



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

**RICS Regulatory Tribunal Rules 2024**

**Part VI, Regulatory Tribunal Single Member Decision**

**Regulated Member: Nicholas Timar**

**Single Member Decision of: Jane Bishop**

**Case Number: CON007331**

**Date of Decision: 11 December 2025**

### **CHARGE**

The formal charge against the Regulated Member (Mr Timar) is:

*"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 recorded, or caused to be recorded, at least 20 hours of CPD on the RICS CPD portal."*

### **ALLEGED RULE/S BREACH**

Bye-Law 5.2.2 provides: "A Member may be liable to disciplinary action under these Bye-Laws, whether or not he was a Member at the time of the occurrence giving rise to that liability, by reason of:

*... (c) a failure to adhere to these Bye-Laws or to Regulations or Rules governing Members' conduct; ..."*

Mr Timar has contravened Rule 1 of the Rules of Conduct for Members 2021 requiring Members to be honest, act with integrity and comply with their

professional obligations, including obligations to RICS. Appendix A to the Rules of Conduct for Members contain Members' professional obligations to RICS. Professional obligation 1 is *"Members must comply with the CPD requirements set by RICS."*

Mr Timar is therefore liable to disciplinary action under Bye-law 5.2.2(c).

## **MATERIALS CONSIDERED**

I have had regard to the RICS' bundle of documents consisting of 35 pages.

## **BACKGROUND**

1. The Rules of Conduct for Members 2021 *"...provide a structure for making ethical decisions about how to behave as a professional..."*.<sup>1</sup> Appendix A sets out the core professional obligations of Members and states *"Members must comply with the CPD requirements set by RICS."*<sup>2</sup>
2. RICS' CPD requirements are:
  - i. all Members must undertake a minimum of 20 hours CPD each calendar year (January to December);
  - ii. of the 20 hours at least 10 hours must be formal CPD. The remainder can be informal CPD;
  - iii. all Members must maintain a relevant and current understanding of the professional and ethical standards during a rolling three-year period. Any learning undertaken to meet this requirement may count as formal CPD; and
  - iv. Members must record their CPD activity online by 31 January.
3. In some circumstances, Members can request RICS to grant them an exemption of their CPD requirements.
4. RICS' CPD requirements and obligations documentation sets out what happens if a Member fails to complete and/or record their CPD requirements. A Member's first breach will attract a Fixed Penalty caution

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<sup>1</sup> Paragraph 3 of the Introduction of the Rules of Conduct for Member 2021.

<sup>2</sup> Professional obligations to RICS number 1.

and will remain on the Member's disciplinary record for a period of ten years. A Member's second breach (within ten years of the receipt of a caution) attracts a Fixed Penalty caution and a fine. A Member's third breach (within ten years of the receipt of a caution) attracts the potential to be referred to a Disciplinary Panel which may result in the Member being expelled from RICS Membership and costs being awarded against them.

5. Jody Arnold's (RICS Regulatory Support and CPD Officer) statement dated 5 November 2025, states Mr Timar became a RICS Member on 1 January 1998, he was not granted a CPD concession (exemption) for the 2024 CPD year and his relevant recorded CPD hours were as follows:

Year	Formal Hours	Informal Hours	Total CPD hours recorded
2014	56.5	14	70.5
2015	24	35	59
2016	38	0	38
2017	17	49	66
2018	27	0	27
2019	19.5	20	39.5
2020	17	19	36
2021	27	7.5	34.5
2022	0	0	0
2023	0	0	0
2024	2	0	0

6. Jody Arnold stated at paragraph 8 of her statement that:

*I can confirm that the Member has completed 2 hours for the 2024 campaign, but this is showed as planned activity, not completed.*

7. Jody Arnold's statement was consistent with the relevant RICS' records.
8. Whether Mr Timar did or did not complete 20 hours of CPD in 2024 is unknown. However, I find Mr Timar did not record 20 hours of CPD in 2024 and he has contravened Rule 1 of the Rules of Conduct for Members 2021.

## **FINDINGS OF FACT**

9. Based on the evidence before me, I find the charge against Mr Timar has been proved on the balance of probabilities.

## **LIABILITY FOR DISCIPLINARY ACTION**

10. Mr Timar completed, recorded and exceeded his CPD requirements from 2014 to 2021. He did not record at least 20 CPD hours in 2022 and Jody Arnold states he was cautioned for his first breach. He did not record at least 20 CPD hours in 2023 and Jody Arnold states Mr Timar was cautioned and fined for his second breach. Jody Arnold states RICS' records indicate Mr Timar's fine and RICS 2024/2025 membership fees were paid.
11. Mr Timar became a RICS Member on 1 January 1998 and he has undertaken and recorded his CPD hours since at least 2013. I am satisfied Mr Timar is, and was, aware of his ongoing CPD requirements. Those requirements are not onerous and should have been incorporated into his professional activities.
12. I am satisfied the RICS requirement to complete and record 20 hours of CPD each year is reasonable. The CPD policy has been approved by RICS' Standards and Regulatory Board. The Rules of Conduct for Members and Members' Professional obligations require Members to meet RICS' CPD requirements and a single breach can give rise to a liability to disciplinary action. The purpose of ongoing CPD is, in part, to ensure public protection by consistent standards within the profession and RICS Members have current knowledge in their area of expertise. RICS Members demonstrate compliance with their CPD requirements by recording their CPD activities online by 31 January following the CPD year.
13. Members of RICS agree to adhere to RICS' Rules, Regulations and Bye-Laws and accept that failure to do so could give rise to disciplinary action.
14. I am satisfied Mr Timar is liable to disciplinary action under Bye-law 5.2.2(c).

