

propertymark

Mr Kazi Arif

Director,

Prime Property & Finance Ltd

t/a Prime Estate Agents

Disciplinary Tribunal Decision

February 2025

Disciplinary Tribunal Decision

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|--------------------------|--|
| Member: | Mr Kazi Arif, formerly MARLA, MNAEA |
| Position: | Director |
| Company/Employer: | Prime Property & Finance Ltd t/a Prime Estate Agents |
| Address: | 102 Brick Lane, London E1 6RL |
| Complainant: | Propertymark |
| Reference: | Y0004103 |
| Date: | 27 February 2025 |

A. INTRODUCTION

A Disciplinary Tribunal of Propertymark Limited was convened on 27 February 2025 to consider the case against Mr Kazi Arif.

The panel members were Mr Neville Pedersen FNAEA (Honoured) (member panellist acting as the Chairperson for the Tribunal); Mr Steve Shaw (lay panellist); and Mr George Close (lay panellist).

The presenting Case Officer for Propertymark was Mr Ali Haider.

Mr Arif was in attendance at 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 Arif.

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

1.7. Access to, or availability of, Client Money

A member must ensure that, at all times, all Client Money is held in Client bank accounts and is available on demand to Clients without undue delay or penalty. (For the avoidance of doubt, Client Money must not be placed or held in offshore accounts or fixed/variable rate term bonds or similar funds or arrangements. Unless the bank or building society falls within the definitions in **1.2**, funds are available on demand and any penalty for withdrawal is paid by the member's firm.)

1.14. Payments out of a Client bank account

A member's firm should withdraw, transfer, or make a payment from a Client bank account only in the following circumstances:

- 1.14.1. Money paid in to open or maintain the account in accordance with clause **1.13.1** of this Rule and where it is no longer required.
- 1.14.2. Money paid into the account in accordance with clause **1.13.4** of this Rule, which does not belong to the Client, for payment to the person lawfully entitled to it.
- 1.14.3. Within three working days of becoming aware of a relevant contravention, money paid into the account in contravention of this Rule.
- 1.14.4. Money payable to a Client, or, to an appropriate person suitably authorised (in writing) to receive such payments on that Client's behalf.
- 1.14.5. Money being paid directly into another Client bank account.
- 1.14.6. Reimbursement of money to the member's firm for money expended by the member's firm on behalf of the Client.
- 1.14.7. Money lawfully and contractually due, in respect of a PPD member's firm's fees and charges.
- 1.14.8. Legitimate disbursements, e.g., amounts subject to invoices, costs or demands incurred or received on behalf of the Client.
- 1.14.9. Provided that in the case of money drawn under sub-clauses **1.14.6** and **1.14.7** above:
 - (a) The payment is in accordance with lawful and contractual written arrangements (for example via terms of business, pre-contract/tenancy application documents, tenancy agreement, letter of engagement), previously agreed between the parties; or
 - (b) The Client, or an authorised representative, has been notified or invoiced in writing by the member's firm of the amount and purpose for which the money is being withdrawn and no objection has been raised within a reasonable timescale.
- 1.14.10. Always provided that, under rule **1.14**, no payment shall be made for or on behalf of an individual Client that exceeds the total amount held on behalf of that particular Client.

1.18. Record keeping (firms using a CASP; see also 1.3.2)

Each member's firm must keep detailed accounting records, using a bookkeeping system that is adequately designed and operated. Such records need to record:

- 1.18.1. All Clients' Money received, held, or paid out by the firm.
- 1.18.2. The amounts, dates, names, property addresses, reference numbers and other relevant details to identify individual transactions.

1.18.3. Any other money dealt with through a Client bank account, attributable to individual Clients.

1.18.4. An individual Client's balance of monies held, and a balance of all Clients' Money held.

1.19. Books of record

All dealings referred to in clauses **1.18.1** to **1.18.4** above shall be recorded as appropriate, either:

1.19.1. In a Clients' cash book, or in a Client's column of a cash book; or

1.19.2. In a journal recording transfers from the ledger account of one Client to that of another.

1.19.3. **And**, in either case, additionally in a Clients' ledger or in a Client's column of a ledger.

1.20. Supporting documentation

Records must include a list of all persons for whom a member's firm is or has been holding Clients' Money, reconciliation documents, and a list of all the bank and building society account(s) in which the money is held and must include counterfoils or duplicate copies of all receipts issued in respect of Clients' Money received, which shall contain the particulars required to be shown in the accounts.

