

Disciplinary Decision of the Valuers Registration Board of Queensland

To: **The Valuer**
Complaint Ref No: **C179-1/13**

By an Investigation Report dated 21 February 2014 by Mr Bob Mullins, details of the complaint and investigation were provided to you and to the Valuers Registration Board of Queensland (the Board).

Information Notice of Intention to take Disciplinary Action

By Information Notice dated 3 April 2014, you were advised that the Board intended to take disciplinary action against you and afforded you the opportunity to provide a submission in this regard.

Submissions by the Valuer

No submission was put forward by you in regard to the disciplinary action to be taken.

Decision

The Board's reasons for taking disciplinary action were based on the findings in the Investigator's Report and contained in the Information Notice dated 3 April 2014, and these are that you breached the API Code of Professional Conduct.

The particulars of your negligence in your performance as a valuer and the facts and circumstances forming the basis of the allegations are as outlined below:–

You failed to comply with the following Rules as required under the *Valuers Registration Act 1992* and *Valuers Registration Regulation 2003*:

1. API Code of Professional Conduct – Rule 1.1, which states:

“Members must carry out their professional duties ethically, with honesty, competence, and in good faith, without personal bias, and in a manner which upholds the values and reputation of the property and valuation profession.”

2. API Code of Professional Conduct – Rule 1.10, which states:

“A Member must not provide any advice or make any statement without reasonable foundation unless it is appropriately qualified or limited.”

3. API Code of Professional Conduct – Rule 6.3 (b), which states:

“When undertaking a valuation, a Member must take reasonable steps to ascertain and verify such relevant facts and information as a prudent valuer would have ascertained or verified in order to provide a professional valuation of a property.”

4. API Code of Professional Conduct – Rule 6.4 (e), which states:

“A Member must include in a valuation report where all facts or information have not been ascertained or verified, written disclosure of this, together with a statement of the extent, if any, to which the failure to ascertain or verify the facts or information in question qualifies or affects the valuation provided.”

5. API Code of Professional Conduct – Rule 6.5, which states:

“A Member must retain in a place of safe keeping, adequate records of all valuation reports, all instructions from the client or the client’s representative, and all other records and information upon which the valuation opinion was based, for a minimum of 6 years.”

The Board has decided to reprimand you for your conduct in the undertaking of the valuation of the property situated at 1522 Creek Road, Carina as at 30 July 2012.

Penalty

A monetary penalty of 10 penalty units, that is \$1,100, is being imposed.

Publication of Decision on Board’s website

The Decision of the Board will be posted on the Board’s website without your name.

Appeal

Under Section 61(1)(c) of the *Valuers Registration Act 1992*, you have a right of appeal of the Decision of the Board to the Queensland Civil and Administrative Tribunal (QCAT)/

Dated this 13th day of May 2014

Greg Clarke
Chairman of the Board