

propertymark

Mr Graham Marshall MNAEA, MARLA
Director of
Triple Black Limited
trading as
Stratton Oak Estates

Disciplinary Tribunal Decision

June 2025

Disciplinary Tribunal Decision

Member: Mr Graham Marshall MNAEA, MARLA
Position: Director
Company/Employer: Triple Black Limited t/a Stratton Oak Estates
Address: 86 Fairmile Road
Christchurch
BH23 2LN
Complainant: Propertymark
Reference: Y0003932
Date: 25 June 2025

A. INTRODUCTION

A Disciplinary Tribunal of Propertymark Limited was convened on 25 June 2025 to consider the case against Mr Graham Marshall.

The panel members were Mr Richard Hair PPNAEA (Honoured) (member panellist acting as the Chairperson for the Tribunal, Ms Jane Bennett (lay panellist) and Mr Clive Wood (lay panellist).

The presenting Case Officer for Propertymark was Mr Victor Zillmer.

Mr Marshall attended the hearing in person and the hearing was recorded.

B. ALLEGATIONS

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

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

1. ACCOUNTING 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.

1.25. Eligibility of Accountants

1.25.1 Where this clause does not conflict with clause

1.24 above, an Accountant is eligible and qualified to give an Accountant's Report for the purposes of this Rule if he or she is a member of any of the following:

- Institute of Chartered Accountants in England and Wales
- Institute of Chartered Accountants of Scotland
- Chartered Accountants Ireland
- Association of Chartered Certified Accountants

and has a practising certificate from one of the aforementioned bodies, required to undertake such work, where applicable.

1.25.2 And also, if the agent carries out transactions regulated by the Estates Agents Act 1979:

- An individual who is a registered auditor within the terms of Section 1239 of the Companies Act 2006; or
- An employee of such an individual; or
- A partner in or employee of a partnership that is a registered auditor within the terms of the Companies Act 2006; or
- A director or employee of a company that is a registered auditor within the terms of the Companies Act 2006; or
- A member or employee of a limited liability partnership under the Limited Liability Partnership Act 2000 that is a registered auditor within the terms of the Companies Act 2006.

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.

17. PERSONAL DECLARATIONS, APPLICATIONS, AND FEES

17.1 Any person wishing to become a Member of Propertymark shall complete the application form, including declaration questions, and provide payment upon receipt of invoice. Membership is not finalised until these steps have been completed.

17.2 All Members are required to complete the renewal form, including declaration questions annually and provide payment upon receipt of invoice.

17.3 Members are obliged to provide Propertymark with any changes that occur in their status, including any new responsibilities as a PPD that are relevant to their membership within a reasonable time period.

17.4 All members are required to provide contact details (including relevant telephone numbers and email addresses), including primary work and other business and home address details and to advise the Membership Department of any changes to these details. This is to ensure members can be contacted at any time.

17.5 We retain the right to refuse membership or terminate members as a result of matters disclosed, or because of a failure to disclose.

17.6 Members are required to pay an annual subscription fee as set by the Propertymark Board. Any concessions to the fees must be agreed by the Propertymark Board.

23. CONTINUING PROFESSIONAL DEVELOPMENT (CPD) RULES

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

23.2 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.

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

23.4 CPD must be provided annually for membership to continue.

23.5 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 Marshall entered a plea admitting all alleged breaches.

C. DECISION

Rule 1.9	–	Admitted
Rule 1.25	–	Admitted
Rule 13	–	Admitted
Rule 17	–	Admitted
Rule 23	–	Admitted

Mr Marshall entered a plea in mitigation in respect of all of the admitted breaches.

D. SANCTIONS

Rule 1.9	–	£1000
Rule 1.25	–	£100
Rule 13	–	£250
Rule 17	–	£250
Rule 23	–	£100

In addition, the costs of the hearing of £418.50 were imposed against Mr Marshall in favour of Propertymark.

E. PUBLICATION

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

F. CLOSING STATEMENT

“The Tribunal thanks Mr Marshall for his attendance today, and that was very helpful, so thank you. We thank you for your candour. Your plea in mitigation was very helpful, however these breaches are of a very serious nature, hence the fines involved. Thank you.”

Mr Richard Hair PPNAEA (Honoured)

Disciplinary Tribunal Chairperson