

SINGLE MEMBER OF REGULATORY TRIBUNAL DECISION SHEET

RICS Regulatory Tribunal Rules 2020

Part VI, Regulatory Tribunal Single Member Decision

Regulated Member: Christopher Wright

Single Member Decision of: Dr Stephen Moore MSc FRICS FCIQB

Case Number: CON001768

Date of Decision: 30 January 2023

CHARGE:

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 document 'CPD Requirements and obligations'. They include requirements that *'All members 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.'*

Furthermore Bye-law 5.2.2 provides:

'A Member may be liable to disciplinary action under these Bye-Laws, whether or not he was a member at the time of the occurrence giving rise to that liability...'

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

RICS CPD FAQs Section 5.

Statement by Fay Reaney dated 19 October 2022

CPD Annual Summary for the Regulated Member

Statement of Claire Hoverd dated 19 October 2022

Statement of Claire Hoverd dated 19 October 2022

Statement of Fay Reaney dated 19 October 2022

AX Member Transactions statement for the Regulated Member

Phone Call statement dated 3 August 2022 by Kieron Cathcart to Regulated Member regarding CPD for 2021.

Email from Kieron Cathcart dated 3 August 2022

Letter by email from Fay Reaney dated 2 November 2022

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 demonstrate this by evidencing the completion of a record at RICS.

FINDINGS OF FACT

Your Member Transactions statement confirms that you have paid your Membership Subscription up to and including 2021. Your CPD Annual Summary confirms that you successfully completed recording your CPD outcome for 2013, 2014, 2015, 2016, 2017 and 2018; therefore, demonstrating that you were cognisant of your CPD obligations. However, you were in breach of your records

unknown in 2019, 2020, 2021, in the absence of any recorded CPD Exemptions or mitigating circumstances. In summary RICS records confirm that for three years, 2019, 2020 and 2021 you failed to record the required number of CPD hours on the portal.

In 2019 you were given a 'Caution' and in 2020 you were given a 'Caution and Fine'.

Between 15 November 2021 and 7 June 2022, you were sent 8 emails reminding you of your CPD obligations. Subsequently you were sent a further email dated 3 August 2022 entitled 'Letter before disciplinary action' and on 2 November 2022 you were sent by email a letter entitled '2021 CPD Disciplinary Proceedings'

You have not responded to any of these communications.

LIABILITY FOR DISCIPLINARY ACTION

I have considered the contents and evidence prepared by RICS in the Investigation Report and find that you are liable for further disciplinary action.

REGULATORY SANCTION

In accordance with sanctions in respect of Rule 6 of the Rules of Conduct for Members (CPD) and in the absence any recorded mitigating circumstances, together with cognisance that the evidence presented in the Investigation Report confirms that this is your third breach within 10 years of receipt of a caution, I sanction that you be expelled from RICS.

ORDER MADE

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

That Christopher Wright 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.