

**SINGLE MEMBER OF THE REGULATORY TRIBUNAL
DECISION SHEET**

RICS Regulatory Tribunal Rules 2024

Part VI, Regulatory Tribunal Single Member Decision

Regulated Member: Fong Fu Tak

Single Member Decision of: Emma Moir

Case Number: CON003946

Date of Decision: 16th November 2025

CHARGE

Between 1 January 2024 and 1 February 2025, you have failed to comply with RICS' requirements in respect of Continuing Professional Development (CPD) in that you have not completed and/or recorded, or caused to be recorded, at least 20 hours of CPD on the RICS CPD portal.

ALLEGED RULE/S BREACH

Contrary to Rule 1 of the Rules of Conduct.

The Regulated Member is therefore liable to disciplinary action under Bye-law 5.2.2(c).

MATERIALS CONSIDERED

- RICS Rules, Guidance, Law and Procedure
- Facts and Liability to Disciplinary Action and Sanction (submissions and evidence)
- General Correspondence with Member, Disclosure and Response
- Head of Regulation Recommendation

BACKGROUND

All members (AssocRICS, MRICS and FRICS) must undertake a minimum of 20 hours CPD each calendar year (January to December).

Zero hours of CPD have been recorded online for 2024 in respect of the Regulated Member.

On 10 March 2025, RICS made a phone call to the Member, but there was no answer. No response has since been received.

On 15 October 2025, a hard copy letter was sent to the member; however, no response has been received to date.

The Regulated Member has previously recorded CPD in 2014, 2015, 2016, 2017, 2018, 2019 and 2020 (recorded late in 2018, 2019 and 2020); therefore, demonstrating that they were aware of their CPD obligations.

FINDINGS OF FACT

I have reviewed and considered the evidence contained within the witness statements regarding the Member and note 0 hours of CPD have been recorded online for 2024.

I am satisfied that RICS records demonstrate that the Member has failed to meet the requirements in respect of Rule 1 of the Rules of Conduct – Members and firms must be honest, act with integrity and comply with their professional obligations, including obligations to RICS. Appendix A to the Rules of Conduct sets out the core professional obligations for members including Members must comply with the CPD requirements set by RICS.

LIABILITY FOR DISCIPLINARY ACTION

Contrary to Rules 1 of the Rules of Conduct. The Regulated Member is therefore liable to disciplinary action under Byelaw 5.2.2(c).

REGULATORY SANCTION

Absence of mitigating features.

Aggravating features include zero hours CPD completed, failure to respond to the alleged breaches, and this is the third breach of the CPD requirements. Furthermore, the Regulated Member has paid their membership fees. Payment of fees may suggest the Member has intention to practise without complying with CPD requirements.

The Member's first year breach was in 2022, for which a caution was issued in 2023.

The Member's second year breach was in 2023, for which a caution and fine were issued in 2024.

Paragraph 22.1 of the Sanctions Policy 2022 states that the policy for CPD breaches is as follows:

- a. First breach – Fixed Penalty (caution)
- b. Second breach within 10 years of receipt of a caution - Fixed Penalties (caution and fine)
- c. Third breach within 10 years of receipt of a caution – referral to Single Member or Disciplinary Panel with presumption of expulsion.

The requirement to complete and record CPD is designed to ensure that member's knowledge is up to date and ultimately to ensure public protection

Considering this presumption carefully, and the fact there are no mitigating circumstances I am aware of which may have prevented the Regulated Member from complying with CPD requirements in 2024, I have taken a decision to expel this Member. When considering whether this sanction is proportionate and appropriate, I have considered the Sanctions Policy and all relevant factors.

ORDER MADE

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

Expulsion

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:

£350.00

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.