

## Architects Disciplinary Register

Name and registration no of architect	Date of determination	Description
Peter Barton, registration 13872	7 March 2016	<p>Pursuant to section 32(a) of the <i>Architects Act 1991</i>, the Architects Tribunal found that the architect was careless or incompetent in his practice with respect to contract administration services relating to communication with clients about alleged defects.</p> <p>The Architects Tribunal cautioned the architect and ordered that the architect pay \$5,000.</p>
Surjeet Mudher, registration 12688	9 August 2016	<p>Pursuant to sections 32(c) and (d) of the <i>Architects Act 1991</i> and section 16 of the <i>Architects Regulations 2004</i>, the Architects Tribunal found that the architect:</p> <ul style="list-style-type: none"> <li>• failed to comply with section 6 of the Act, in that the architect represented a company not approved by the ARBV to be an architect;</li> <li>• was guilty of unprofessional conduct in that he failed to ensure that representations made in connection with the supply of architectural services were accurate and current (contrary to regulation 12 of the Regulations);</li> <li>• was guilty of unprofessional conduct in that he failed to ensure all write communications to clients from a company approved by the ARBV disclosed the names of all directors of the company who were architects;</li> <li>• was guilty of unprofessional conduct in that he failed to provide, in writing, a description of the terms and conditions of the engagement and provide a copy of that document to the clients (contrary to regulation 14 of the Regulations).</li> </ul> <p>The Architects Tribunal cautioned and reprimanded the architect, imposed a fine of \$5,000 and ordered that the architect pay costs of \$6,300.80.</p>
	13 September 2018	<p>Pursuant to section 32(c) of the <i>Architects Act 1991</i>, the Architects Tribunal found that the architect was guilty of unprofessional conduct in that the architect provided architectural services in the absence of a written agreement with the client, in breach of clause 4 of the Victorian Architects Code of Professional Conduct.</p> <p>The Architects Tribunal reprimanded the architect, imposed a fine of \$2,000 and required the architect to provide an undertaking to the effect that he will not provide architectural services without first entering into a client architect agreement</p>

		in the form of the client architect agreement provided by the Australian Institute of Architects or another form approved by the ARBV, and for a period of 12 months to 13 September 2019, provide to the ARBV a copy of any such agreement within 21 days of execution.
William Corner, registration 17530	15 September 2016	<p>Pursuant to sections 32(a) and 32(c) of the <i>Architects Act 1991</i>, the Architects Tribunal found that the architect:</p> <ul style="list-style-type: none"> <li>• was guilty of unprofessional conduct in that he failed to set out the terms and conditions of engagement and provide a copy to the owner before agreeing to provide architectural services (in breach of regulation 14 of the <i>Architects Regulations 2004</i>);</li> <li>• was guilty of unprofessional conduct in that he requested and received payment for aspects of work he arranged when the work had not been completed (contrary to regulation 6 of the <i>Architects Regulations 2004</i> and regulation 7 of the <i>Architects Regulations 2015</i>);</li> <li>• was careless or incompetent in his practice in that he failed to respond to the owners and keep them informed about the progress of the provision of services in a timely manner.</li> </ul> <p>The Architects Tribunal cautioned the architect.</p>
Feras Raffoul, registration 17054	26 September and 3 November 2017	<p>Pursuant to section 32(c) of the <i>Architects Act 1991</i>, the Architects Tribunal found that the architect was guilty of unprofessional conduct in that the architect acted as architect and developer without providing written notice of the scope of each of the roles to his clients, in breach of regulation 8 of the <i>Architects Regulations 2004</i>, and without obtaining written consent to act from the clients, in breach of regulation 9 of the Regulations.</p> <p>The Architects Tribunal reprimanded the architect and ordered that the architect pay costs, to be agreed or assessed.</p>
Peter Wright, registration 14388	5 December 2017	<p>Pursuant to sections 32(c) of the <i>Architects Act 1991</i>, the Architects Tribunal found that the architect was guilty of unprofessional conduct in that he was involved in the carrying out of building works without a planning permit or building permit and the carrying out of buildings works which were contrary to the planning permit and building permit, in breach of clause 18 of the Victorian Architects Code of Professional Conduct.</p> <p>The Architects Tribunal cautioned the architect and ordered that the architect pay costs as agreed or assessed.</p>

<p>Christopher McSteen, registration 14106</p>	<p>VCAT, 1 March and 25 May 2016; VSCA 25 May 2018</p>	<p>On review, VCAT, as varied by the Victorian Supreme Court, Court of Appeal, found that the architect was guilty of unprofessional conduct, in that he failed to provide his client with written notification of a change in the terms of his engagement (in breach of regulation 14 of the <i>Architects Regulations 2004</i>), he failed to adequately inform or consult with his client regarding the reasons and/or basis for the increase in the estimated costs of building work (contrary to regulation 6 of the Regulations); and refused to provide drawings, in a form in which they could be digitally modified, to the client following the ending of his engagement (contrary to regulation 6 of the Regulations).</p> <p>The architect was reprimanded and ordered to pay fines totalling \$3,500. Costs orders were also made against the architect.</p>
<p>Craig Chester, registration 14180</p>	<p>22 July, 28 August 2018</p>	<p>Pursuant to sections 32(a) and (c) of the <i>Architects Act 1991</i>, the Architects Tribunal found that the architect:</p> <ul style="list-style-type: none"> <li>• was guilty of unprofessional conduct in that he failed to act in the interests of his client and not favour his own interest over that of his client in relation to the use of drawings, contrary to regulation 7 of the <i>Architects Regulations 2004</i>;</li> <li>• was guilty of unprofessional conduct in that he had a conflict of interest with a client and failed to give the client written notice of that conflict of interest, contrary to regulation 8(1) of the Regulations;</li> <li>• was guilty of unprofessional conduct in that he failed to ensure that a representation made in an application to amend a planning permit was accurate and current, contrary to regulation 12 of the Regulations;</li> <li>• was careless or incompetent in his practice as an architect, in that the architect's company carried out work beyond the initial engagement and only provided written notice of the change in scope in a revised fee proposal afterwards.</li> </ul> <p>The Architects Tribunal reprimanded the architect, imposed fines totalling \$5,500 and ordered that the architect pay costs of \$12,592.18.</p>
<p>Peter Ho, registration 15542</p>	<p>3 August 2018</p>	<p>Pursuant to section 32(a) of the <i>Architects Act 1991</i>, the Architects Tribunal found that the architect was careless or incompetent in his practice in that the architect:</p> <ul style="list-style-type: none"> <li>• failed to adequately inform the clients about the likely costs to construct a building at the site based on the clients' design requirements and the architect's ability to provide a design which would enable the building to be built at the site within the clients' budget;</li> <li>• failed to inform himself about the likely costs to build a building at the site based on his design, so as to adequately advise the clients regarding the construction budget.</li> </ul>

		The Architects Tribunal cautioned the architect and ordered that the architect pay costs, to be agreed.
Emma Young, registration 15569	3 August 2018	<p>Pursuant to section 32(a) of the <i>Architects Act 1991</i>, the Architects Tribunal found that the architect was careless or incompetent in her practice in that the architect:</p> <ul style="list-style-type: none"> <li>• failed to adequately inform the clients about the likely costs to construct a building at the site based on the clients' design requirements and the architect's ability to provide a design which would enable the building to be built at the site within the clients' budget;</li> <li>• failed to inform herself about the likely costs to build a building at the site based on her design, so as to adequately advise the clients regarding the construction budget.</li> </ul> <p>The Architects Tribunal cautioned the architect and ordered that the architect pay costs, to be agreed.</p>