

## Decision of the Valuers Registration Board of Qld

Complaint: **C206-12/14/JF**

To: **The Valuer**

### Complaint

By an Investigation Report dated 21 May 2015 by Mr Marcus Johnson, details of the complaint and investigation were provided to the Valuer and to the Valuers Registration Board of Queensland (the Board).

### Information Notice of Intention to take Disciplinary Action

By Information Notice dated 18 June 2015, the Valuer was advised that the Board intended to take disciplinary action against the Valuer and afforded the Valuer the opportunity to provide a submission in this regard.

### Submissions by the valuer

A submission was put forward by the Valuer 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 18 June 2015, and these are as follows:

**1. Breach of 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 that upholds the values and reputation of the property and valuation profession."

**2. Breach of API Code of Professional Conduct Rule 5.1, which states:**

"A Member must not, without appropriate acknowledgement, reproduce, paraphrase or summarise any work, words, ideas or intellectual property of another person which creates the impression that it is their own, and all reports prepared by Members must give appropriate acknowledgement of the ideas, scholarship and intellectual property of others insofar as these have been used."

**3. Breach of API Code of Professional Conduct By-law 24.2.1, which states:**

"A Member is guilty of Professional Misconduct if:

- (a) they commit a breach of the Professional Rules;
- (a) they engage in conduct which is prejudicial to the good name and reputation of the Institute."

The Board proposes to take the following action against the Valuer:

1. Reprimand the Valuer;
2. Order the Valuer to comply with Rule 5.1 when preparing any valuation report that the Valuer undertakes in the future;
3. Publication of the Decision on the Board's website without the Valuer's name.

### **Penalty**

A monetary penalty of ten (10) penalty units (\$1,100) is being imposed.

### **Appeal**

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

Dated this 31<sup>st</sup> day of July 2015

Mr Vern DiSalvo  
Acting Chairman of the Board