

**IN THE HIGH COURT OF FIJI**  
**AT SUVA**  
**CIVIL JURISDICTION**

**HBM No. 165 of 2023**

**IN THE MATTER** of Valuers  
Registration Act 1986;

**AND**

**IN THE MATTER** of an appeal  
against a decision dated 25<sup>th</sup>  
August 2023 made by the  
Valuers Registration Board  
wherein it refused an application  
by Mohammed Ziyad Aziz to be  
a Registered Valuer.

**BETWEEN:** **MOHAMMED ZIYAD AZIZ** OF Warwick Quarters, Korolevu, Sigatoka,  
Valuer.

**APPELLANT**

**AND:** **THE CHAIRMAN** Valuers Registration Board, having its office at the  
Ministry of Lands, Block D, Berkeley Crescent, Suva.

**1<sup>ST</sup> RESPONDENT**

**AND:** **VALUERS REGISTRATIONS BOARD** having its office at the Ministry  
of Lands, Block D, Berkeley Crescent, Suva.

**2<sup>ND</sup> RESPONDENT**

**AND:** **REGISTRAR OF VALUERS REGISTRATION BOARD**, situated at the  
office of the Valuers Registration Board, at the Ministry of Lands, Block  
D, Berkeley Crescent, Suva.

**3<sup>RD</sup> RESPONDENT**

**AND:** **ATTORNEY GENERAL OF FIJI**

**4<sup>TH</sup> RESPONDENT**

**Before:** Mr. Justice Deepthi Amaratunga

**Counsel:** Mr. M. Saneem for the Plaintiff  
Ms. O. Solimailagi and Mr. Y. Naidu for the Defendants

**Date of Hearing:** 26.4.2024

**Date of Judgment:** 6.6.2024

## **JUDGMENT**

### **INTRODUCTION**

- [1] This is an appeal in terms of Section 19 of Valuers Registration Act 1986. (VRA). Appellant was not successful in his latest application made in 2022 to become a registered valuer. He had made two previous applications without success. In his latest application he was not successful in valuation of urban land.
- [2] Appellant had made an application in 2022, as prescribed by second Respondent, and also submitted relevant documents including previous valuations done by him.
- [3] Apart from submission of valuation reports done by applicants and relevant practical experience in the field, they are required to pass practical examination which consist of valuation of rural land valuation and urban land valuation to the satisfaction of second Respondent after a *viva voce* examination.
- [4] Appellant had passed first part of the said practical examination on rural land valuation. Then Appellant was required to submit a report on urban land valuation and also presented himself for *viva voce* examination.
- [5] Appellant was not successful in second part of practical exam but he was given an opportunity to resubmit his report on urban land valuation for review by second Respondent. Appellant had resubmitted his urban land valuation report but this was again below the expectation of second Respondent and had not 'improved' as directed by second Respondent.
- [6] Previous chairman of second Respondent admittedly had conflict, but he had marked Appellant's urban land valuation. He had also unofficially informed the marks obtained by Appellant, including specific details of marks given by him and other members to Appellant, and also directed then secretary to pass

Appellant while informing to advise Appellant that his resubmitted report was found wanting by members of second Respondent. For obvious reasons these were disregarded by then secretary. Present chairman of the board informed the outcome of the resubmitted report on urban land valuation and Appellant failure in the examination. Appellant is appealing against the decision of second Respondent.

## **FACTS**

- [7] Appellant sought to obtain registration as a registered valuer in terms of VRA.
- [8] Appellant had previously made two unsuccessful attempts to obtain registration in terms of VRA. His latest attempt to become a registered valuer was in 2022. He made an application to second Respondent with necessary documents.
- [9] First part of the practical examination was regarding assessment of rural property which he had successfully completed.
- [10] Second part of examination was practical examination regarding urban valuation report. Appellant was not successful in the oral examination but he was given another opportunity to resubmit his urban land valuation.
- [11] His marks for practical examination regarding valuation of urban property were 50%, 57%, 58%, and 80% by four members of second Respondent at that time.
- [12] Then Chairman of the second Respondent who had conflict, had participated in the marking of Appellant at 80%. Later he had denied marking Appellant's practical exam on the ground of conflict.
- [13] Appellant was also informed by then chairman of the Board, of the marks he obtained at oral examination, before official outcome communicated. When this fact was communicated he had denied that he participated in marking of Appellant's urban land valuation report, but there is admitted evidence contrary to that.
- [14] Then Chairman of second Respondent, had also requested then secretary to second Respondent (present registrar, the third Respondent) to pass Appellant while admitting that resubmitted report of urban land valuation was '**not to the expectation of the board**'. This decision to pass Appellant was taken as 'chairman of the Board'. This conflicting positions were not informed to Appellant and there was a delay in communication.

