



**Mr Riccardo Giovanacci MARLA
MNAEA**

**Director, Drumwhirn Property Letting
Limited t/a Newton Letting**

Disciplinary Tribunal Decision

24 March 2021

Disciplinary Tribunal Decision

Member:	Mr Riccardo Giovanacci MARLA MNAEA
Position:	Director
Company/Employer:	Drumwhirn Property Letting Limited t/a Newton Letting
Address:	Suite 2.1, 116 Elderslie Street, Glasgow, G3 7AW
Complainant:	Mr Peter Meyer
Reference:	X0059409
Date:	24 March 2021

A. INTRODUCTION

A Disciplinary Tribunal of Propertymark Limited was convened on 24 March 2021 using the Zoom virtual conferencing platform to consider the case against Mr Riccardo Giovanacci MARLA MNAEA).

The panel members were Mr Michael Jones PPNAEA (Honoured) MARLA (member panellist acting as the Chairperson for the Tribunal), Mrs Jacqueline Stone FNAEA (member panellist) and Mr Noel Hunter, OBE (lay panellist).

The presenting Case Officer for Propertymark was Mr Hadley Easterlow.

Mr Giovannaci and Mr Meyer were 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 Giovanacci on 2 March 2021.

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

Propertymark Conduct and Membership Rules

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.

C. DECISION

The Tribunal accepted Mr Giovannacci's admittance of the breaches and asked consequent questions of both the member and the complainant.

Rule 13 - Admitted

Mr Giovannaci submitted a plea in mitigation.

D. SANCTIONS

Rule 13.1.2 - £250

Rule 13.1.3 - £250

In addition, costs were imposed of £155 against Mr Giovanacci in favour of Propertymark.

E. PUBLICATION

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

F. CLOSING STATEMENT

The Tribunal made the following statement:

“Mr Giovanacci, thank you for attending this Tribunal. We appreciate the apology to the complainant and we also understand that you have amended your procedures, although quite clearly you have breached Rule 13. We have taken into consideration that you have already had a compensation order against you.

The panel have deliberated and we have looked at Rule 13. 13.1.1 we don't believe there was dishonest or deceitful behaviour, or misrepresentation in this matter but there was clearly unprofessional practice or practice unfair to members of the public, and by the member being taken to the First Tier Tribunal it has brought Propertymark into disrepute because of your involvement.”