

Disciplinary Panel Hearing

Case of:

Ms Leesa Holloway [6649228]

Tuesday 24 March 2026

Remotely by Microsoft Teams

Panel

Ms Niru Uddin (Lay Chair)

Ms Joan Waweru (Surveyor Member)

Ms Victoria Thornes (Lay Member)

Legal Adviser

Alastair McFarlane

RICS Presenting Officer

Mr Christopher Geering

Regulatory Tribunal Executive

Mrs Maria Choudhury-Rahman

Allegation

1. **Between 3 August 2023 and 2 November 2023, Ms Leesa Holloway failed to comply with her professional obligations, in that she failed to cooperate with RICS and/or provide information reasonably requested from her around on one or more of the following dates:**
 - i. **3 August 2023**
 - ii. **15 September 2023**
 - iii. **21 September 2023**
 - iv. **25 October 2023**
 - v. **27 October 2023**

Contrary to Rule 1 of the Rules of Conduct 2021 with effect from 2 February 2022 Ms Holloway is therefore liable to disciplinary action under Bye-law 5.2.2(c)

SERVICE

2. Having considered the Notice of Hearing and the witness statement of Mrs Choudhury-Rahman, Regulatory Tribunal Executive, the Panel was satisfied that Notice of the Hearing was served on the Relevant Person (Ms Holloway) on 8 January 2026 in accordance with the RICS Regulatory Tribunal Rules Version 2 with effect from 2 February 2022 (“RTR”).

PROCEEDING IN ABSENCE

3. The Panel noted the submissions of Mr Geering and accepted the advice of the Legal Adviser.
4. The Panel reminded itself that the discretion to proceed in absence must be exercised with the utmost care and caution. The Panel noted that following the

service of the Notice of Hearing on 8 January 2026, which explained the Panel's power to proceed in the absence of the Regulated Member, Ms Holloway has not responded at all.

5. The Panel was mindful of the observations of Sir Brian Levenson in *Adeogba v. General Medical Council [2016] EWCA Civ 162* as to the burden on all professionals subject to a regulatory regime to engage with the regulator both in relation to the investigation and the ultimate resolution of allegations made against them. The Panel specifically considered the issue of fairness to the Regulated Member of proceeding in her absence, but also fairness to the RICS and the wider public interest in the expeditious discharge of the Panel's function. Further attempts were made to contact Ms Holloway by telephone and post after service of the notice, which again did not meet with success. The Panel was mindful that the nature of the allegation was not co-operating with her regulator and that there had been no engagement from Ms Holloway. It was satisfied that Ms Holloway has disengaged from the process and therefore had voluntarily waived her right to attend. The Panel was not persuaded when balancing Ms Holloway's interests and the public interest, that any adjournment was likely to secure her attendance and would not outweigh the public interest in proceeding with the hearing. The allegations were serious. The Panel was satisfied in all the circumstances that it was in the public interest and in the interests of justice overall to proceed in the absence of Ms Holloway.

BACKGROUND

6. At the material time Ms Holloway was the sole director of Precedent Surveyors Limited, an RICS regulated firm ("the Firm"). In 2023 concerns were raised regarding both the Firm and Ms Holloway as its CEO.
7. Those investigations have since been closed. However, during the course of those

investigations RICS sent various communications to Ms Holloway requiring her to provide RICS with certain information. The particulars of those communications are detailed in the allegation.

8. The Rules of Conduct set out mandatory core obligations for all members of RICS (including student members). One such obligation is that members cooperate with RICS, another is that members promptly provide all information reasonably requested by the Standards and Regulation Board, or those exercising delegated authority on its behalf. This would include an RICS investigator seeking information from members regarding any investigations.
9. RICS made this obligation clear to Ms Holloway. The letter sent on 25 October 2023 states in terms:

*“As a student member of RICS, you have an obligation to cooperate with RICS staff. **Failure to provide information requested may result in a further case being opened against you and an allegation that you have failed to co-operate, which could lead to disciplinary action against you individually.**”*

(emphasis as per the original letter)

10. Ms Holloway did not respond to any of these requests. RICS attempted to communicate by email and by post. The addresses used correspond to the information RICS held on its system, and to the address for Ms Holloway given on Companies House. One proof of posting indicates the letter was signed for by “Holloway”.

RICS SUBMISSIONS

11. RICS submitted that it is, therefore, reasonable to infer Ms Holloway received the requests for information and chose not to respond.

12. An allegation of non-cooperation was put to Ms Holloway and the Firm. RICS received no reply. Since the Firm is now being wound up, RICS did not refer it to a hearing.

Liability to disciplinary action

13. In relation to liability to disciplinary action, Mr Geering accepted that not every breach of the byelaws is sufficiently serious to warrant disciplinary action.
14. However, Mr Geering contended that in this case there were repeated failures by Ms Holloway to comply with her professional obligations. Self-regulation requires – and indeed is dependent upon – the cooperation of the RICS membership. Refusal to assist this process carries the real potential of frustrating good regulation, and incurring additional costs to RICS itself. Ms Holloway’s actions are, therefore, sufficiently serious to require a regulatory response in the public interest.

