

The Complaints Process

Complaint Raised	<p>We will only accept a complaint where:</p> <ul style="list-style-type: none"> the Complainant has followed the Member's formal complaints process at least 8 weeks has been allowed for the Member to resolve the complaint there is no response or no satisfactory resolution has been reached.
First Contact from Case Assessor	<p>The complaint will be assigned to a Case Assessor who will:</p> <ul style="list-style-type: none"> make First Contact with the complainant within 5 working days determine whether the complaint is valid and acceptable by the Scheme under the Terms of Reference. then allow the Complainant 10 working days to submit evidence or further information if requested.
Member Response	<p>If the complaint is accepted, the Case Assessor will:</p> <ul style="list-style-type: none"> notify the Member of the valid complaint instruct the Member to either submit their Rebuttal evidence to the Case Assessor, or resolve the complaint directly with the Complainant, within 10 working days wait for confirmation on whether a mutual agreement has been reached, or whether the complaint should continue make a Default decision if the Member fails to provide rebuttal evidence, for which a charge will be made.
Early Resolution	<p>Once all evidence has been received, the Case Assessor has up to 15 working days to:</p> <ul style="list-style-type: none"> outline their understanding of the complaint and proposed grounds for resolution attempt to facilitate Early Resolution of the complaint, and gain agreement which becomes the Final Decision of the PRS or proceed the complaint to the next stage, either after the 15 working day period or earlier if Early Resolution is not proving successful.
Proposed Decision	<ul style="list-style-type: none"> The Case Assessor will draft a Proposed Decision based on the evidence provided and discussions between the parties The Proposed Decision will be issued within 20 working days.
Party Response	<p>Once a decision has been made:</p> <ul style="list-style-type: none"> Both parties have 10 working days to either accept the Proposed Decision or request a Review of the decision on a basis of an error in fact, law or administrative error If the Proposed Decision is accepted by the Complainant, a Declaration will be sent to be returned to the PRS If a Review has been requested, the other party will then have 5 working days to respond If the Review is rejected, the Proposed Decision will become the Final Decision.
Final Decision	<p>If a Review Request is accepted:</p> <ul style="list-style-type: none"> the Head of Redress will have 20 working days to issue a Final Decision The Complainant has 15 working days to accept the Final Decision which will become binding on the Member. Failure to respond will result in the complaint being closed.
Compliance	<ul style="list-style-type: none"> the Member will have 28 days to comply with the decision, at whichever stage it is made the Complainant can take the Member to Court for non-compliance.

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Scheme Authorised by:



Ministry of Housing,
Communities &
Local Government

**NATIONAL
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Estate Agency Team
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