## **REGULATORY SANCTION**

15. The purpose of sanctions is not to be punitive, although it may have that effect. Their purpose is to uphold the standards of a profession, safeguard the reputation of the profession and, RICS as the regulator, to protect the public. Sanctions must be proportionate to the breach after considering all the circumstances of a case.
16. Damian Mckeown's (Regulation Support Team Manager) statement dated 5 November 2025 states RICS sent emails to Mr Timar on 13 November 2024, 11 December 2024, 15 January 2025, 19 February 2025, 26 February 2025 and 12 March 2024 reminding him to complete at least 20 hours of CPD. Those reminders referred to RICS' Sanctions Policy and the likelihood of expulsion for a third breach within 10 years.
17. On 26 June 2025 and 22 September 2025 RICS attempted to contact Mr Timar on the telephone to discuss his failure to record CPD hours, but the calls were not answered. On 26 June 2025, RICS sent Mr Timar another email informing him he had failed to comply with his CPD requirements in 2024.<sup>3</sup>
18. On 6 November 2025, RICS sent Mr Timar an email informing him that a report had been prepared for the Head of Regulation to decide whether the matter should be referred to a Single Member. Mr Timar was provided with the bundle of evidence, invited to complete and return the listing questionnaire and invited to respond to the allegations. Mr Timar did not respond. On 5 December 2025, RICS sent an email to Mr Timar confirming that no response had been received and that his case had now been prepared for consideration for a Single Member.<sup>4</sup>
19. This is Mr Timar's third breach of non-compliance with RICS' CPD requirements. He was aware of RICS' CPD requirements and, as a long-standing Member of RICS, obligated to abide by RICS' rules. Despite being cautioned and cautioned and fined he has failed to record his CPD activities in 2024.

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<sup>3</sup> RICS records confirms two telephone calls were attempted to contact Mr Timar and an email was sent to him. However, I note the records are not dated.

<sup>4</sup> I note the Head of Regulation letter dated 24 November 2025 incorrectly stated the referral to a Single Member was made under RICS Regulatory Tribunal Rules Version 2. However, the bundle of documents and emails sent to Mr Timar made it clear the matter would be determined under RICS Regulatory Tribunal Rules Version 3 and he was provided links to that document. I am satisfied Mr Timar was afforded procedural fairness and was not disadvantaged by this error.

20. The breach is serious and RICS' Sanction Policy (Version 9 with effect from 2 February 2022) states there is a presumption of expulsion in the event of a third CPD breach within 10 years of receipt of a caution for a breach of the same rule. In the circumstances, imposing no sanction, another caution, fine or a reprimand would not be appropriate given the seriousness of the breach. Nor would an undertaking be appropriate given compliance with RICS' CPD requirements is a Member's Professional obligation.

21. Mr Timar has not engaged with the regulatory process and was on notice of the likelihood of expulsion. He had ample opportunities to rectify his non-compliance but did not do so. Considering all the circumstances of this case, I am not satisfied the presumption of expulsion for a third breach of RICS' CPD requirements has been rebutted.

## **ORDER MADE**

22. In accordance with Part VI of the Regulatory Tribunal Rules 2024 Version 3 – Rule 107(f) I make the following order:

- i. Mr Timar is expelled from the Membership of RICS.**

## **TAKING EFFECT OF ORDER**

23. In accordance with Part VI of the Regulatory Tribunal Rules 2024 Version 3, 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**

24. RICS has applied for costs in accordance with Supplement 2 to the Sanctions Policy: Fines, Costs and Administrative Fees. Mr Timar was found liable to disciplinary action and despite being invited to do so he has made no submissions regarding his financial circumstances.

25. To ensure the cost of bringing these proceedings do not burden the whole RICS Membership it is appropriate Mr Timar bear RICS' reasonable costs.

26. In accordance with Part VI of the Regulatory Tribunal Rules 2024 Version 3, I make the following order in respect to costs:

**ii. Mr Timar will pay RICS' costs of £350.**

## **PUBLICATION**

27. In accordance with Part V of the Regulatory Tribunal Rules 2024 Version 3, the Single Member's Record of Decision will be published in accordance with the Publication Policy. That is, following the expiry of 14 days from service of the Single Member's decision upon the Regulated Member.