[15] Appellant was informed that he was not successful in his examination by present chairman by letter of 25.8.2023.

[16] Appellant is appealing against said decision in terms of Section 19 of VRA.

[17] In the amended originating summons Appellants seeks following orders,

1. An order to remove the decision of the Value Registration Board dated 25 August 2023 wherein it refused an application by the Appellant to be a Registered Valuer.
2. For an order to quash the decision of the Valuers Registration Board dated 25 August 2023 where it refused an application by the Appellant to be a Registered Valuer.
3. A Declaration that the 2<sup>nd</sup> Respondent acted ultra vires its powers and authority under the Valuers Registrations Act when it failed to give reasons for its decision.
4. A Declaration That the Respondents erred in law and I fact in holding that he Appellant was unsuccessful in meeting the Fiji Valuers Registration requirements.
5. An order that the 3<sup>rd</sup> Respondent acted ultra vires in law in failing to promptly inform the Appellant of the decision after the Appellant's exam in December 2022.
6. A Declaration that he Appellant is entitled to be registered as a Valuer under the Valuers Registration Act.
7. An order directing the Respondents to forthwith register the Appellant as a Valuer under the Valuers Registration Act.

[18] The grounds of the Application (Appeal) as stated in the 'further amended originating motion' are:-

"1. The Appellate is a graduate of the University of the South Pacific having graduated in 2007 with a Bachelor of Arts in Land Management.

2. Following his graduation, the Appellant gained significant experience in property valuation as follows:-
  - a. 2007-2008 Worked in Housing Authority conveyancing section
  - b. 2009-2011 Worked in Fairview Valuation
  - c. 2011-2015 Worked in Northern Property Valuation
  - d. 2016 - Present working in South Pacific Consulting Services
  
2. In the last 16 years, the Appellant has been involved in over 4000 property valuations and has worked in firms that are accredited valuers for commercial banks, Fiji Revenue and Customs Authority/ Service an many private property owners and developers.
  
3. The Appellant applied to be registered valuer under the Act and in-order to attain such registration, the Appellant is required to undergo an oral examination.. As outlined to the Appellant, the examination is carried out in the following manner:-
  - a. The Valuer Registration Board, on receiving an application for registration required the Appellant to submit 10 Valuation Reports that were compiled by the Appellant for assessment. There had to be 5 reports for rural properties and the other 5 were for urban properties. The Board assessed these reports and passed the Appellant.
  - b. After passing the first step, the Board required the Appellant to conduct a valuation for a rural agricultural property and prepare a report for marking by its Board Members. The Appellant passed this in 2018.
  - c. Following the passing of the Rural Agricultural exam, the Appellant was then required to conduct the valuation of an urban property and prepare a report for marking by the Board members.
  - d. After preparing the Report on the urban property, the Appellant appeared before the Board on 08 December 2022. The Board reviewed the report an requested the Appellant to do some minor corrections which was done and submitted by the Appellant within the required timeframe.
  
4. The Respondents failed to inform the Appellant of the outcome of his examination since he submitted the amended report on 12 December 2022.
  
5. The practice of the Respondents was to require any candidate that was successful in the examination to do the corrections are advised in

the oral exam and resubmit the report/ Candidates that failed would be told they failed and they would have to sit the exam again.

6. Therefore, based on the above practice, the Appellant awaited his confirmation registration as a Valuer.
7. Therefore, the Appellant did numerous follow-ups but there were no positive responses from the Respondents.
8. The Appellant was finally informed that his application was not successful on 25 August 2023 some 9 months after he gave the exam.
9. The Respondents failed to provide any reasons for their decision and neither did they explain the extensive delay in conveying their decision.
10. The Appellant wrote to the Respondents on 08 September 2023 and sought reasons for their decision and despite this request the Respondents have not furnished their reasons as at the date of the filing of the appeal.
11. As per previous practice of the Respondents, after the Board reviews the valuations submitted by an Applicant, it will either award a pass or a fail. If the applicant has passed, the Board may still require the Applicant to do some corrections to their report and resubmit the same. If an Applicant fails, they are directly advised that they had failed.
12. Also, from previous experience of the Appellant, the total marks in the examination is out of 100 an applicant is required to achieve 50 marks to pass.
13. The Appellant had written to the Respondents and made formal complaints against one of the member on the panel appointed by the Respondents alleging bias, The Appellant had attached statutory declarations of persons who confirmed this allegation. The Respondents refused and/ or failed to exclude the said member from the panel.
14. Wherefore, the Appellant states:
  - a. That he is duly qualified as per the requirements of the Act:
  - b. He had successfully completed both the exams as per the requirements
  - c. And he ought to be duly registered as a valuer under the Act. “

