

## RICS Dispute Resolution Service (DRS)

Request for the appointment of a mediator by the President of the Royal Institution of Chartered Surveyors to conduct an online mediation.

### General information

RICS adopts a robust, evaluative approach to mediation which is well suited to our area of specialisation: construction, property and land disputes. We appoint professionals with years of experience to help the parties analyse the situation in depth and reach a quick, pragmatic and commercially viable settlement. This is far better than letting it drag on or taking the matter to court.

People are working remotely, and as we adjust to a digital approach, RICS online mediation could be the solution for you to manage your dispute and help you get to a pragmatic, cost effective and commercial settlement. To meet this growing need, the RICS Dispute Resolution Service (DRS) is offering a new flexible, **online mediation service**.

Online mediation has become increasingly popular. The entire process is conducted remotely using a digital platform. Unlike traditional mediation, the parties and the mediator will not meet face-to-face.

Our Mediation appointment service provides the opportunity for individuals to a dispute to attempt to resolve the matter through mediation without the time and expense of taking the matter to court.

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### Information about the dispute

RICS will need sufficient information about the dispute so to appoint a suitably qualified mediator.

Please provide brief details of the nature of the dispute:

Please indicate the approximate sum of money in dispute: £

How long has the dispute been going on?

Have you previously tried to negotiate a settlement of this dispute?

Yes  No

If yes, please provide details below:

Have litigation or arbitration proceedings commenced in respect of this dispute?

Yes  No

If yes, please provide details below:

Is this a joint or unilateral application?

Please note: parties will need to make a joint application to RICS> where only one party applies, DRS will attempt to contact the other side to encourage them to engage with the process. Once both parties have agreed to the process, DRS will appoint an appropriately qualified mediator.

Yes  No

### Applicant details

If you are represented please also provide details of the representative(s) below. RICS DRS will send correspondence to them. Normally DRS communications are sent by email, unless you specify otherwise. Therefore, it is important you provide email addresses.

**Party A (the applicant) Title:**

Surname:

Forename(s):

Telephone (home:)

Mobile:

Email:

Home address:

Postcode:

County:

Country:

### Party A's representative (If applicable)

Title:

First name:

Last name:

Designation:

RICS membership Number: (if applicable)

Firm name:

Address:

Town/city:	Post code:
Telephone:	Mobile:
Direct line:	Email:

Are there any other parties to this dispute?

Yes

No

If yes, please detail the parties below:

### Party 1 (other party)

Title: \_\_\_\_\_

Surname: \_\_\_\_\_

Forename(s): \_\_\_\_\_

Telephone (home:): \_\_\_\_\_ Mobile: \_\_\_\_\_

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

Home address: \_\_\_\_\_

Postcode: \_\_\_\_\_ County: \_\_\_\_\_ Country: \_\_\_\_\_

### Party 1 representative (if applicable)

Title: \_\_\_\_\_

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

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

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

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

Town/city: \_\_\_\_\_ Post code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Mobile: \_\_\_\_\_

Direct line: \_\_\_\_\_ Email: \_\_\_\_\_

### Party 2 (other party)

Title: \_\_\_\_\_

Surname: \_\_\_\_\_

Forename(s): \_\_\_\_\_

Telephone (home:): \_\_\_\_\_ Mobile: \_\_\_\_\_

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

Home address: \_\_\_\_\_

Postcode: \_\_\_\_\_ County: \_\_\_\_\_ Country: \_\_\_\_\_

### Party 2 representative (if applicable)

Title: \_\_\_\_\_

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

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

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

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

Town/city:	Post code:
Telephone:	Mobile:
Direct line:	Email:

Are all the parties aware that this application has been made?

Yes  No

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

**Professional background of the mediator**

Please let us know if there are any requirements you wish us to consider in nominating the mediator for example: (experience, qualification's, time restrictions).

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(If there are no requirements please state none):

**Conflicts of interest**

RICS will take reasonable steps to ensure that the appointed mediator is free from conflict of interest and totally independent. The mediator is required to disclose any involvement to RICS prior to nomination. RICS will never knowingly nominate a mediator 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, 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 his/her own decision as to who is appointed.

**How to pay**

RICS charges a non-refundable administration fee of in disputes of £25000 or under, £60.00 inclusive of VAT (or £120 if paid by the applicant) to make an appointment of a mediator or in disputes of over £25000, £120 inclusive of VAT (or £240 if paid by the applicant) to make an appointment of a mediator. The fees are required to proceed with your application and are non-refundable.

**You can choose to pay by the following:**

- Providing a cheque made payable to RICS. Please detail your name and the parties involved in the adjudication on the reverse so that the payment can be allocated. If a cheque has not been received by the fourth day of processing, DRS will contact the referring party direct for alternative payment.
- A card payment. One of our advisors will contact you to arrange payment. Please tick this box:
- By 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](mailto:bacs@rics.org)

- 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](mailto:drs@rics.org)

## Mediators Fees

The appointed mediator will charge a fixed fee. For full details of the mediator's fees please visit

[www.rics.org/onlinemediation](http://www.rics.org/onlinemediation)

### Application submitted by:

Mediation is a consensual process so the parties to the dispute will be required to jointly sign the application

We jointly agree to appoint a mediator. Submitting this application form to RICS DRS confirms that you have read and understand the information contained in this application. Your application is accepted on this basis.

Signed (applicant):

Date:

Signed (applicant):

Date:

Signed (party 1) :

Date:

**Please return the completed application form by email to [drs@rics.org](mailto:drs@rics.org)**

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

## Your privacy

RICS takes the privacy and security of the personal information you provide very seriously. Your details are held in a secure database with authorised access only. We apply data processing policies in compliance with the Data Protection Act 1998 and the Privacy and Electronic Communications Regulations (EC Directive 2003). RICS will not use the information you provide in this application to contact you with offers of products and services. Nor will RICS share your information with third parties for the purpose of sending you details of offers of products and services.

## Explanatory notes

- RICS has a duty to act independently and transparently when appointing a dispute resolver. On receipt of a request, DRS will select a suitability qualified RICS Accredited Mediator who is free from conflicts of interest.
- It is vital that you complete all sections of the application form; incomplete sections may result in delays and an inappropriate nomination.
- As a matter of policy RICS may forward the information contained in an application form and supplementary documentation in the case details, to the parties in dispute and/or the representatives. Details of the case will also be sent to prospective mediators to help them decide whether they can or cannot take on the nomination.
- If the dispute is resolved before the mediator is nominated, you must notify RICS as soon as possible.
- RICS DRS acts in an administrative capacity and will make an appointment in accordance with your application
- Your application will be processed on the basis that that appointments are often made on behalf of the President/Chairman of RICS by one of his/her duly appointed agents.
- RICS DRS will not always seek comments from the parties on disclosures made by potential appointees. In some cases the President/Chairman may decline to appoint someone, even if they are satisfied that he potential dispute resolver has no conflicts of interest. Before an appointment is made RICS DRS will take into account a range of factors including representations made by both parties.