

Unipol Complaints Tribunal

Monday 12th April, 2010

Present: Dr CAG Brooks (Chair); Mr Steve Kettlewell (Vice Chair) Ms Madeleine Harris Smith (Vice Chair);

In Attendance: Mr Ben Cassall (Accreditation Officer); Mr Simon Kemp (Code of Standards Administrator)

Complaint Issued Against Mr Harpal Panesar and Mr Maininder Maker

Meeting Notes

The Tribunal was informed that a formal Code complaint was originally issued against Mr Harpal Panesar, who at the time was acting as the agent from Mr Maker - both of whom were members of the Unipol Code

The complainant alleged that money had been paid to Mr Panesar to reserve the property, but that Mr Panesar later withdrew the offer to the potential tenants. However, although the agent promised to return the fee they paid, they have not to date received it

Mandy Baker spoke to Mr Panesar in early October and was informed that there were problems with the money transfer and that he never received it, and he agreed to provide Unipol with copies of details of this from his bank. However, when these were provided they turned out to be credits to his account.

Mr Panesar was then spoken to by Mrs Baker in November, at which time he agreed to obtain written confirmation from the bank that the money had been returned. However, he failed to do so and Mrs Baker - unable to contact him at all - decided to write to Mr Maker (as the landlord) in January 2010. Mr Panesar did finally make email contact with Mrs Baker in late January and promised to fax some information over; despite further attempts by Mrs Baker to get this material, it was never sent.

Mrs Baker decided in early March that this matter needed to be resolved and therefore informed Mr Maker that she would refer it to the Fast Track Tribunal. In response, Mr Maker has offered to return the money to the complainants but has requested a period of 4 months to do so.

Neither the landlord, agent or the complainant was able to attend the Tribunal hearing.

The Tribunal agreed that the agent, Mr Panesar, was at fault and that as a result they recommended that he should be removed from membership of the Code immediately. The Tribunal also felt that as the landlord, Mr Maker, had expressed a willingness to repay the money, he be permitted the opportunity to do so over the time period he suggested. The Tribunal agreed to review the complaint in September to check whether full repayment has been made.