## **ANALYSIS**

[19] This is an appeal under Section 19(1)(a) of VRA read with Order 55 of HCR . A person who is aggrieved by 'the refusal of the Board to approve or his or her application for registration' has a right of appeal to this court.

[20] Powers of the court in hearing an appeal are contained in Order 55 rule 7 of HCR. Order 55 rule 7 of HCR states,

“Powers of court hearing appeal (O.55, r.7)

7. (1) In addition to the power conferred by rule 6(3), the Court hearing an appeal to which this Order applies shall have the powers conferred by the following provisions of this rule.
- (2) The Court shall have power to receive further evidence on questions of fact, and the evidence may be given in such manner as the Court may direct either by oral examination in court, by affidavit, by deposition taken before an examiner or in some other manner.
- (3) The Court shall have **power to draw any inferences of fact which might have been drawn in the proceedings out of which the appeal arose.**
- (4) It shall be the duty of the appellant to apply to the judge or other person presiding at the proceedings in which the decision appealed against was given for a signed copy of any note made by him of the proceedings and to furnish that copy for the use of the Court; and in default of production of such a note, or, if such note is incomplete, in addition to such note the **Court to may hear and determine the appeal on any other evidence or statement of what occurred in those proceedings as appears to the Court to be sufficient.** Except where the Court otherwise directs, an affidavit or note by a person present at the proceedings shall not be used in evidence under this paragraph unless it was previously submitted to the person presiding at the proceedings for his comments.
- (5) The Court **may give any judgment or decision or make any order which ought to have been given or made by the court, tribunal or person and make such further or other order as the case may require or may remit the matter with the opinion of the Court for rehearing** and determination by it or him .”(emphasis added)

- [21] H.W.R.Wade on Administrative Law (fifth edition) states
- ‘The system of judicial review is radically different from the system of appeals. When hearing an appeal the court is concerned with the **merits** of the decision under appeal. When subjecting some administrative act or order to judicial review, the court is concerned with its legality. On an appeal the question is ‘right or wrong’. On review the question is ‘legal or unlawful?’.(foot notes deleted) (emphasis added)
- [22] So the scope of an Appeal in terms of a statute read with Order 55 of HCR is to consider the merits from the facts submitted to the court whether it was ‘right or wrong’. The issue is whether Appellant can be considered as a person who had passed second part of his practical examination on rural land valuation.
- [23] Orders sought in further amended originating summons in the nature of declaratory orders are not orders that can be granted in an appeal. The scope of an Appeal is to consider the merits and to allow or dismiss the appeal with ancillary orders. The appeal is against the decision of the Board (second Respondent) that was communicated to Appellant which stated;
- ‘Reference is made to your oral examination that was held on the 8<sup>th</sup> of December 2022 and your subsequent resubmission of report to the Valuers Registration Board(Board)
- The Board has deliberated on your report comprehensively and I regret to inform that you have been unsuccessful for Fiji Valuers Registration requirements.’
- [24] These were the reasons given . Appellant had informed his desire to appeal against said decision and also requested ‘result sheet as this will help (him) to understand the board’s decision’ and results better. No such information provided.
- [25] There is a right of appeal in terms of Section 19 of VRA to this court and accordingly Order 55 of HCR applies. The decision under appeal is the decision of second Respondent informing Appellant was not successful in his examination.
- [26] In such an appeal there can be evidence of marks given and decision of the examination board. Appellant had not made an application in terms of Order 55 rule 4 of HCR, and this may be due to nature of the application which was decision of an examination board of a professional body under a statute.



