.

LIABILITY FOR DISCIPLINARY ACTION

I have considered the contents and the evidence prepared by RICS in the Investigation Report that confirms this to be the third breach within 10 years of receipt of a caution. I therefore find that the Regulated Member is liable for further disciplinary action.

REGULATORY SANCTION

In accordance with sanctions in respect of Rule 6 of the Rules of Conduct for Members 2007 version 6 and RICS Sanctions Policy Version 9 with effect from 2 March 2020. I sanction that the Regulated Member Christian Navlet (6360513) be expelled from RICS.

ORDER MADE

In accordance Regulatory Tribunal Rules, I make the following order:

That Christian Navlet (6360513) be expelled as a Professional Member (MRICS) from RICS.

TAKING EFFECT OF ORDER

In accordance with Regulatory Tribunal Rules, this order will take effect 14 days from the service of the Single Member's decision upon the Regulated Member, unless notification in writing is received from the Regulated Member or RICS stating that they consider that the findings and/or the Regulatory Sanction imposed by the Single Member are wrong.

COSTS

In accordance with Regulatory Tribunal Rules, I make the following in respect of costs:

I award costs for the consideration by a Single Member of the Regulatory Tribunal of £350.00

PUBLICATION

In accordance with Regulatory Tribunal Rules, the Single Member's Record of Decision will be published following the expiry of 14 days from the service of the Single Member's decision upon the Regulated Member.