

SINGLE MEMBER OF THE REGULATORY TRIBUNAL DECISION SHEET

RICS Regulatory Tribunal Rules 2022

Part VI, Regulatory Tribunal Single Member Decision

Regulated Member: Milan Sovilj

Single Member Decision of: Sabrina Sheikh

Case Number: CON002309

Date of Decision: 30th March 2025

CHARGE

The charge against the Regulated Member (Mr Sovilj) is:

"Between 1 January 2023 and 1 February 2024, you have failed to comply with RICS' requirements in respect of Continuing Professional Development (CPD) in that you have not completed and recorded, or caused to be recorded, at least 20 hours of CPD on the RICS CPD portal."

Contrary to Rules 1 and 2 of the Rules of Conduct 2022.

ALLEGED RULE/S BREACH

- Rule 1 (Rules of Conduct): *"Members and firms must be honest, act with integrity and comply with their professional obligations, including obligations to RICS."*
- Appendix A (Core Professional Obligations to RICS): *"1. Members must comply with the CPD requirements set by RICS."*
- Rule 2 (Rules of Conduct): *"Members and firms must maintain their professional competence and ensure that services are provided by competent individuals who have the necessary expertise."*

- Example Behaviour 2.5 (under Rule 2): *"Members maintain and develop their knowledge and skills throughout their careers. They identify development needs, plan and undertake CPD activities to address them and are able to demonstrate they have done so."*
- RICS Bye-Law 5.2.2(c): *"A Member may be liable to disciplinary action under these Bye-Laws... by reason of: ... (c) a failure to adhere to these Bye-Laws or to Regulations or Rules governing Members' conduct."*

These Rules and obligations make clear that completing and recording required CPD is a mandatory professional obligation for all RICS members. Failure to do so constitutes a breach of professional conduct.

Mr Sovilj has contravened rules 1 & 2 of the Rules of Conduct for Members 2021 and is therefore liable to disciplinary action under Bye-law 5.2.2(c).

MATERIALS CONSIDERED

To assist in reaching this decision, I considered all the material before me, including:

RICS CPD Disciplinary Bundle – containing relevant correspondence and evidence. This bundle included:

- Witness statements from RICS staff, namely Ms Rohima Akhtar (Regulatory Support & CPD Officer) and Ms Kieron Cathcart (Regulation Support Team Manager), both dated 27 January 2025.

These statements detail Mr Sovilj's CPD record, and the communications sent to him regarding his CPD compliance (via email).

- Copies of RICS guidance documents on CPD, including the "CPD Requirements and Obligations" and the RICS CPD FAQs (15 August 2022)
- These set out the CPD rules (minimum 20 hours per year, including 10 formal hours, to be recorded by 31 January of the following year).

- Regulatory correspondence and evidence of previous sanctions
- Rules of Conduct 2022
- Bye-law 5.2.2
- RICS Sanctions Policy: Guidance to the Regulatory Tribunal Rules (Version 9)
- RICS Regulatory Tribunal Rules (Version 2)
- Head of Regulation's Recommendation
- Correspondence from Mr Sovilj: *No substantive response was received from Mr Sovilj* to any of the above communications. In particular, he did not respond to the Notice of Referral to a Single Member sent on 20 February 2025, nor did he provide any written submissions or explanation for his non-compliance.

All of the above materials were provided to me and have been taken into account in making this decision.

BACKGROUND

Mr Milan Sovilj became a RICS member on the 9th December 2016, (MRICS). Rohima Akhtar's witness statement presented a summary of Mr Sovilj's CPD compliance record from 2016 through 2023. This evidence shows that Mr Sovilj was generally compliant with the CPD rule in earlier years but failed to comply in recent years. In particular, the recorded CPD hours by year are as follows

- **2016** – Requirement met (at least 20 hours recorded)
- **2017** – Requirement met
- **2018** – Requirement met
- **2019** – Requirement met
- **2020** – Requirement met
- **2021** – 0 hours recorded (non-compliant)
- **2022** – 0 hours recorded (non-compliant)

- **2023** – 0 hours recorded (non-compliant)

As the above list shows, Mr Sovilj did not record any CPD hours for the years 2021, 2022, and 2023, each of which is a breach of RICS' CPD requirements. He had no approved CPD concession or exemption recorded for those years (and none in particular for 2023). Thus, he was obliged to complete the minimum CPD and failed to do so in each of those years.

It is noted that Mr Sovilj had previously been subject to RICS's fixed penalties for CPD breaches. Following the 2021 CPD breach, he received a Caution (formal warning) in early 2022. After the 2022 CPD breach, a Fixed Penalty Fine was imposed (in 2023), which RICS records indicate Mr Sovilj paid. Despite these earlier sanctions, Mr Sovilj again failed to complete any CPD in 2023. RICS' records also show that Mr Sovilj continued his membership and paid his annual subscription fees for 2023/2024, indicating his intention to remain a practising RICS member during that period.