- [27] Appellant was not given 'result sheets' or markings but admittedly he was provided with detail marks given by examiners by then chairman. Appellant had already informed these marks to second Respondent and then secretary.
- [28] Section 18 required second Respondent to provide 'copy of finding and the reasons' upon request. Appellant had requested 'result sheet'. Second Respondent had not provided said details but submitted all marking sheets relating to urban land valuation along with communications relating to it by then chairman and also with Appellant annexed to the affidavit filed on 8.2.2024.
- [29] Second Respondent's decision regarding practical examination of Appellant is appealed as opposed to decision of a tribunal where oral evidence will be available for consideration in an appeal. In this instance second Respondent in the affidavit in opposition provided marking sheets of members of second Respondent regarding Appellant's urban land valuation report and also correspondence relating to Appellant these evidence.
- [30] Order 55 rule 3 of HCR also allows , the court to any inference from the facts of the Appeal. It is an admitted fact that previous chairman had provided marks obtained by Appellant, before his results were informed and he had even used these marks in his communication with then secretary of second Respondent.
- [31] Respondent also submitted some minutes of the second Respondent where a decision regarding pass mark was determined. This fact was denied by Appellant and he had stated that he was never informed about passing mark.
- [32] Appellant submitted for practical examination and marking sheets provided indicate 'weighting' given for 'each component' relating to Appellant's report on urban valuation .
- [33] Upon perusal of those show notation regarding where Appellant's report lacked necessary details to the expectation of examiners.
- [34] This marking criteria was not disclosed to Appellant in terms of Section 18 of VRA when he sought 'marking sheet'. His marks should have been officially informed with the decision for transparency . When Appellant had informed his desire to appeal , though he had not asked specifically about 'reasons' the request of marks are the reasons relating failure of an exam. So second Respondent is legally obliged to provide a such details about marks.
- [35] Appellant had neither requested for a pass mark prior to examination nor had he been informed about pass marks he was required to obtain to obtain a pass. For transparency and as a rule of prudence these should be available to any applicant .
- [36] In terms of Section 23 of VRA the 'minister may make regulation' regarding 'subject matter of examination' and also 'the standards required to be attained

by examination candidates'. In terms of Valuers Regulations 1989 (as amended) rule 2 reads;

“2.An application for registration as a registered valuer shall be made in such form as the Board approve.”

[37] There were no regulation made regarding standard required to be attained or subject matter of examination. This does not mean second respondent cannot admit members or conduct appropriate examinations until such regulations are made.

[38] Appellant had submitted himself for examinations conducted by second Respondent, not only once but thrice and second respondent had functioned since 1986 without such regulations being made. Appellant in this appeal is seeking an order to set aside the decision communicated to him on 25.8.2023 and also to seek order for registration as a vlauer by second Respondent. So the appellant cannot dispute the power of second respondent granted under Section 8(2) of VRA. Lack of regulation should not fetter statutory power granted to professional body to admit members to profession through practical and or written examination, but the process needs to be transparent.

[39] In my opinion second Respondent may conduct appropriate examinations including and not limited to practical examinations by way of viva voce exam, and admit members until such regulations are made, in fair and impartial and transparent , manner. It is a right of every candidate to know the marks or grades obtained by that person in such an examination , specially when such person had failed an examination

[40] Impartiality invariably requires avoidance of conflicts and decision making be transparent and rational.

[41] Ideally pass marks should have been informed before the exam and not after the examination but on the admitted facts it was clear that Appellant was not successful at the *viva voce* exam when he presented himself and he was asked to re write his report on urban valuation .

[42] So Appellant was given an opportunity to re submit his urban valuation report in line with the concerned raised by members of second Respondent. In such an instance passing mark was not the determinant factor for the failure of the Appellant, as he was not successful in the interview hence the requirement for resubmission.

[43] The failure on the part of the Appellant to re write his valuation report to 'fully capture what was expected to improve the resport' was the reason for his failiure. This was stated by then chairman in his email communication of 23.12.2023 marked as 'H' to affidavit in response filed on 8.2.2024. The

implication that can be drawn is that then Board had not passed Appellant, though then chairman thought he could pass as chairman. He also advised then secretary to inform Appellant had not failed to improve his resubmitted report regarding urban land valuation.

