



**Mr Michael Glover MNAEA
Director,
The Property Agency Ltd t/a Glover
Estate Agents**

Disciplinary Tribunal Decision

February 2023

Disciplinary Tribunal Decision

Member:	Mr Michael Glover MNAEA
Position:	Director
Company/Employer:	The Property Agency Ltd t/a Glovers Estate Agents
Address:	33 High Street, Kings Heath, Birmingham, B14 7BB
Complainant:	Propertymark
Reference:	Y0001292
Date:	15 February 2023

A. INTRODUCTION

A Disciplinary Tribunal of Propertymark Limited was convened on 15 February 2023 to consider the case against Mr Michael Glover.

The panel members were Mr Richard Hair PPNAEA (Honoured) (member panellist acting as the Chairperson for the Tribunal), Mr Simon O'Brien MARLA, MNAEA (Comm), MNAEA, ANAVA (member panellist) and Mr Stephen Shaw CBE (lay panellist).

The presenting Case Officer for Propertymark was Mr Ali Haider.

Mr Glover was in attendance in the hearing.

The hearing took place in private and was recorded.

B. ALLEGATIONS

The Tribunal considered the allegations set out in the case summary sent to Mr Glover.

It was alleged that Mr Glover had acted in contravention of the requirements of the following Propertymark Conduct and Membership Rules.

1.9. Title and Conditions of a Client (Bank) Account

1.9.1. All members who receive, or may receive, deposits in transactions to which the Estate Agents Act 1979 applies shall open and operate a distinct Clients' Account for that purpose in accordance with the requirements of that Act and with the Regulations made under it.

1.9.2. A PPD member's firm that receives or holds Client money must maintain at least

one Client (Bank) Account for this purpose.

1.9.3. Any such account(s) must include both the word “Client” and the legal name of the Principal Agent or CASP in the title.

1.9.4. The PPD member’s firm must hold on file in its records, written confirmation from any bank or building society where a Client (Bank) Account is held, that the following conditions apply to any such account(s):

(a) All money held in the account is Clients’ Money; and

(b) The bank or building society is not entitled to combine the account with any other account or to exercise any right of set-off or counter claim against money in that account in respect of any sum owed to it on any other accounts of the member or the member’s firm.

1.23. Reconciliation(s) – format and frequency

1.23.1. Every member’s firm shall:

(a) Ensure all monies due to member firm are removed prior to final reconciliations being undertaken.

(b) At least once every two calendar months (and within no later than ten weeks of a previous reconciliation), reconcile the balance on their Client’s cash book(s):

(i) With the balance in their Client Bank Account(s) using the bank/building society statement(s); and

(ii) With the total of each Client’s balance in the Clients’ ledger; and

(c) Ensure that such documents necessary to support the reconciliation so produced have been kept safe, complete and readily available in the cash book or other appropriate place.

1.23.2. All such reconciliations should be checked and signed by the PPD member of the company, or by such person formally appointed by the PPD, who shall not be the person responsible for the preparation of such reconciliation. (This could be a member of staff of the appointed reporting Accountant, provided this is carried out within ten working days of the reconciliation.)

1.23.3. Reconciliations must be stored so as to be readily available at audit or inspection, in accordance with **1.21**.

13. General duty to uphold high standards of ethical and professional behaviour

13.1. No member shall do any act (whether in business or otherwise) which:

13.1.1. Involves dishonesty, deceitful behaviour, or misrepresentation; and/or

13.1.2. Involves other unprofessional practice or practice that is unfair to members of the public; and/or

13.1.3. In any other way brings Propertymark or any of its divisions or subsidiaries into disrepute.

21. Continuing Professional Development (CPD)

21.1. CPD is mandatory for all ARLA, ARLA Inventories, NAEA, NAEA Commercial and NAVA members except for Affiliate, Deferred, Retired grade members.

21.2. Members are required to undertake at least twelve hours' CPD activity per year. At least four of the twelve hours must be obtained by attendance at relevant educational events and up to eight hours by relevant private study (except for those studying for Propertymark Qualifications relevant to their specialism). All CPD should be relevant to the membership specialism and/or relevant to business needs.

21.3. The CPD year runs from 1 January to 31 December and the twelve hours should be submitted by 31 January of the following year, listing the learning outcomes.

21.4. CPD must be provided annually for membership to continue.

21.5. If members belong to more than one division, they are required to submit twelve hours' CPD for each division demonstrating a relevant learning outcome.

Mr Glover entered a plea admitting the alleged breaches of Rules 1.9, 1.23, 13 and Rule 21.

C. DECISION

Rule 1.9	-	Admitted
Rule 1.23	-	Admitted
Rule 13	-	Admitted
Rule 21	-	Admitted

D. SANCTIONS

Rules 1.9 and 1.23	-	£2,750
Rule 13	-	£250
Rule 21	-	£100

In addition, the costs of this hearing of £625 were imposed against Mr Glover in favour of Propertymark.

E. PUBLICATION

The outcome of the case fell within the Propertymark publication policy.

F. CLOSING STATEMENT

The Tribunal made the following statement:

“The Tribunal first of all thank Mr Glover for his attendance today and for his very helpful input. We are confident that we will not expect to see you again. We acknowledge the particular difficulties with regards to the banks and Covid. However, this is a salutary lesson in the need for timely responses to avoid resulting consequence. We think it is worth mentioning that Propertymark is there to assist members when difficult matters such as this arise, and they are there to provide help and advice.