Given Mr Sovilj's repeated non-compliance, this matter was referred for disciplinary action. Under Rule 8(c)(i) of the RICS Regulatory Tribunal Rules, the Head of Regulation may refer a case to a single-member tribunal if *"a Regulated Member has failed to meet the requirements in respect of Rule 2 of the Rules of Conduct for a third or subsequent time, in accordance with... the Sanctions Policy."*

Mr Sovilj's case falls squarely within this provision, as 2023 represents his third CPD breach within a ten-year period.

Mr Sovilj was served with the formal Notice of Hearing and referral on 19–20 February 2025 (via email to his registered email address, and by post to his registered postal address) as per Kieron Cathcart witness statement. He did not respond to the Notice or otherwise engage with RICS in this disciplinary process. Having been satisfied that the Notice was properly served (e.g. delivery to his email, which remained on file), and that Mr Sovilj had adequate opportunity to engage, I proceeded to determine the case as a Single Member Decision (SMD) in accordance with the Rules and the Sanctions Policy.

FINDINGS OF FACT

I have carefully considered all the information from the investigation report and supporting evidence which clearly set out Mr Sovilj alleged failings regarding CPD requirements.

Mr Sovilj recorded 0 hours of CPD for 2023. No exemption or concession was on record for the relevant year. Mr Sovilj had previously breached CPD requirements in 2021 and 2022 for which he was handed a caution and then a caution and a fine. CPD reminders were sent Mr Sovilj by email multiple times between November 2023 and March 2024. Kieron Cathcart, Regulation Support Team Manager at RICS, confirmed that:

- Email reminders were sent using Adobe Campaign (ACS), RICS' bulk communication tool.
- Reports were generated by the Business Improvement and Performance team listing members who had not recorded 20 hours of CPD and were not exempt.
- Members, including Mr Sovilj, received reminder emails on the following dates: 15 Nov 2023, 13 Dec 2023, 10 Jan 2024, 7 Feb 2024, 21 Feb 2024, and 13 Mar 2024.
- Each email stated that all practising RICS members must complete 20 hours CPD (10 formal) by 31 Dec 2023 and record it by 31 Jan 2024.
- Members with multiple prior breaches were warned of possible expulsion under the Sanctions Policy.
- A hard copy letter was also sent in mid-April 2024 to members with a third or subsequent breach, regardless of whether an email address was on record.

I find the facts as set out in the investigation report and supporting evidence proved.

LIABILITY FOR DISCIPLINARY ACTION

The requirement to complete and record CPD is a fundamental and core obligation of RICS membership. Failure to meet this requirement undermines professional standards, competency, and public protection.

Mr Sovilj has now committed three breaches within a 10-year period. Despite prior sanctions, he failed to comply again in 2023 and has shown no engagement or insight into the disciplinary process.

I find Mr Sovilj's failure to comply with CPD obligations is sufficiently serious to give rise to liability for disciplinary action under Bye-law 5.2.2(c).

REGULATORY SANCTION

I have carefully considered the RICS Sanctions Policy (Version 9). Paragraph 22.1 provides that a third CPD breach within a 10-year period carries a presumption of expulsion.

Aggravating factors:

- Third CPD breach in a 10-year period following previous sanctions (caution and fine).
- Ongoing payment of membership fees indicates intention to practise without CPD compliance.
- No response, explanation, or engagement with the process.
- Mr Sovilj has not recorded CPD since 2020.
- Despite receiving six email reminders and a hard copy letter, he failed to comply or respond.

Mitigation: None provided.

I do not consider that a further caution, fine, or imposition of conditions would be appropriate or effective in ensuring compliance. A pattern of disregard for regulatory obligations has been established.

I consider that expulsion is the most appropriate and proportionate sanction to maintain public confidence in the profession, protect the public interest, and uphold the integrity of RICS regulation.

ORDER MADE

In accordance with Part VI of the Regulatory Tribunal Rules, I make the following order:

That Milan Sovilj be expelled from RICS membership.

TAKING EFFECT OF ORDER

In accordance with Part VI of the Regulatory Tribunal Rules, this order will take effect 14 days from service of the Single Member's decision upon the Regulated Member, unless notification in writing is received from the Regulated Member or RICS stating that they consider that the findings and/or the Regulatory Sanction imposed by the Single Member are wrong

Costs

In accordance with Part VI of the Regulatory Tribunal Rules, I make the following order in respect to costs: In the absence of a statement of means or any evidence of personal financial circumstances, I find no reason to reduce the standard costs.

Mr Sovilj is ordered to pay costs of £350.

PUBLICATION

In accordance with Part VI of the Regulatory Tribunal Rules, the Single Member's record of Decision will be published following the expiry of 14 days from service of the Single Member's Decision upon the Regulated Member.