[44] As for practical examination of urban land valuation, Appellant had submitted his valuation report but members of second Respondent had seen certain deficiencies and pointed out them and allowed the Appellant to correct and resubmit his report on urban land valuation by 12.12.2022. This was a revision of urban land valuation of Appellant, as it was below the expectation of the board. This fact can be deduced from the admitted fact of resubmission of the report by Appellant and also communication of then Chairman to secretary to advice **'that his revision of the report was not to the expectation of the Board. He has not fully captured what was expected to improve the report.'**

[45] So it is safe to infer that Appellant was not successful in his resubmitted report on urban land valuation.

[46] So then chairman had informed then secretary of the second Respondent to inform the Appellant that 'revision of his report was not to the expectation of the Board' and he had failed to 'capture what was expected to improve'. If so how can he be given a pass?

[47] The opportunity to resubmit was to improve the urban land valuation and according to then chairman he had failed to improve so it is illogical to direct then secretary to pass Appellant.

[48] So the then secretary would have been in dilemma how she could on one hand inform Appellant, that resubmitted urban valuation was not up to the expectation of the board, nevertheless Appellant was successful. The secretary at that time had not carried out these conflicting directions and one cannot find fault for that. Irrational and illogical conflicting directions given by a person who had conflict cannot be considered as a legally valid decision to pass Appellant.

[49] So the contention that Appellant had obtained more than 50% mark hence be considered as passed the practical examination on urban land valuation cannot be accepted. Members of the examination board had noted the errors or reasons in their respective markings and allowed the Appellant to improve and resubmit the urban land valuation again. It can be inferred from the facts submitted that Appellant was not successful in his oral examination.

[50] Then chairman of second Respondent had informed the marks obtained by Appellant for urban valuation report, despite having conflict of interest. He had also marked Appellant's report despite having conflict and given highest mark of 80% whereas other members have not given a mark above 58%. Other

there members had given 50%, 57% and 58% and marks for each segment for evaluation is given with comments in the marking annexed to affidavit of 08.02.2024. If these marks were sufficient to pass Appellant there was no requirement to resubmit the report with improvements and or then chairman to communicate that he was giving a pass as chairman despite resubmitted report of the Appellant had not improved as indicated.

[51] Appellant had informed second Respondent the marks he was given by members at oral exam regarding urban valuation, prior to release of his results knowing that he had acted conflict . Instead of recusing himself he engaged in more conflicting acts.

[52] Appellant had informed that then chairman had 'advised' him of his marks prior to release of his results. The relevant chain of emails found in annexed 'H' to the affidavit in opposition.

[53] Appellant had emailed 2023.08.01 to present chairman and then secretary (presently Registrar) of second Respondent and also copied his email to previous chairman who had provided him with marks he obtained for practical examination regarding urban valuation report. Appellant was informing all of them the marks he had obtained even before he was communicated the results. These were the marks he obtained and the details of said marks annexed to affidavit filed on 8.2.2024 marked as 'E'.

[54] Appellant in said email of 01.08.2023 stated (annexed H of affidavit filed 8.2.2024)

**'I have been advised by the previous chairman** of my marks of 80/100 **assessed by him** and 56/100 and 57/100 by the other two assessors. I have submitted my amended report also. '(emphasis added)

[55] On the same day then chairman had responded as follows,

'This is in response to Ziad's email below

The issue was discussed in the Board meeting and **I have not marked his practical test due to the conflict of interest.** He was never officially informed on the result of his practical test. I am of the view that he should wait for his official letter from the current Board.

**The basis on which I was considering to give him a pass as chairman** of the Board was already highlighted to the secretary.'(emphasis added)

[56] From the above two emails, then chairman had admitted that he had conflict of interest relating to the examination of Appellant conducted by second Respondent. He had not denied that he provided marks to Appellant prior to

release of the same 'officially'. The inference that can be drawn from the facts, is that then chairman had informed the marks to Appellant 'unofficially'. If he did not mark practical test and recused himself due to conflict of how could he be informed the marks to Appellant? Again then chairman is conflicting himself.

[57] He had denied that he had marked Appellant's practical test, but contrary to that he had not only marked and given 80/100, but also had gone to the extent of informing the marks he gave for Appellant as well as marks given by others. Then chairman's mark sheet is also attached marked 'E' to the affidavit filed on 8.02.2024.

[58] Despite admitting then chairman had conflict he had also admitted 'considering to give him a pass as chairman of the Board'. This is another contradictory position. If he recused from marking practical exam of Appellant how can he again give a pass to Appellant.

[59] There was nothing to show that Chairman of second Respondent could pass an applicant, despite the resubmitted report had failed to 'improve' as directed by the members of the second Respondent.

