

Andrew Goff
Stirling Ackroyd Ltd, London EC2A

At a hearing on 16 June 2004, the Disciplinary Board found proved ten charges based on the Member's own admissions. The charges and penalties, imposed after consideration of his previous conduct record (see Appeal Board notice for 18 February 2004) and mitigation offered, were as follows –

	Regulation	Reason	Penalty
1	Bye-Law 19 (1)	Conduct unbecoming a Chartered Surveyor by breaching the terms of an undertaking given to an Appeal Board on 18 February 2004.	Expulsion
2	Bye-Law 19 (6) and Rule 4 to Schedule 1	Failure to maintain any professional indemnity insurance cover between 06 March and 28 April 2004 and failure to maintain compliant professional indemnity insurance cover from 29 April to 16 June 2004.	Expulsion
3	Conduct Regulation 27.7.13.1(a) and 27.7.13.2	Failure to deliver to the Institution the required certificate within six months of the year ending 31 March 2003.	Expulsion
4	Conduct Regulation 27.7.13.1(b) and 27.7.13.2	Failure to deliver to the Institution an Accountant's Report within six months of the year ending 31 March 2003.	Expulsion
5	Rule 17 of the Members Accounts Rules (MAR) 2003	Failure to get his firm's bankers written agreement to the required client account conditions.	Expulsion
6	Rule 21 of the MAR 2003	1) Overdrawing on client account 2) Allowing bank charges to be debited to a client account 3) Effecting round sum transfers from client to office account in anticipation of fees yet to be invoiced.	Expulsion
7	Rule 25(2) MAR 2003	Failure to ensure that all client bank account signatories were subject to a fidelity guarantee in the Professional Indemnity Insurance Policy	Expulsion
8	Rule 26(1) and/or Rules 26(2) MAR 2003	Failure to maintain properly written up books of accounts to show dealings with clients monies as required by MAR	Expulsion
9	Rule 26(3) MAR	Failure to carry out the required reconciliations and/or reconciled on a timely basis, client ledgers, cash books and bank accounts	Expulsion
10	Rule 26(6)	Failure to retain a formal list of bank accounts in which client money is held	Expulsion

The Board gave credit to Mr Goff for his admissions and accepted he had made some efforts to comply with the MAR, effect appropriate insurance and to meet the terms of his undertaking to the Appeal Board but said these efforts were patently insufficient so that expulsion was the only appropriate penalty on each charge. It ordered Mr Goff to contribute to the cost of the hearing in the sum of £10,471 and it also ordered publication of its findings in RICS Business including the website and in a local newspaper.