



**In the matter of**  
**Case No. X0054965 Mrs J Qualters 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:

<b>Alleged Breach</b>	<b>Findings</b>	<b>Sanction</b>
<b>Conduct Rule 12.1.1</b>	Proven	} }

<b>Conduct Rule 12.1.2</b>	Proven	} £3,000
<b>Conduct Rule 12.1.3</b>	Proven	} } }
<b>Conduct Rule 13.1</b>	Proven	} }

Costs of £51 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:

“On the basis of the evidence supplied by the complainant conduct falls far below the standard expected of one of our members.

The former member has put the complainant through undue expense and time in pursuing rental owed and the issue of the deposit is still unresolved. We have regard to the fact that the former member has already been expelled from membership.

As sanction for the four proven breaches we impose a fine of £3,000.

Given there is a pattern of failed trading with loss to members of the public, Mr. Whitehead's expulsion from membership and that fines have been imposed will be publicized in the local press and media.”