



Surveyors Registration Board of Victoria

**Ref: S.23/05: Formal Hearing into the Professional Conduct of Mr John Muldowney LS
(Regn No. 1790)**

On 24 November 2008, the Surveyors Registration Board of Victoria received advice of Mr Muldowney's audit history from the Office of Surveyor-General Victoria.

The Board noted from that advice, the history of Mr Muldowney's audits from 27 August 2001 to 18 April 2008, and that the results of the last three audits, PS 603889K, PS 603895Q and PS 545232N, were unsatisfactory.

Following consideration of this advice, the Board determined to conduct a formal hearing, in accordance with Section 23 of the *Surveying Act 2004* to determine whether Mr Muldowney, in his business as a licensed surveyor, had engaged in unprofessional conduct.

The hearing was conducted on 9 June 2009 and the Panel made the following decision:

Findings: The Motion of the Surveyors Registration Board of Victoria was made out in that the Licensed Surveyor had engaged in unprofessional conduct which was not of a serious nature.

Determination: The Licensed Surveyor be reprimanded.

That the Licensed Surveyor be required to undertake further training in the form of an office audit of his procedures and checking systems by a Licensed Surveyor appointed by the Board ("the supervising Licensed Surveyor").

The supervising Licensed Surveyor shall not be a professional competitor of the Licensed Surveyor.

The duration of the audit shall be approximately one half a day to a day.

The audit shall be conducted within three months of the date of this Decision and the Licensed Surveyor shall be given at least 28 days prior notice of the date of the audit.

The cost of the audit shall be fully reimbursed by the Licensed Surveyor to the Board within 30 days of receipt of the Board's invoice or such further extension of time the Board deems fit.