



In the matter of
Case No. X0054735 Ms. Denise Theophilus v Mr. John Hards FARLA, Countrywide Residential Lettings Limited

Disciplinary Tribunal Hearing held on
Thursday 28 April 2016

Case of

Mr. John Hards FARLA, a Director of Countrywide Residential Lettings Limited, Countrywide House, Lake View Drive, Annesley, Nottingham, NG15 0DT

A fellow of ARLA

at

NFoPP, Arbon House, 6 Tournament Court, Edgehill Drive, Warwick, CV34 6LG

Alleged breaches as set out by the Disciplinary Case Manager

The initial case was brought citing a breach of:-

Bye-Law 1.38

Conduct and Behaviour

An individual member shall conduct themselves at all times in accordance with the Association's core values e.g. "promoting the highest standards in residential lettings...". This means they are expected to act with integrity; be open and transparent in their dealings; always be honest; know and act within their limitations; be accountable for their actions; treat others with respect; be objective at all times and set a good example.

Bye-Law 1.40 – incorporating the Code of Practice 1d

Compliance

Individual Members must abide at all times with these Bye-Laws and by the ARLA Code of Practice insofar as they may be applied to Individual Members and within the limitations or restrictions imposed on their operating standards, if they are employed by a non ARLA PPD member. An Individual member who is a PPD must comply with the Bye-Laws of the Association to include the provision of Audited Accounts, Professional Indemnity Insurance and Client Money Protection.

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

Alleged Breach	Findings	Sanction
Byelaw 1.38	Admitted	£1,000
Byelaw 1.40	Withdrawn	N/a

Costs of £199 were imposed on Mr. Hards 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:

"The Tribunal is disappointed that another case relating to the handling of complaints by Countrywide has been brought before us. There were significant fines imposed in the last matter which indicates the seriousness of the earlier issue.

We appreciate the attendance of Mr. Speak and Mr. Williams at the hearing today and that they have accepted that Countrywide's service and complaints handling had fallen short of good practice once again. We appreciate too that there have been staff changes that may have affected the handling of this case and that Countrywide is taking this matter very seriously, however, we consider that the matter was handled very poorly and that the complainant was badly treated and that there is reason to impose a penalty of £1000 plus costs of £199 for the breach of Byelaw 1.38."