

In the matter of
Case No. X0055531
Mr Steve Housden v Mr. Michael Cowell ANAEA MARLA, Cowell & Norford, 106
Yorkshire Street, Rochdale, Lancashire, OL16 1JY

Disciplinary Tribunal Hearing held on
Thursday 23 March 2017

Case of
Mr. Michael Cowell, a Director,
of Cowell & Norford (Bury) Limited, t/a Cowell & Norford, 106 Yorkshire Street,
Rochdale, Lancashire, OL16 1JY

A member of ARLA and an Associate member of NAEA
at
Propertymark, Arbon House, 6 Tournament Court, Edgehill Drive, Warwick, CV34 6LG

Alleged breaches as set out by the Disciplinary Case Manager:

Conduct & Membership Rules

Rule 3.1 – Complaint Handling Procedure

A PPD member's firm must have a written, in-house complaints handling procedure. A suggested format for a procedure is available from NFOPP Regulation or from the NFOPP regulation website

NAEA Rules of Conduct

Rule 6 – Duty to abide by the aims and rules of the Association

Every member shall in his business dealings conform to the statement of Aims of the Association, together with these Rules and any other rules and Regulations made from time to time by the Association.

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

Alleged Breach	Findings	Sanction
Conduct Rule 3.1	Proven	£5,000
NAEA Rules of Conduct Rule 6	Proven	£5,000

Costs of £150 were imposed on Mr. Cowell in favour of the Propertymark.

The Tribunal issued the following statement:

“We are appalled at our member’s actions in this matter. Mr. Cowell has not even attended here today but has sent another representative from his firm to this tribunal in his place without providing them with any documentation relative to the case.

Mr. Cowell failed to provide the file on this property to the Ombudsman and has failed to produce his file either in advance as requested or with his representative at today’s hearing. Through no fault of his own, Mr. Cowell’s representative was ill-prepared for today’s hearing.

It would appear that Mr. Cowell has breached his responsibilities to both the vendor and the potential purchaser. We view this matter extremely seriously and will ask Propertymark to consider reporting the matter to other agencies.

We expel Mr. Cowell from membership of this Association, fine him £5,000 for the breach of Rule 3.1 and £5,000 for the breach of Rule 6, together with a contribution of £150 costs towards today’s hearing.

We have great sympathy with Mr. Housden, our complainant, a former member of our armed forces, for the disgraceful way he was treated by a member of this Association.”