

DRS1

# RICS Dispute Resolution Service (DRS)

Request for the appointment of an Arbitrator or Independent Expert for a Commercial Property Rent Review in the UK.

## Notes to consider before completing the application:

- Please do not include a copy of the lease with this application form. The lease must be sent to the appointed dispute resolver by the referring party once the appointment has been made and you are aware of the identity of the appointed dispute resolver.
- RICS DRS reserves the right to copy the application and/or any accompanying documentation to the responding party and/or representatives. This is on the basis that your application is accepted.
- This application form is the contract between the applicant and the President/Chairman, and we will rely entirely upon the information contained herein to help select someone who would have confidence of the parties. Incomplete or incorrect information can result in an appointment that maybe inappropriate. Neither RICS nor the appointed dispute resolver accept liability in relation to the appointment if the information provided is inaccurate or incomplete.
- Your application is processed on the basis that appointments are often made on behalf of the President/Chairman of RICS by one of the duly appointed agents.

## Authority to Appoint

Do you require an appointment by:  RICS President (England & Wales)  RICS Chairman (Scotland or Northern Ireland)

## Information about the property

We need to know the nature and location of the property to aid the selection of an appropriately qualified and experienced dispute resolver. You must provide the full postal address including the postcode.

Address of the property: \_\_\_\_\_

Town/City: \_\_\_\_\_ Postcode: \_\_\_\_\_

Brief description of the property (e.g. prime retail/offices/restaurant). Also include details of the permitted use and any other relevant information:

### Information about the lease

Date of the lease: \_\_\_\_\_ Alleged date of review: \_\_\_\_\_

Amount of passing rent: £ \_\_\_\_\_

Capacity required (please tick):  Arbitrator  Independent Expert  Other (please state): \_\_\_\_\_

Are there any special requirements listed within the lease?  Yes  No (if there are no special requirements please state none below)

Please indicate any special requirements stated in the lease relating to the proposed appointee. For example: experience, qualifications, time restrictions or if reasons are required:

### Information about the parties and their representatives

Please ensure the full details of the parties are correctly stated including contact details. Errors in this information may lead to an inappropriate or unsuccessful appointment. Incorrect information will prevent the proposed dispute resolver conducting a thorough check for any potential conflicts of interest. The parties' professional representatives must be stated. RICS DRS will forward all relevant correspondence to them. Communications from RICS are sent by email so it is important you provide email addresses and contact numbers. The responsibility for collecting correct contact details lies with the applicant.

#### Current landlord

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Town/City: \_\_\_\_\_ Postcode: \_\_\_\_\_

Email: \_\_\_\_\_ Telephone: \_\_\_\_\_

Original landlord: \_\_\_\_\_

Parent associated companies: \_\_\_\_\_

#### Current tenant

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Town/City: \_\_\_\_\_ Postcode: \_\_\_\_\_

Email: \_\_\_\_\_ Telephone: \_\_\_\_\_

Original tenant: \_\_\_\_\_

Parent associated companies: \_\_\_\_\_

**Landlord representative**

Title: \_\_\_\_\_ First name: \_\_\_\_\_ Last name: \_\_\_\_\_  
 Designation: \_\_\_\_\_ RICS membership number (if applicable) \_\_\_\_\_  
 Firm name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Town/City: \_\_\_\_\_ Postcode: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Mobile: \_\_\_\_\_  
 Direct line: \_\_\_\_\_ Email: \_\_\_\_\_  
 Referring Party:  Yes  No

**Tenant representative**

Title: \_\_\_\_\_ First name: \_\_\_\_\_ Last name: \_\_\_\_\_  
 Designation: \_\_\_\_\_ RICS membership number (if applicable) \_\_\_\_\_  
 Firm name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Town/City: \_\_\_\_\_ Postcode: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Mobile: \_\_\_\_\_  
 Direct line: \_\_\_\_\_ Email: \_\_\_\_\_  
 Referring Party:  Yes  No

**Conflict of Interest**

If there are any panel member(s) who in your view would have a conflict of interest in this case, you should list them below. Please also provide for each person, brief but clear reasons for this statement.

Your attention is drawn to the decision in Eurocom Ltd -v- Siemens Plc [2014] EWHC 3710 (TCC) to the effect the misrepresentation in this statement could void the process in its entirety, rendering any outcome made by the dispute resolver unenforceable.

Name	Firm	Reason

**Please note:** While the President/Chairman will give careful consideration to any representations, they will reach their own decision as to who is appointed.

## How to pay

RICS charges an administration fee of **£425.00** inclusive of VAT to process an appointment. This payment is non-refundable whether or not the President/Chairman makes the appointment (e.g. if the matter is settled by agreement and the application is withdrawn). If RICS is requested to make a further appointment because of a technical error by the applicant party, a charge of 50% of the application fee will be payable.

Payment options (please tick then complete relevant section):

- Card
- RICS Bank account details:
- Trade Account

### Card payment:

A card payment can be completed online through the RICS secure portal we will provide instruction on how to do this within the formal acknowledgement communication that is sent. To help us bill the correct person on this matter. Please be aware the referring party has responsibility to ensure that payment is complete. Please indicate who will be making the payment e.g. applicant party representative or their client. RICS is unable to accept credit or debit card details by email due to PCI compliance regulations.

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### RICS Bank account details:

Account number: 30786339

Sort code: 56-00-45

Swift Code: NWBK GB2L

You must provide your name, your firm name, and the postcode of the property in dispute. This will ensure that your payment is correctly allocated, and your application is processed. Please email a copy of the remittance to [bacs@rics.org](mailto:bacs@rics.org)

### Trade Accounts

Account holders will be invoiced by our finance department. To apply for an account please email [drs@rics.org](mailto:drs@rics.org)

### Application submitted by:

Signature \_\_\_\_\_

Name: \_\_\_\_\_

Firm name: \_\_\_\_\_

Are you applying on behalf of the landlord or the tenant? \_\_\_\_\_

Date: \_\_\_\_\_

Please tick to confirm you have read and understood the [explanatory notes](#). Your application is accepted on this basis.

## Your Privacy

We understand that your privacy and the security of your personal information is extremely important. This [Privacy Policy](#) sets out what we do with your personal information, what we do to keep it secure, from where and how we collect it, as well as your rights in relation to the personal information we hold about you.