

Disciplinary case copied from RICS website at 13 November 2005

Julian G Smith
Alan Fraser & Co
London SE11

The Disciplinary Board found proved twelve charges against Mr Smith based on his admissions. It expelled him from Membership in respect of each charge.

Ten charges arose from Mr Smith's failure to:

- submit certificates and accountant's reports for two years;
- maintain properly written up books of accounts to show his dealings with clients money;
- carry out bank reconciliations;
- maintain a list of all persons for whom clients money was or had been held and a list of all client bank accounts;
- pay clients money without delay into a client bank account;
- ensure all signatories to his client bank account were properly authorised;
- and pay only items into client account as specified in the Rules.
- There was also a charge of withdrawing money from a client account which exceeded the total amount of money held on behalf of the client in question in that client account.
- The final charge was of conduct unbecoming following a letter to the Institution from Mr Smith saying his ability to restore to client bank account monies improperly paid into an office bank account was hampered by the freezing of the office account by the bank when this was not the case.

The Board ordered Mr Smith to contribute towards the costs of the hearing in the sum of £7 750 and ordered publication in a local newspaper circulating in the area the practice is based.