SUBMISSIONS ON BEHALF OF MS HOLLOWAY

15. There were no submissions from Ms Holloway.

FINDINGS OF FACT

16. The Panel reminded itself that the burden of proving this allegation was on RICS alone and the absence of Ms Holloway was not indicative of acceptance of the allegation. RICS had to prove the allegation on the balance of probabilities. The Panel accepted the advice of the Legal Assessor.
17. The Panel was satisfied on the documentary evidence before it, including the witness statements of Fay Reaney, an RICS Investigation Specialist who detailed the written requests for information that were made by RICS and sent to her address on 3 August 2023, 15 September 2023, 21 September 2023, 25 October 2023 and 27

October 2023. There were no responses from Ms Holloway at all. The Panel was satisfied that under Rule 1 of the Rules of Conduct that there was duty on members to comply with their obligations to RICS, which includes a duty to co-operate with RICS as set out in Appendix A of the Code of Conduct. Accordingly, there was a failure to co-operate with RICS as alleged. There was an obligation on Ms Holloway to cooperate with RICS's investigation and reasonable requests. The Panel was satisfied that the requests made by RICS were reasonable ones that she had a duty to answer. It was further satisfied that Ms Holloway had a duty to respond and that her lack of response amounted to a breach of the duty on her and was therefore a failure. Accordingly, the Panel was satisfied that Charge 1 was proved in its entirety.

LIABILITY FOR DISCIPLINARY ACTION

18. The Panel next considered whether the proved Charge rendered Ms Holloway liable to disciplinary action under bylaw 5.2.2 (c).

19. The Panel accepted the advice of the Legal Adviser. It reminded itself that liability to disciplinary action was a matter for the judgment of the Panel. It was satisfied that the failure of Ms Holloway to cooperate with RICS amounted to breaches of her professional obligations that were serious. The Panel was satisfied that Ms Holloway's duty to cooperate with her regulator is an important one, both to enable the regulator to properly and fairly discharge its regulatory function and to uphold public confidence in the regulatory system. In its judgment the conduct was sufficiently serious to render Ms Holloway liable to disciplinary action, as its conduct fell well-below that to be expected of a Regulated Member.

SANCTION

20. The Panel next considered the matter of sanction. It noted the submissions of RICS. It accepted the advice of the Legal Adviser. It had regard to RICS' Sanctions Policy, and in particular the overriding principles of acting in the public interest, to protect the public, the reputation of the profession and to declare and uphold proper standards and bore in mind the overriding principles of proportionality.
21. The Panel reminded itself that the purpose of sanctions is not to be punitive, though that may be their effect.
22. The Panel considered any mitigating and aggravating factors of this case as well as the issue of proportionality in weighing up the appropriate sanction.
23. The Panel was unable to identify any mitigating factors in relation to Miss Holloway other than the absence of any disciplinary history.
24. The Panel considered that the following aggravating factors were present:
 - The conduct involved was repeated breaches of the obligation to co-operate over an extended period.
 - Ms Holloway was given repeated opportunities to comply
 - There is no evidence of insight into the seriousness of failing to co-operate or of the impact on the reputation of the profession
 - The conduct hampers the ability of the regulator to regulate the profession and undermined public confidence in the profession and in the regulator.

25. The Panel was satisfied that Ms Holloway's failure to comply with the obligation to co-operate with the regulator has the potential to undermine public confidence in the regulator and the profession and was of the utmost seriousness.
26. The Panel considered the matters too serious for no sanction to be imposed. It considered the sanctions in ascending order of severity.
27. The Panel considered that the sanctions of Caution, a Reprimand, Undertakings or Conditions were insufficient to mark the seriousness of the behaviour and to adequately maintain the reputation of the profession. It also did not consider that a Fine was appropriate. The Panel noted that the factors of a serious departure from professional standards and the conduct continuing over a prolonged period were present in this case. Ms Holloway had failed to co-operate with her regulator, which was a fundamental obligation on any professional.
28. The Panel noted the absence of any extenuating circumstances, and that paragraph 21 (e) of the Sanctions Policy gives the example of "*persistent and/or serious failure to cooperate with RICS*" as an example of a case that would be likely to result in expulsion. The Panel was satisfied that her non-co-operation was fundamentally incompatible with Ms Holloway remaining on the register of RICS and considered that the only appropriate and proportionate sanction was that she be expelled from the student membership.

PUBLICATION

29. The Panel was satisfied that no justifiable basis was advanced for departing from the presumption of publication. The Panel considered the policy on publication of decisions, The Sanctions Policy Supplement 3 - Publication of Regulatory Disciplinary Matters. This decision will be published on the RICS website and in the RICS magazine Modus.

COSTS

30. RICS has submitted a new statement of costs in the sum of £4,685, which was reduced from £7,815 to reflect a 1-day hearing, as the case took less time than anticipated. Ms Holloway had not responded to the original schedule or detailed her financial situation.
31. The Panel was satisfied that it was appropriate to make an award of costs in this case in favour of RICS. It was further satisfied that the costs claimed by RICS were appropriate and proportionate. Accordingly, it awarded RICS costs in the sum of £4,685.

APPEAL PERIOD

32. The Regulated Member has 28 days, from the service of the notification of the decision, to appeal this decision.

