

propertymark

**Mr Mark Towell MARLA,
Director,
Prospect Holdings (Reading) Ltd t/a
Prospect Estate Agency**

Disciplinary Tribunal Decision

October 2023

Disciplinary Tribunal Decision

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| Member: | Mr Mark Towell MARLA |
| Position: | Director |
| Company/Employer: | Prospect Holdings (Reading) Ltd t/a Prospect Estate Agency |
| Address: | 24 King Street, Reading, RG1 2HE |
| Complainant: | Propertymark |
| Reference: | Y0001902 |
| Date: | 17 October 2023 |

A. INTRODUCTION

A Disciplinary Tribunal of Propertymark Limited was convened on 17 October 2023 to consider the case against Mr Mark Towell.

The panel members were Mr Richard Hair PPNAEA (Honoured) (member panellist acting as the Chairperson for the Tribunal); Ms Katie Roughley MARLA (Honoured) (member panellist); and Mr Clive Wood (lay panellist).

The presenting Case Officer for Propertymark was Mr Ali Haider.

Mr Mark Towell attended the Hearing.

Mr Salvator Verardi, the complainant, attended the Hearing, accompanied by his wife, Mrs Edyta Verardi, and his daughter, Ms Elena Verardi.

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 Mark Towell.

It was alleged that Mr Mark Towell had acted in contravention of the requirements of the following 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, 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.

23. Continuing professional development (CPD) rules

- 23.1.** CPD is mandatory for all ARLA, ARLA Inventories, NAEA, NAEA Commercial and NAVA members except for Affiliate, Deferred, Retired grade members.
- 23.2.** Members are required to undertake at least twelve hours’ CPD activity per year. At least four of the twelve hours must be obtained by attendance at relevant educational events and up to eight hours by relevant private study (except for those studying for Propertymark Qualifications relevant to their specialism). All CPD should be relevant to the membership specialism and/or relevant to business needs.
- 23.3.** The CPD year runs from 1 January to 31 December and the twelve hours should be submitted by 31 January of the following year, listing the learning outcomes.
- 23.4.** CPD must be provided annually for membership to continue.
- 23.5.** If members belong to more than one division, they are required to submit twelve hours’ CPD for each division demonstrating a relevant learning outcome.

Mr Mark Towell entered a plea denying the alleged breach of Rule 13 but accepted the alleged breach of Rule 23.

After consideration of the evidence presented and submissions by the parties, the Tribunal announced the following findings:

C. DECISION

- Rule 13 - Proven
- Rule 23 - Admitted

D. SANCTIONS

After considering a plea in mitigation the Tribunal announced the following sanctions

- Rule 13 - £1000
- Rule 23 - £200

In addition, the costs of this Hearing of £587.00 were imposed against Mr Mark Towell in favour of Propertymark.

E. PUBLICATION

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

F. CLOSING STATEMENT

‘The Tribunal would firstly like to say to all four of you, thank you so much for your attendance today that has helped the proceedings and make the whole process work so much better, so thank you. Unfortunately, there is no evidence that the proof of ID was handled without error.

This resulted in an unfair outcome for an unconnected member of the public. We believe an early resolution to this complaint should have been possible. We do however note a great deal of good practice within our member’s business but have identified knowledge gaps which would benefit from training.’