

17 September 2025

Professional Conduct Committee | Panel Report
PR0479 – [REDACTED]

Produced by the Professional Conduct Committee
pursuant to Section 13.13 of the API Professional Conduct Policy

Details

Complainant	[REDACTED]	Member	[REDACTED]
	[REDACTED]		[REDACTED]
	[REDACTED]		[REDACTED]
	[REDACTED]		[REDACTED]
	[REDACTED]		[REDACTED]

Professional Conduct Committee

[REDACTED]

Date of Complaint

2 October 2024

Date of Professional Conduct Committee Meetings

14 May 2025
4 September 2025

Property Address

N/A

Property Category

- ☐ Residential
- ☐ Commercial
- ☐ Rural

Timeline of Events

End of May, beginning of June 2024	Member made two posts on Linked In allegedly defaming the Complainant, her [REDACTED] Complainant has been privy to correspondence from the Member to a variety of councils wherein he solicits their business by allegedly undermining the credibility of the [REDACTED] (subsequently provided in response to Notice under Clause 10 from PCO).
After the Linked In posts were made	The identity of the five people mentioned was generally known among the industry, even before those five were made aware by the API.
"Recent" representations on behalf of client	Member allegedly made disparaging remarks about the [REDACTED] during recent representations as part of his professional activities (details provided in material provided in response to Notice under Clause 10).
2 October 2024	Professional Review raised by Complainant
24 January 2025	Member Response provide by Member
29 January 2025	PCO sent Notice under clause 10 of Professional Conduct Policy seeking further information regarding allegations in Professional Review
31 January 2025	Complainant provided additional information in relation to allegations in Professional Review
5 March 2025	Response to additional information provided by Complainant sought from Member by PCO
2 April 2025	Member provided response to additional information provided by Complainant

Complainant Position

How has this event Affected you?

The Complainant states that the actions of this Member "have been personally defamatory in nature, however also undermines the credibility of my, that of my service provider and the people referred to. Mostly however, it is a poor reflection on our industry."

What Outcome are you Seeking?

Formal and public retraction of comments and formal sanction if not revocation of his API membership.

Member Position

The Member states that *the complaint is vexatious and attempts to counter complaints lodged against five (5) valuers which [REDACTED] as the manager of those contract valuers. As an API member, I am obligated under rule 5.5 of the API's Rules of Professional Conduct to bring those complaints before the API.*

[REDACTED] has made several complaints concerning the operations of the [REDACTED] to relevant SA State Government Ministers and Members of Parliament. No doubt these complaints have contributed to [REDACTED] reprisal.

As [REDACTED] is currently the subject of a complaint lodged by myself, I request the complaint against me be dismissed as it is related to an Active Professional Review.

Procedural Fairness:

- Member not given the opportunity to discuss this matter with the Chair of the API, Paul Billingham.
- Complainant's letter suggests she has an agreement with the Chair to ensure the API makes certain concessions when handling her complaint and that she expects there to be due consideration to those sensitivities in considering this matter – Member claims this shows bias in decision making.

Rules of Professional Conduct March 31 – August 31, 2024 ("Rules")

Allegations and Considerations

The Complainant alleges the following categories of the Rules of Professional Conduct have been breached by the Member:

Relevant Rules: Rule 5.2

Complainant stated:

Earlier this year, towards the end of May/beginning of June, [REDACTED] of [REDACTED] made a number of posts on Linked In defaming myself, [REDACTED]

... I have been privy to correspondence from [REDACTED] to a variety of Council's wherein he solicits their business by undermining the credibility of my office, conduct which adds perceived weight to these posts.

Additionally, in a recent representation to my office on behalf of his client, [REDACTED] made disparaging remarks about my office as part of his professional activities.

It should be made clear that, my position as [REDACTED] is governed by the Valuation of Land Act 1971, [REDACTED] By extension my office and that of [REDACTED] are also

bound by that legislation. Whilst I am and some of my team and that of [REDACTED] are members of the Australian Property Institute and conduct ourselves accordingly, our valuation practices are not subject to any Australian Property Institute policies or guidelines. Nor are they bound by International Valuation Standards – noting that they include ‘departure’ for legislation to supersede their guidelines. We can, however, choose to adopt such principles in the application of our professional duties. [REDACTED] has repeatedly failed to understand this hierarchy and continues to attack, deride and spread malicious gossip to his clients and the general public due to his lack of understanding of this fact.

Comment on Rule 5.2: The breach of this is self-explanatory.

Member stated:

Point 1: [REDACTED] comments reflect her confusion between her personal status and that of the [REDACTED]. The [REDACTED] states’ “[REDACTED]” being the subject of any posts by [REDACTED]. I understand [REDACTED] has made the complaint and not the [REDACTED]. Further, the [REDACTED] is not [REDACTED] business but that of the Government’s (if indeed it is a business at all).

Point 2: As above. [REDACTED] has confused the independent body of the [REDACTED] with herself. In this point, [REDACTED] affirms our position by referring to the [REDACTED] as a separate entity to the person [REDACTED]. Clearly, [REDACTED] considers the [REDACTED] and herself to be separate entities.

Point 6: [regarding Rule 5.2] I do not consider the generalised and vague statement ‘The breach of this is self-explanatory’ one that can be promoted as the foundational basis for an accusation of professional misconduct. It cannot be defended as there are no specifics. It invites the reviewer to make their own interpretation and conclusions on generalised statements contained elsewhere and which are ultimately subject to the bias of the reviewer.

