

The Simplified Arbitration Service Process

Submission of Application

- Whilst a joint application is preferred, unilateral applications can be accepted. The arbitrator has the power to consider reasons presented by a party who chooses unilaterally not to opt for the SAS and may award adverse costs if they consider the party has acted unreasonably

Acceptance of SAS Rules & Appointment of Arbitrator

- Parties will need to confirm in writing they both agree to abide by the procedural rules published by RICS for the SAS. An arbitrator then will be appointed by RICS who will undertake the arbitration in accordance with the procedural rules

Submissions

- The parties will be invited to forward written submissions to support their case

Consideration of Submissions

- The arbitrator will consider the written submissions received from both parties and ask any questions that they may require to clarify any point. Questions will be submitted via email and in every instance questions and responses will be copied to both parties

Meetings/Hearings

- Unless agreed otherwise, the arbitrator will normally undertake the rest of the arbitration on a documents only basis. They will not hold a meeting/hearing unless both parties agree otherwise, and are advised of additional costs that may be incurred.

Property Visit

- The arbitrator will normally visit the relevant property. The arbitrator may undertake the visit alone, or with both parties/representatives present. The arbitrator will not undertake a visit with only one party in attendance

External Experts

- The parties are free to engage surveyors or other professionals, at their own cost
- The arbitrator will use their own discretion to decide if there is any need for expert opinion evidence. The default position will be that external experts are only used where issues or evidence are raised outside of the arbitrators field of expertise.

Final Decision

- The arbitrator will publish their decision within 20 working days following receipt of final written submissions, or the date of any hearing/meeting, or such longer period agreed by both parties