



Appeal Tribunal Decision
In the matter of Case No 03916 Mr J Reynolds v Mr Michael Behr FNAEA
FARLA (Honoured), Behr & Butchoff
Appeals Tribunal Hearing on 27 October 2011
At
Arbon House, 6 Tournament Court, Edgehill Drive, Warwick

To consider the appeal following:
Disciplinary Tribunal Hearing
20 July 2011

Case of

Mr Michael D Behr FNAEA FARLA (Honoured), Director, Universal Management Services Limited, T/A Behr & Butchoff, 105 St John's Wood Terrace, London, NW8 6PL

At

NFoPP, Arbon House, Tournament Court, Edgehill Drive, Warwick, CV34 6LG

The Rules found to have been breached by Mr Behr at a hearing held on 20 July 2011 and the penalties imposed were:

Rule 2(2)(b)	-	£1500
Rule 2(3)	-	£1500
Rule 6 (Incorporating 1c & 1d of the Code of Practice)	-	£1500
Rule 10	-	£1500
Rule 11	-	£1500
Costs	-	£217.90

Mr Behr accepted that the Rules had been breached but appealed against the level of the penalties.

The Appeals Tribunal considered the case.

Appeal Tribunal's Decision

After hearing the appellant's submission, considering the evidence and after deliberation, the Appeal Tribunal made the following statement:-

"You will appreciate that we have spent more than two hours in considering your appeal and we are agreed that the breaches which have been proven against you are serious ones. We appreciate that your attendance, not only at the initial hearing, but also at the appeal today, and that you have been very co-operative throughout. We are pleased to learn that you have now put your house in order.

Whilst we reject your proposal that all of the penalties should be reduced, we have reduced that imposed on the breach of Rule 6 as we feel that there is an element of duplication there.

Accordingly our findings are as follows:-

Rule 2(2)(b), the penalty of £1500 remains.

Rule 2(3), the penalty of £1500 remains.

Rule 6, the penalty imposed of £1500 is reduced to £500.

Rule 10, the penalty imposed of £1500 remains.

Rule 11, the penalty imposed of £1500 remains.

The costs of the original hearing of £217.90, to which must be added the costs of today's hearing in the sum of £125."