



In the matter of
Case No. X0054963 Mr G Barfoot v Mr A Whitehead, The Flat Agency & Michael Browns Limited

Disciplinary Tribunal Hearing held on
Thursday 21 July 2016

Case of
Mr Andrew Whitehead, a Director
of The Flat Agency & Michael Browns Limited, 196 Shirley Road, Southampton,
Hampshire, SO15 3FL

A former member of NAEA
at
NFoPP, Arbon House, 6 Tournament Court, Edgehill Drive, Warwick, CV34 6LG

Alleged breaches as set out by the Disciplinary Case Manager

General Duty to uphold high standards of ethical and professional behaviour
No Member shall do any act (whether in business or otherwise) which:

Conduct Rule 12.1.1

Involves dishonesty, deceitful behaviour, or misrepresentation, or

Conduct Rule 12.1.2

Involves unprofessional practice, or practice that is unfair to members of the public,
or

Conduct Rule 12.1.3

In any other way brings the NFoPP or any of its divisions or subsidiaries into disrepute.

Conduct Rule 13.1

Duty to assist in Disciplinary Proceedings

Members shall co-operate with disciplinary proceedings taken against them or other members.

After consideration of the facts and submissions the Tribunal found as follows:

Alleged Breach	Findings	Sanction
Conduct Rule 12.1.1	Proven	} }

Conduct Rule 12.1.2	Proven	} £3,000
Conduct Rule 12.1.3	Proven	} } }
Conduct Rule 13.1	Proven	} }

Costs of £187 were imposed on Mr Whitehead in favour of the NFoPP.

Publication

The finding and sanction in the case fell within the NFoPP's publication policy.

The Tribunal issued the following statement:

"We thank Mr. & Mrs. Barfoot for their coming today. Your attendance always assists in a determination and understanding of a case.

The facts today have been based upon reasonable probability as to what has happened and the sum of £880 is owed to you as the complainant.

The former member has put the claimant through undue stress in his dealings and attempted dealings with Mr. Whitehead.

All attempts to communicate with Mr. Whitehead by NFoPP have also proved unsuccessful.

With regard to the sanctions we have had regard to the fact that the member had already been expelled prior to this case being brought to our attention. We have dealt with the sanctions of the various four breaches that we have found to have been proven, collectively and we fine the former member £3000 in respect of this particular case.

Probably as important, there is a pattern of failed trading with loss to members of the public and we therefore propose that this expulsion from membership and the fines imposed upon that former member be publicized in the local press and trade media in your area so that if there is a re-emergence of this person in his trade, others may be aware."