

DRS2SB

RICS Dispute Resolution Service (DRS)

Joint application for appointment of an Independent Expert by the President of the Royal Institution of Chartered Surveyors under the RICS Small Business Scheme

(Only for applications where the parties have agreed to opt out of the dispute resolution procedure detailed in the lease)

Notes to consider before completing the application:

The Small Business Scheme offers a way to have an independent expert settle disputed rent reviews on commercial properties. The expert will follow a set procedure and charge a fixed fee. Both the landlord and tenant must agree to use the scheme, and by doing so, they will benefit from getting the rent fixed quickly, cheaply, and efficiently.

The scheme offers:

- An independent and fair review
- Fixed rate fee
- Backing and experience of RICS
- Flexibility to appoint additional advisors if necessary

The scheme is intended for rent reviews of small commercial properties occupied by small business in England and Wales. The two eligibility criteria are:

1. The property's rateable value must be less than £10,000 (£15,000 in London); and
2. The property is one of a maximum of two non-residential properties held by the tenant.

The scheme applies where there are no legal issues involved, the disputes must be a matter of pure valuation. (However, if parties can resolve their legal issues separately or the expert agrees to deal with them, then the scheme can be used). A reasoned determination will not be given but the expert will indicate briefly why this decision has been reached.

The scheme operates on a capped-fee basis, with a maximum cost of £510 (including VAT) for both the landlord and the tenant, plus any reasonable out-of-pocket expenses charged by the expert.

The costs are as follows:

- **Appointment Fee:** £100 plus VAT.
- **Independent Expert's Fee:** Up to £750 plus VAT, negotiable between the parties upon appointment.
- **Additional Costs:** The expert may also charge reasonable out-of-pocket expenses.

These fees will be shared equally between the parties. (if either party has its own professional advisors, it will be responsible for their fees).

Information about the property

We need to know the nature and location of the property to aid the selection of an appropriate qualified and experienced Independent Expert. You must provide the full postal address including the post code (Even it is only the first half of the code)

Address of premises for which rent is to be reviewed:

Town/City: _____ Postcode: _____

Brief Description of the property:

Information about the lease

Date of the lease: _____ Alleged date of review: _____

Amount of passing rent* _____

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 the decision requires reasons

Information about the parties and their representatives

The parties' representatives must be stated. Where a party is unrepresented, please ensure contact numbers and email addresses are included. RICS DRS will forward all relevant correspondence to them. Normally communications from DRS are sent by email. Therefore, it is important you provide email addresses.

RICS will take reasonable steps to ensure that the appointed dispute resolver is free from conflict of interest. It is therefore essential that you provide details of the landlord and tenant (including any parent and/or subsidiary companies or related entities that a prospective appointee would need to consider in their conflict checks).

Current Landlord

Title: _____ First name: _____ Last name: _____
Address: _____
Town/City: _____ Postcode: _____
Email: _____ Telephone: _____
Original landlord: _____
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: _____
Are there any other parties to this dispute? Yes No

If yes, please detail the parties below:

Current tenant

Title: _____ First name: _____ Last name: _____
Address: _____
Town/City: _____ Postcode: _____
Email: _____ Telephone: _____
Original landlord: _____
Parent associated companies: _____
Name of any guarantors: _____

Tenant representative

Title: _____ First name: _____ Last name: _____
Designation: _____ RICS membership number (if applicable) _____
Firm name: _____
Address: _____
Town/City: _____ Postcode: _____
Telephone: _____ Mobile: _____
Direct line: _____ Email: _____

Please note: RICS will be contacting the parties and/or representatives listed

Conflict of Interest

RICS will take reasonable steps to ensure that the appointed dispute resolver is free from conflict of interest and totally independent. The dispute resolver is required to disclose any involvement to RICS prior to nomination. RICS will never knowingly nominate a dispute resolver who has a conflict of interest.

If in your view there are any individuals who would have a conflict of interest regarding this matter, you should list them in the box below. Please also provide for such person, brief but clear reasons for this statement.

Name	Firm	Reason

Please note: while RICS will give careful considerations to any representations the approver will reach their own decision as to who is appointed.

How to pay

An administration charge of **£120**, inclusive of VAT, to process the application. This payment is non-refundable whether the President/Chairman makes the appointment (e.g. if the matter is settled by agreement and the application is withdrawn).

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 indicate who will be making the payment e.g. referring party representative of the referring party contact.

RICS is unable to accept credit or debit card details by email due to PCI compliance regulations. Please be aware the referring party has responsibility to ensure that payment is complete.

If you are using your bank or building society to pay the application fee.

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 date of your application. 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

Trade Accounts

Debit my RICS trade account number: _____

Account holders will be invoiced by our finance department. To apply for an account please email drs@rics.org

Application submitted by:

Landlord signature: _____

Landlord name: _____ Date: _____

Tenant signature: _____

Tenant name: _____ Date: _____

Please note: Since this is a joint application of the parties, an application **cannot proceed** without the signature of both parties.

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

Please return the completed application form by email:

Email: drs@rics.org Tel: +44(0)207 334 3806

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.