

ADR Regulations 2015 – Appendix D Report

Reporting Period: 1st October 2017
– 30th September 2018

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Introduction

On 16th September 2015, The Property Redress Scheme (PRS) gained approval from the Chartered Trading Standards Institute (CTSI) and the National Trading Standards Estate Agency Team (NTSEAT) under the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 (ADR Regulations).

Both CTSI and NTSEAT are authorised as competent authorities for the purpose of the work the PRS undertakes under the ADR Regulations. The NTSEAT cover our estate agency work whereas the CTSI cover all other property related work including lettings and property management.

Statistical breakdown of complaints as required under Appendix D of the CTSI Requirements and Guidance on seeking approval as a Consumer ADR Body operating in non-regulated sectors:

| | Sales | Lettings | Residential Leasehold Management | Other (Inventory Management Company) | Cosmetic Redress |
|--------------------------------|-------|----------|----------------------------------|--------------------------------------|------------------|
| Disputes Received | | | | | |
| Domestic Disputes Received | 67 | 629 | 50 | 112 | 0 |
| Cross Border Disputes Received | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|--|---|----|----|---|---|
| Disputes Rejected | | | | | |
| Total | 6 | 70 | 10 | 8 | 0 |
| a) No formal complaint raised with trader | 2 | 18 | 1 | 2 | 0 |
| b) Frivolous or vexatious/unsupported complaint | 1 | 2 | 0 | 1 | 0 |
| c) Dispute being/more appropriate for it to be considered elsewhere (e.g. court) | 2 | 43 | 9 | 4 | 0 |
| d) Claim value over £25,000 | 1 | 1 | 0 | 1 | 0 |
| e) Not referred within 12 months | 0 | 6 | 0 | 0 | 0 |
| f) Dispute would impair effective operation | 0 | 0 | 0 | 0 | 0 |

| | Sales | Lettings | Residential Leasehold Management | Other (Inventory Management Company) | Cosmetic Redress |
|--|-------------|-------------|----------------------------------|--------------------------------------|------------------|
| Percentage of cases discontinued for operations reasons (out of Scheme's remit) | 4.5% | 2.7% | 6% | 5.36% | n/a |
| Average time taken (days) to resolve from complaint initially accepted to Decision issued (includes evidence gathering stage) | 94 | 93 | 101 | 91 | n/a |

| | | | | | |
|--|-----------|-----------|-----------|-----------|------------|
| Average time taken (days) from case sent for decision to decision completed (measures only time taken for decision completion once all evidence received) | | | | | |
| Domestic Disputes | 51 | 43 | 37 | 42 | n/a |
| Cross Border Disputes | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|--|-------------|------------|------------|------------|------------|
| Rate of compliance with Ombudsman decisions | 100% | 66% | 83% | 79% | n/a |
|--|-------------|------------|------------|------------|------------|

Rate of compliance:

We have seen an increase in the rate of compliance with sales and property management related decisions, however, a notable decline in the compliance rate of lettings related decisions can be seen. A contributing factor towards this lower compliance rate has been the occurrence of several members who have had multiple disputes and failed to comply with the decisions we have issued. Two notable examples of this were TW Property Management who were expelled from our scheme on 30th May 2018, however, had a total of 45 complaints raised with us before this expulsion was actioned, and Signature London Group who had a total of 44 complaints raised and were expelled on 23rd October 2010.

ADR Network:

The Property Redress Scheme is not part of a network of ADR entities facilitating resolution of cross border disputes.

Frequently occurring problems and types of disputes raised:

The disputes received by the Scheme will generally involve more than one issue or head of complaint, for example a complainant may complain about the service received as well as something more specific such as a fee that was charged. During the reporting period, the majority of disputes (12%) included issues concerning a member breaching their duty of care to the consumer. The second highest dispute cause (10%) was due to the consumer feeling they received poor service or poor handling of their initial complaint. The next most common complaint reasons were for a member applying fees and charges (8%) and issues with general communication (7%).

During the period, no one specific issue stood out in any of the areas of complaints we deal with.

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Scheme Authorised by:



NATIONAL TRADING STANDARDS
Estate Agency Team
Protecting Consumers
Safeguarding Businesses

The Property Redress Scheme is a government authorised Consumer Redress Scheme for Lettings, Property Management and Estate Agents and other Property Professionals.
HF Resolution Ltd trading as Property Redress Scheme. Registered Office:
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