

ADR Regulations 2015 – Appendix D Report

Reporting Period: 1st October 2018
– 30th September 2019

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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 - Initial enquiries					
Domestic Disputes Received	159	792	156	164	2
Cross Border Disputes Received	0	0	0	0	0

	Sales	Lettings	Residential Leasehold Management	Other (Inventory Management Company)	Cosmetic Redress
Disputes Received - Accepted					
Domestic Disputes Received	65	374	56	73	1
Cross Border Disputes Received	0	0	0	0	0

	Sales	Lettings	Residential Leasehold Management	Other (Inventory Management Company)	Cosmetic Redress
Disputes Rejected					
Total	30	183	52	37	0
a) No formal complaint raised with trader	10	90	21	11	0
b) Frivolous or vexatious/ unsupported complaint	1	9	0	2	0
c) Dispute being/more appropriate for it to be considered elsewhere (e.g. court)	13	61	27	17	0
d) Claim value over £25,000	3	6	1	1	0
e) Not referred within 12 months	3	17	3	6	0
f) Dispute would impair effective operation	0	0	0	0	0

	Sales	Lettings	Residential Leasehold Management	Other (Inventory Management Company)	Cosmetic Redress
% Outside Schemes Remit					
Percentage of cases discontinued for operations reasons (out of Scheme's remit)	1.61%	0.83%	1.10%	4.84%	N/A

	Sales	Lettings	Residential Leasehold Management	Other (Inventory Management Company)	Cosmetic Redress
Time Taken					
Overall average time taken (days)	40	53	42	56	56

	Sales	Lettings	Residential Leasehold Management	Other (Inventory Management Company)	Cosmetic Redress
Time Taken					
Average time taken for formal decisions (days)	31	50	28	28	N/A

	Sales	Lettings	Residential Leasehold Management	Other (Inventory Management Company)	Cosmetic Redress
Rate of compliance with Ombudsman decisions					
Total	88%	68%	83%	79%	N/A
Early Resolution	100%	97%	100%	100%	100%
Default Decision	80%	25%	0%	33%	100%
Proposed Decision	85%	81%	100%	93%	N/A

Rate of compliance:

The above provides a breakdown of the overall compliance rate with decisions we have made over the reporting period. Further analysis tells an interesting story, particularly when looking at complaints resolved by way of early resolution and negotiation. Where we have actively engaged with the disputing parties, we are experiencing high compliance rates, and this can also be seen with the compliance of our proposed decisions.

It is important to recognise the impact default decisions make on the overall compliance rate experienced. A default decision is where the member has not taken part in our process, commonly failing to provide any rebuttal evidence, and ultimately choosing not to comply with the decision we have made.

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 (17%) included issues concerning the agent's communication and care towards their consumers. The second highest dispute cause (10%) was due to misleading / incorrect information received by their agent. The next most common complaint reasons were relating to rent collection (9%).

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:


 Ministry of Housing,
 Communities &
 Local Government

**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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