

DRS1

## RICS Dispute Resolution Service (DRS)

Request for the appointment of a Mediator to negotiate rental issues arising out of the Covid-19 crisis, in England, Wales or Northern Ireland.

### Information about the property

We need to know the nature and location of the property to select an appropriately qualified and experienced mediator. You must provide the full postal address including the postcode (even if its only the first half of the code).

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: £ \_\_\_\_\_

Please indicate any special requirements relating to the proposed mediator. For example: experience, qualifications, time restrictions or if the decision requires reasons:

### Information about the parties and their representatives

Please provide the full names and contact details for the parties and their professional representatives (if any). Communications from RICS are typically sent by email therefore please provide a valid email addresses as well as contact numbers.

#### 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: \_\_\_\_\_

#### Tenant representative

Title: \_\_\_\_\_ First name: \_\_\_\_\_ Last name: \_\_\_\_\_

Designation: \_\_\_\_\_ RICS membership number (if applicable) \_\_\_\_\_

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

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

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Town/City: _____	Postcode: _____
Telephone: _____	Mobile: _____
Direct line: _____	Email: _____

### Conflict of Interest

If there are any potential mediators who, in your view, would have a conflict of interest in this case, you should list them below. Please also provide brief and clear reasons for your statement.

Name	Firm	Reason

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

### Information about the issues in dispute

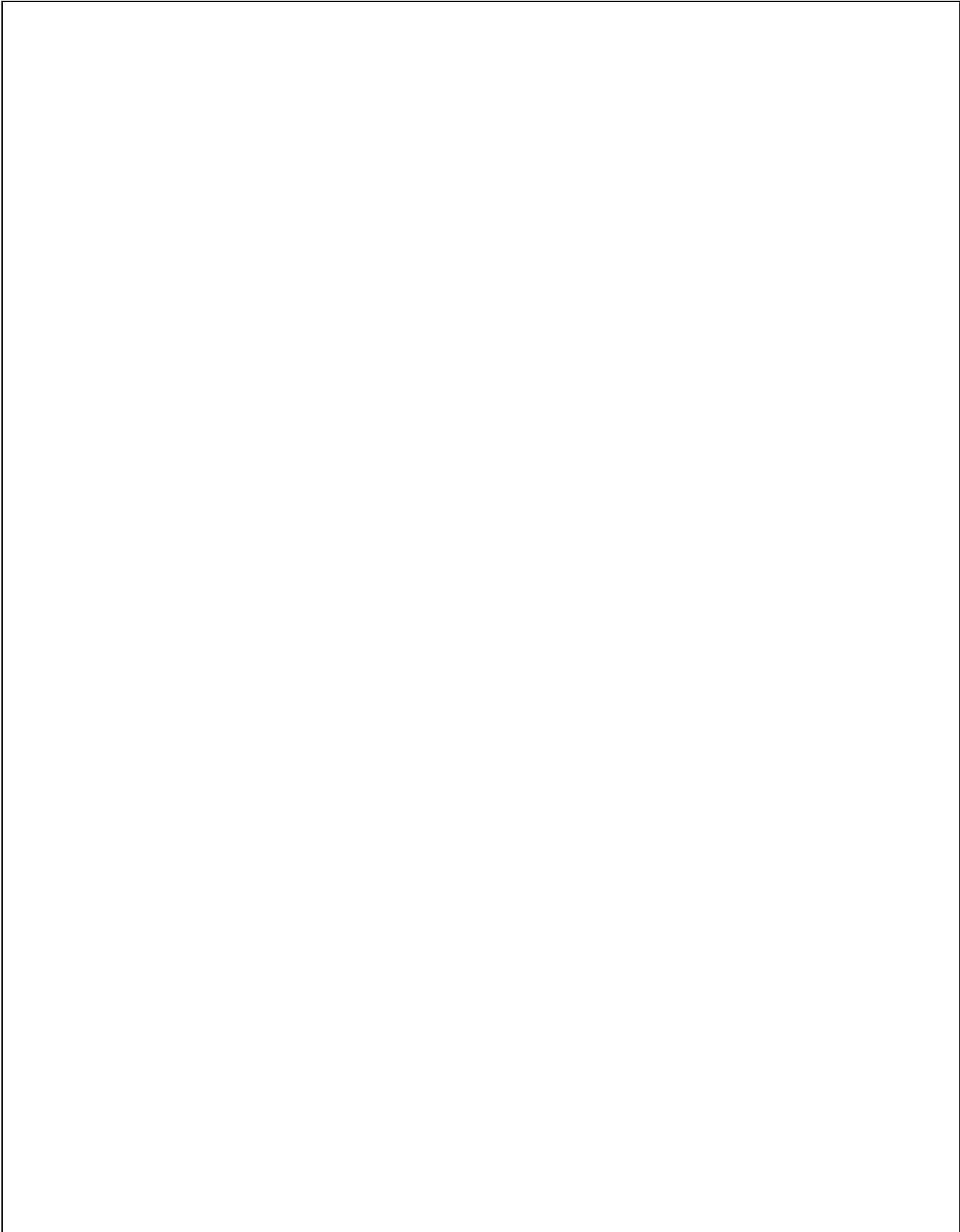
It is essential RICS receives enough information about the nature of the dispute to enable an appropriate mediator to be identified and appointed. Please provide details of the nature of the dispute including relevant details and any remedies sought. (No more than a page of A4)

Issues which could be considered include:

- Tenant's ability to pay rent – including projections of turnover
- Landlord's capacity to absorb non-payment
- Calculation of rent reduction or abatement during and post Covid-19 pandemic
- Agreeing to a formal written rent payment plan
- Alternative concessions

(Please note this is not an exhaustive list)

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## Application submitted by:

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

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

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

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

Submitting this application to RICS Dispute Resolution Service confirms that you have read and understand the explanatory notes contained in this application form. 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.

## Explanatory notes:

- RICS has a duty to act independently and transparently when appointing a dispute resolver. On receipt of a request, RICS will select a suitably qualified dispute resolver who is free from conflicts of interest normally from the President's/Chairman's panel of dispute resolvers. Details of your application will be sent to prospective third parties to help them decide whether they are able to take on the appointment.
- After checking that the dispute resolver meets the criteria an appointment is confirmed on or on behalf of the President/ Chairman and the parties and the dispute resolver is notified.
- The application form contains sections to obtain information about the property, the lease and the parties. To help RICS select someone who will have the confidence of the parties we rely on the information given in your application. An incomplete or incorrect application can result in an inappropriate appointment. It is vital that you complete all sections of the application form; incomplete sections may result in delays.
- RICS is by law not required to provide a copy of the application form and/or related correspondence to the non-applicant party and does not do so automatically. However, as a matter of good practice, RICS will provide a copy of the form and/or correspondence to the non-applicant party on request. As a matter of policy, RICS may forward the information contained in an application form, and any supplementary documentation in the case details, to the non-applicant party in the dispute and/or their Representative. Details of the case will also be sent to prospective dispute resolvers to help them decide whether they can or cannot take on the appointment.
- If the dispute is resolved before the President/Chairman makes an appointment, you must notify RICS as soon as possible.
- Parties are reminded that by completing this application they agree that they may be jointly and severally liable, under contract or statute, for payment of the dispute resolver's reasonable fees (including abortive fees for any work undertaken if the matter is settled before a decision is given).