

## RICS Dispute Resolution Service (DRS)

Request for the appointment of a mediator by the President of the Royal Institution of Chartered Surveyors

### General information

A mediator helps to clarify and prioritise issues, crystallise needs, reality check and assist parties in search for solutions. They are facilitators who guide and manage the parties through a process of controlled negotiations to avoid escalation of conflict. RICS has developed a robust approach to mediation known as the ACRE™ Mediation Service. This service is:

- **Analytical** – our mediators help the parties to analyse the circumstances, law, evidence, strengths and weaknesses of the issue to empower them to make pragmatic commercial settlement decisions.
- **Commercial** – our mediation encompasses wide commercial as well as narrow legal realities and so can provide a flexible settlement that courts or arbitration cannot.
- **Restorative** — our mediation focuses on restoring the business relationship between parties and is completely confidential to limit further damage.
- **Expert** — our mediators have many years' experience and expertise in the field of the dispute. They help parties reach a settlement, or narrow the issues in dispute, reducing court or arbitration costs.

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.

RICS Dispute Resolution Service (DRS) do not charge a referral fee for the appointment of a mediator, but the appointed mediator will charge the parties fees, and this may also include an administrative referral fee.

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### Information about the property

RICS will need sufficient information about the dispute so to nominate 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?  
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.

**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 or post to:  
RICS Dispute Resolution Services, 55 Colmore Row, Birmingham B3 2AA**



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.