Relevant Rules: Rule 5.2 Members must not maliciously or carelessly say or do anything to injure or potentially injure, directly or indirectly, the reputation or business of other Members or the API.

Professional Conduct Committee considered:

- The Professional Conduct Committee determined the evidence submitted by the Complainant does establish a prima facie finding of a breach of Rule 5.2 of the Rules of Professional Conduct.

Professional Conduct Panel Meeting – 14 May 2025

The Chair of the Committee formed a Panel to consider the complaint. The Panel was provided with Exhibits 1-14 (Annexure).

On 14 May 2025, the Chair of the API's Professional Conduct Committee [REDACTED] together with [REDACTED] [REDACTED] ("Panel") considered this complaint pursuant to clause 11.1(a) of the API Professional Conduct Policy. The Committee together with API representatives, acting as observers, convened by videoconference.

The Professional Conduct Panel gave due consideration to the alleged breaches of the API Rules of Professional Conduct based on their extensive knowledge and understanding of the API valuation and property standards. No conflict of interest was identified amongst the committee from the material provided.

Professional Conduct Panel Determination

In accordance with section 11.1(b)(i) of the API Professional Conduct Policy, the Professional Conduct Panel determined the evidence submitted by the Complainant does establish a prima facie finding of professional misconduct in relation to Rule 5.2 of the API's Rules of Professional Conduct.

Notice of Prima Facie Findings

The Member was charged with Professional Misconduct pursuant to a breach of Rule 5.2 of the API's Rules of Professional Conduct. A Notice of Prima Facie Findings was forwarded to the Member on 28 May 2025.

The Member elected to provide written representations on 16 June 2025.

No further representations were provided by the Member.

Consideration of Written Representations

The same Panel met on 4 September 2025.

At the end of the meeting, the Panel confirmed the findings of Professional Misconduct pursuant to a breach of Rule 5.2 of the API's Rules of Professional Misconduct.

The Panel also noted that the relevant LinkedIn posts (Ex 11) named the complainant, her deputy and her office. In the posts, the Member represented that there were findings of mismanagement or incompetence and evidence that the office is failing the people of [REDACTED]. The Panel found that the actions of the Member had the potential to injure the reputation of the Complainant indirectly. The actions were assessed as falling within the category of being careless in nature.

Sanctions

Prior to determining the penalty to be imposed on the Member pursuant to clause 14.1 of the Professional Conduct Policy, the considerations set out in clause 14.3 of the Policy have been considered by the Complaints Committee's representatives.

Specifically, the Professional Conduct Committee considered the following factors:

- a. The breach of rule 5.2 was careless rather than malicious, reckless or negligent.
- b. There is no evidence of impact on the Complainant's reputation, but any impact cannot be easily remedied or rectified as posts already published.
- c. There is no evidence that the posts have been removed.
- d. The Member has shown no contrition.
- e. There is evidence of repeated behaviour.
- f. There is little evidence of how the behaviour has affected the Complainant.
- g. The breach has caused limited harm to the API.
- h. Education of the member is not appropriate.
- i. Publication of the redacted findings may be of benefit to members.

Taking the above matters into consideration, it is determined that the following sanctions are appropriate:

- a. Member to be censored (14.1(a))
- b. Member to abstain from posting anything on social media disparaging members or otherwise impacting detrimentally on a member's reputation (14.1(c))
- c. Within 30 days of the enforcement letter the Member is to provide a written apology to the Complainant acknowledging that his posts had and continue to have the potential to indirectly injure her reputation (14.1(d)). Failure to comply within the stated time period will result in a recommendation to the API Board that the Member be suspended until an apology is provided (14.1(m)).
- d. Member to remove the two LinkedIn posts referring to the Complainant (14.1(e)).
- e. Redacted findings to be published on the API website (14.1(f))
- f. Member on formal warning – warning to be recorded on the Member's membership file (14.1(g)).

Member Rights

The Member is informed that a right of appeal exists pursuant to clause 16.1 of the Professional Conduct Policy. Any such appeal must be commenced within 15 days of receipt of this decision.

Pursuant to Section 16.3 of the Professional Conduct Policy, the Complainant is not entitled to appeal a decision of the Complaints Committee.

Annexure

Number	Name	Dates
Ex 1	Professional Review Form	2.10.2024
Ex 2	Member Response	24.1.2025
Ex 3	Correspondence Member to API	14.11.2024
Ex 4	Correspondence API to Member	14.11.2024

Ex 5	Correspondence Member to API	24.1.2025
Ex 6	Notice under section 10.3 to Complainant	29.1.2025
Ex 7	Response from Complainant	31.1.2025
Ex 8	Response from Member	2.4.2025
Ex 9	Further response from Member	12.5.2025
Ex 10	Objection by Member	30.4.2025
Ex 11	Correspondence from Complainant to Chair of API including the two Linked In posts complained about	2.10.2024
Ex 12	Letter to PCO by Member	24.1.2025
Ex 13	Further material from Complainant	(undated)
Ex 14	Report of Select Committee of Parliament of SA	
Ex 15	Notice of Findings of Prima Facie case of Professional Misconduct	28.5.2025

I, [REDACTED] as Chair of the Professional Conduct Committee and Panel Member confirm that this is an accurate account of the decision of the Panel formed from the Professional Conduct Committee in relation to this Complaint.

Yours faithfully

[REDACTED]

[REDACTED]

Australian Property Institute Ltd
ProfessionalConduct@api.org.au