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, 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.

23. Continuing professional development (CPD) rules

23.1. CPD is mandatory for all ARLA, ARLA Inventories, 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 1 January to 31 December and the twelve hours should be submitted by 31 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 Arif entered a plea admitting the alleged breaches of Rules 1.7, 1.14 and 13 but denied the breaches in relation to Rules 1.18, 1.19, 1.20 and 23.

After consideration of the evidence presented and submissions by the parties, the Tribunal announced the following findings:

C. DECISION

| | | |
|-----------|---|------------|
| Rule 1.7 | - | Admitted |
| Rule 1.14 | - | Admitted |
| Rule 1.18 | - | Not Proven |
| Rule 1.19 | - | Not Proven |
| Rule 1.20 | - | Not Proven |
| Rule 13 | - | Admitted |
| Rule 23 | - | Proven |

D. SANCTIONS

| | | |
|---------------------|---|----------------|
| Rules 1.7, 1.14, 13 | - | £2500 |
| Rule 23 | - | Formal Warning |

In addition, the costs of this Hearing of £407.60 were imposed against Mr Arif in favour of Propertymark.

E. PUBLICATION

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

F. CLOSING STATEMENT

“The Tribunal thanks Mr Arif for his attendance at today’s Hearing which has assisted the Tribunal in their deliberations. Using clients’ monies for the running of the business is a breach of one of the most fundamental Rules of this Association. It is a breach of trust that the public puts in the profession which then reflect very badly on the profession and on Propertymark. Mr Arif’s membership was terminated in June 2024”.

Mr Neville Pedersen FNAEA (Honoured)
Disciplinary Tribunal Chairperson

propertymark

Mr Kazi Arif
Director,
Prime Property & Finance Ltd t/a
Prime Estate Agents

Appeal Tribunal Decision

October 2025

Appeal Tribunal Decision

Member: Mr Kazi Arif, formerly MARLA, MNAEA

Position: Director

Company/Employer: Prime Property & Finance Ltd t/a Prime Estate Agents

Address: 102 Brick Lane, London E1 6RL

Reference: Y0004103

Date: 23 October 2025

A. INTRODUCTION

An Appeal Tribunal of Propertymark Limited was convened on 23 October 2025 to consider the appeal of Mr Arif following a Disciplinary Tribunal held on 27 February 2025.

The Appeal Panel members were Mrs. Carol Brady MBE (lay panellist acting as the Chairperson for the Tribunal), Mr Richard Hair PPNAEA (Honoured)(Retd) (member panellist); and Noel Hunter OBE (lay panellist).

The Case Officer for Propertymark was Mr Ali Haider.

Mr Arif was not in attendance at the Hearing.

The Hearing took place in private and was recorded.

B. DISCIPLINARY HEARING FINDINGS AND SANCTIONS

Mr Arif was found to have acted in breach of the following Propertymark Conduct and Membership Rules at the Hearing held on 27 February 2025 and the penalties imposed were:

| Alleged Breach | Findings | Sanction |
|-----------------------|-----------------|-----------------|
| Rule 1.7 | Admitted | £2500 |
| Rule 1.14 | Admitted | |
| Rule 13 | Admitted | |
| Rule 23 | Proven | Formal Warning |

A sum of £407.60 was imposed on Mr Arif towards the costs of the Hearing.

The case fell within the Propertymark Publication Policy.

C. APPEAL TRIBUNAL'S DECISION

After considering the evidence and after deliberation, the Appeal Tribunal made the following statement of findings:

“The Panel have considered the grounds of Mr Arif’s Appeal, and in the absence of any evidence from Mr Arif and given the serious nature of the admitted breaches, we have found the Appeal not proven and not upheld. I should also state that we have also considered the sanctions that were originally applied, and we have found no reasons to change those. To further add in the Appeal from Mr Arif that costs will be awarded of £515 in favour of Propertymark.”

D. DECISION SUMMARY

| Alleged Breach | Findings | Sanction |
|-----------------------|-----------------|-----------------|
| Rule 1.7 | Admitted | £2500 |
| Rule 1.14 | Admitted | |
| Rule 13 | Admitted | |
| Rule 23 | Proven | Formal Warning |

In addition to the costs of **£407.60** imposed against Mr Arif at the original Hearing, **£515** was also awarded in costs of the Appeal Hearing in favour of Propertymark.

Mrs. Carol Brady MBE
Appeal Panel Chairperson