

DRS CRAA 3

Reference to Arbitration

Including request for the appointment of an Arbitrator under the [Commercial Rent \(Coronavirus\) Act 2022](#).

The applicant hereby refers the resolution of the matter of relief from payment of a protected rent debt in respect of the tenancy below by arbitration to the Royal Institution of Chartered Surveyors (RICS) pursuant to the provisions of [section 10\(4\)](#) of the Commercial Rent (Coronavirus) Act.

[This document and all attachments to it must be sent to RICS by email to drs@rics.org. RICS will process the reference and send a copy together with the formal proposal and accompanying documentation to the respondent once the reference has been accepted. This appointment of the arbitrator will be processed in accordance with the [Act](#).

Please ensure that the details required below are provided accurately. Errors in this information may lead to an inappropriate appointment and will prevent the proposed arbitrator carrying out a thorough check for any potential conflicts of interest. Details of the parties' professional representatives must be provided, if applicable. RICS will forward all relevant correspondence to them. Normally communications from RICS are sent by email, so it is important that you provide accurate email addresses and contact numbers.]

Information about the tenancy

Tenant's Name: _____

Landlord's Name: _____

Tenancy location: England Wales _____

Brief description of the business in respect of which the [protected rent debt](#) applies: _____

Address of business : _____

Town/City: _____

Postcode: _____

Information about the parties and their representatives

Applicant's details

Title: _____ First name: _____ Last name: _____

Address: _____

Town/City: _____ Postcode: _____

Telephone: _____ Mobile: _____

Direct line: _____ Email: _____

Respondent's details

Title: _____ First name: _____ Last name: _____

Address: _____

Town/City: _____ Postcode: _____

Telephone: _____ Mobile: _____

Direct line: _____ Email: _____

Applicant's representative (if applicable)

Title: _____ First name: _____ Last name: _____

Designation: _____ RICS membership number (if applicable) _____

Firm name: _____

Address: _____

Town/City: _____ Postcode: _____

Telephone: _____ Mobile: _____

Direct line: _____ Email: _____

Respondent's representative (if applicable)

Title: _____ First name: _____ Last name: _____

Designation: _____ RICS membership number (if applicable) _____

Firm name: _____

Address: _____

Town/City: _____ Postcode: _____

Telephone: _____ Mobile: _____

Direct line: _____ Email: _____

Formal Declaration

I confirm: (please tick)

1. The applicant declares in accordance with the provisions of sub-sections [10\(3\)](#) and [\(5\)](#) as read with [\(6\)](#) of the Act, that the tenant that owes the protected rent debt is not subject to one of the following –
 - a) a company voluntary arrangement which relates to any protected rent debt that has been proposed, is awaiting a decision or has been approved under [section 4 of the Insolvency Act 1986](#),
 - b) an individual voluntary arrangement which relates to any protected rent debt that has been proposed, is awaiting a decision or has been approved under [section 258 of that Act](#), or
 - c) a compromise or arrangement which relates to any protected rent debt that has been applied for, is awaiting a decision or has been sanctioned under [section 899](#) or [901F of the Companies Act 2006](#).
2. The applicant declares that should any of the circumstances in this section change, it will inform RICS and the respondent immediately.

Conflict of Interest

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

Name	Firm	Reason

Proposed arbitration procedure

I confirm: (please tick)

- In order to limit the cost and volume of evidence used in this arbitration, the parties have agreed that the arbitration be conducted in accordance with the RICS Arbitration Procedure{Link to fees}:
A
B
C
D
- The parties have not agreed on the arbitration procedure and the arbitration will proceed by default under RICS Arbitration procedure D

How to pay

RICS charges an administration fee to make an appointment of an arbitrator. This payment is non-refundable whether or not an appointment is made (e.g. if the matter is settled by agreement and the reference is withdrawn).

For RICS Arbitration procedure A or B, payment of the applicable arbitration fee to RICS must be made with submission of this reference to arbitration. For procedure C or D, the applicant will be required to make payment for the arbitrator's fees to RICS once this has been determined by the arbitrator {link to fees} and before the arbitration takes place.

Payment options (please tick then complete relevant section):

Card

RICS Bank account details

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.

RICS Bank account details:

Account number: 30786339

Sort code: 56-00-45

Swift Code: NWBK GB2L

Please ensure the payment reference states: "CRAA - your name- date of reference . This will ensure that your payment is correctly allocated and your reference is processed. Please email a copy of the remittance to bacs@rics.org

Applicant Checklist

- 1. Ensure the notice of intention (CRAA1) has been served.
- 2. Full completion of all sections of this reference to arbitration
- 3. Formal Proposal

The applicant must include a formal proposal for resolving the matter of relief of payment of protected rent debt with this reference under [Section 11\(1\)](#) of the Act. Also under [Section 11](#) of the act the respondent has the opportunity to submit to a response to the formal proposal. Both parties can then revise their proposals.

- 4. Supporting evidence in relation to the requirements of the arbitration procedure selected {link to table}
- 5. Payment of the relevant administration fee to RICS by the applicant
- 6. Payment of the applicable arbitration fee to RICS (Procedure A, B or C) or undertakes to do so before the arbitration takes place once this has been determined by the arbitrator (procedure D only)

Reference submitted by:

Signature: _____

Print name: _____

Date _____

Who is applying on behalf of the: Landlord Tenant

Submitting this Reference to RICS Dispute Resolution Service confirms that you have read and comply with the provisions of the [Commercial Rent \(Coronavirus\) Act 2022](#). Your reference 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 will appoint an arbitrator, usually within fourteen days, who will contact you and the respondent and further direct the progress of the preparation for the arbitration and the arbitration itself.
- The reference to arbitrate contains sections to obtain information about the tenancy and the parties. To help RICS select someone who will have the confidence of the parties we rely on the information given. An incomplete or incorrect reference to arbitrate can result in your reference being dismissed. It is vital that you complete all sections of the reference.
- RICS will send a copy of the reference, formal proposal and all accompanying documents to the respondent and arbitrator once appointed.
- If the matter is resolved before the RICS makes an appointment, you must notify RICS as soon as possible.
- The arbitration cannot commence until payment of the administration and arbitrator's fees has been determined and paid as required by section [19\(4\) of the Act](#).