[60] This clearly shows the involvement of then chairman to pass the Appellant, 'as Chairman of the Board' when he had admitted that Appellant's resubmitted report of the urban valuation 'was not to the expectation of the Board'.(see annexed H and email dated 23.12.2022).

[61] As a chairman of second Respondent then chairman had no power to pass Appellant and instruct then secretary to second Respondent, when the second Respondent's expectations were not met, even in the resubmitted report. Once the resubmitted report of Appellant had failed to 'improve' the outcome must be failure and this should have been communicated, instead then chairman thought he had special power to pass Appellant. This dilemma had resulted delay in the communication of his result.

[62] So the result should have been a failure and this would have been communicated to Appellant, but contrary to that then chairman had requested then secretary to pass Appellant, and also state Appellant's resubmitted report had failed to capture the improvements expected by the board, but this was not followed for obvious reasons.

[63] Appellant cannot rely on the marks given by then chairman or said directions to then secretary by then chairman due to conflict of interest. Then chairman of second Respondent, had attempted to pass Appellant and had not recused himself knowing the conflict he had. It is safe to infer even the long delay in the release of the result was this valiant effort of then chairman to flog a dead horse.

- [64] Appellant's 'Revision of the report was not to be expectation of the board' by email of its then chairman, but he had recommended to the Secretary to pass the Appellant, knowing the conflict he had in relation to Appellant. Then secretary (present Registrar) had not carried out this instructions and she had also noted on the markings given by then Chairman to be disregarded due to conflict. This action of then secretary cannot be considered unlawful considering the facts and circumstances. In such a situation delay is also understandable and Appellant cannot rely on that for his favour.
- [65] Then Chairman of second respondent also advised secretary of second Respondent to pass Appellant despite admitting that even the revised valuation report that was resubmitted ,regarding rural valuation, had not met the expectation of second Respondent.
- [66] Marking given for 'Weighting for each component of the Urban Valuation Report' and also comments made by the members of the second Respondent indicates there were serious gaps in the report relating to urban valuation report except then chairman of second Respondent who provided unusually high marks for Appellant whereas rest of the panel members had given below 60%.
- [67] Appellant's contention is that he had obtained more than 50%, for his urban valuation report, hence should be considered as passed said practical examination. This is without merit as admission of members of professional body can determine the success of practical examination of a mark other than 50% depending on circumstances and nature of the practical examination and its level of standard.
- [68] Professional body is best suited to determine the standard they require for admission of members, in the absence of any regulations made. It is nothing but prudent to publish examination criteria for prospective candidates through a suitable medium.
- [69] This will help to conduct second Respondent in more transparent manner. Since 1986 lot of development had happened in Fiji, thus requiring high professional standard in the area of valuation of properties. It is desirable to publish criteria of examination. Even details of marks such as weightings for components of valuation reports with suitable details can be given to prospective valuers. The results of examination and also marks can be provided for failed applicants with reasons so that they can improve on subsequent applications a more detailed result will mutually benefit parties to act prudently.
- [70] Present chairman of second Respondent had informed that Appellant was not successful in the examination after 'the board has deliberated 'on his report. Appellant had not asked for reasons for his failure but had indicated he was

going to appeal against said decision. He had requested for results (marks), but by 1.8.2023 Appellant had informed that previous chairman had advised the marks he obtained and these marks were also stated in his email to present chairman and registrar. So Appellant was aware of the marks he obtained even before his results communicated.

## **CONCLUSION**


[71] Previous chairman of second Respondent knowingly had marked practical examination of Appellant and denied that he marked due to conflict, but had admitted that he directed to pass Appellant. He had also provided marks obtained by Appellant for urban land valuation report by members of the Board, including himself. This infer Appellant's tacit approval of then chairman's conflicting actions.

Appellant was requested to re-submit his urban valuation report as it was below expectation of the members of the second Respondent. Re submitted urban valuation report of the Appellant was also not up to the expectation as 'he has not fully captured what was expected to improve'. So the decision of the Board communicated on 25.8.2023 is correct. So on the merits this appeal is dismissed.

## **FINAL ORDERS**

- i. Appeal dismissed.
- ii. No order as to costs.



  
.....  
Deepthi Amaratunga  
Judge

At Suva this 06<sup>th</sup> day of June, 2024.

## **Solicitors**

Saneem Lawyers

Attorney-General's chambers