



Guidance Notes for Customers: RICS Adjudication

Who are CEDR?

We are the Centre for Effective Dispute Resolution – the largest provider of Alternative Dispute Resolution (ADR) in Europe. We help customers in 18 different industries, including house-building, funerals, lotteries, post, travel, telecoms and water.

Who regulates CEDR?

We are approved to provide ADR for customers by the Chartered Trading Standards Institute (CTSI), the Civil Aviation Authority (CAA), the Gambling Commission and Ofcom.

What is ADR?

ADR is a way of sorting out conflicts or disputes informally and confidentially, without the matter having to go to court. Adjudication is one of the ADR methods that we provide.

What is adjudication?

Adjudication is where an adjudicator (who is legally trained or an industry specialist) weighs up the documents and evidence you and the company provide to reach a written decision on your dispute. The adjudicator will take into account any law that is relevant to the dispute, as appropriate.

What is the RICS Service?

Approved by RICS, the RICS Service is an independent adjudication service that has been set up to resolve disputes between companies who are regulated by RICS (and who have nominated CEDR as its preferred ADR provider) and their customers. The RICS Service is designed to adjudicate disputes that have reached deadlock or where eight weeks have passed since your complaint was first raised.

How does the RICS Service work?

The RICS Service is run under a set of rules, which are available on our [website](#). The Service Rules set out what we can and can't deal with, as well as the full process. All applications must meet the rules. If yours doesn't, we will tell you why and if there is anything you can do so that it does.

How much does it cost?

The RICS Service is free to use for customers, the company you're complaining about will cover the cost of the process.

When can I apply?

You can apply for adjudication if a company who is registered with us has not been able to sort out the dispute to your satisfaction through their own complaints process. Your complaint must have been on-going for at least eight weeks or you must be able to show that your complaint has reached deadlock.

How do I make an application?

You must fill in an application form and send it to us, with your supporting documents. You can apply online or download the form from our [website](#).

What happens when you receive my application?

Once we receive your application we will check that, on the face of it, it is valid and that we can handle it under the RICS Service Rules. We will then send the application form and your supporting evidence to the company and give them 15 working days to respond in writing.

Will I see the company's response and evidence that they submit about my case?

Yes, we will send a copy of the company's response (including any evidence they provide) and give you time to submit further comments to us if you want to. However, you cannot raise any new issues at this point.

How long will it take?

We must complete cases within 90 days of accepting an application, but in most cases the process takes about 65 days.

Who will decide my case?

Once we have received all the necessary documents from you and the company you are in dispute with, we will refer the matter to a trained, professional adjudicator. The adjudicator will review all the evidence and make a written decision on the dispute. This written decision will be sent to you and the company at the same time.

How does the adjudicator decide how much compensation to award?

The adjudicator will take into account how much you have claimed, all the circumstances you and the company have described in your evidence, and the terms and conditions of the service you used. They will also consider the law and any relevant customer service standards.

How long does the adjudicator take to publish their decision?

The adjudicator usually issues their decision within three weeks of receiving all the case files.

What happens if I agree with the decision?

If you agree with the adjudicator's decision you should tell us as soon as possible that you accept it. We will then tell the company and it will become binding on them. This means that the company must carry out any actions directed in the decision within a short time, normally within four weeks.

What happens if I disagree with the decision?

If you disagree with the adjudicator's decision you should tell us as soon as possible that you reject it – we will then tell the company. This will then mean the decision has no effect in law and is not binding on either party. You are then able to take your claim to court should you wish to do so.

What if the company and I decide to settle the complaint ourselves?

You and the company can still settle the matter between yourselves at any time before the adjudicator makes a final decision. You will just need to let us know if this happens.

Do I need a solicitor to represent me?

No, you do not need a solicitor, but you can ask one to submit your claim for you if you want to. However, you cannot claim any charges your solicitor may make for their services.

Will I be expected to go to a hearing?

No, the whole process is done in writing.

Will I be able to speak to the adjudicator by phone?

So that they stay impartial, the adjudicator has no direct contact with you or the company. But you can speak to our team of Case Officers, who will be able to give you guidance on how to use the Service.

What is the legal effect of the adjudicator's decision?

Once you receive the adjudicator's decision, you will be given a few weeks to decide whether you accept or reject it. If you accept the decision, the company has to provide you with the remedies the adjudicator has set out in the decision. If you reject the decision, it has no effect on you or the company.

What should I do if the company does not keep to the adjudicator's decision?

If the company does not carry out the actions directed by the adjudicator within the timeframe set, you should contact us.