
Property Redress Scheme Biannual Report

Reporting Period: 1st October 2017 to 30th September 2019

ADR Regulations 2015 - Appendix D Report

Foreword by the Head of Redress



Welcome to the Property Redress Scheme's Bi-annual report which is published as part of our CTSI Approval as Provider of Alternative Dispute Resolution under Alternative Dispute Resolution for Consumer Disputes (Amendment) Regulations 2015

As an established provider of dispute resolution in the property industry, running a Redress Scheme for Letting Agents, Estate Agents and Property Management agents under approval of the Ministry of Housing, it has been a natural progression for us to offer the same service for other professionals in the property industry.

We now have amongst our members, inventory clerks, property sourcers, surveyors and a growing number of landlords. We are also engaging with other providers of property services such as short-term lets, property education and rent to rent to encourage them to join us.

We firmly believe that access to redress, effective complaint handling and raising standards are key to a healthy industry and customer confidence. At the moment, awareness among companies and consumers of their obligations and rights under the law are relatively low and the regulations are only starting to be enforced, however our efforts in informing and educating the sector are making inroads into creating a culture of resolving disputes and learning from complaints.

We are committed to changing the landscape of consumer experience when things go wrong, by encouraging consumer empowerment and provider responsibility. Our emphasis is on early intervention and mutual resolution through facilitated negotiation between the parties and mediation in order to enable the parties to continue their relationship or to move on in satisfactory manner. Our formal processes however are also robust and deliver fast and constructive decisions which are based firmly on the principles of consumer law.

We provide feedback to our members and from our experience of handling many complaints provide members and consumers alike, with guidance and case studies to help them learn from other peoples' mistakes.

We reach out to members to help them develop complaint handling processes and also to try and prevent complaints, however we are also tough on poor practice, incompetence and lack of professionalism. We see our mission as providing quick, effective and affordable avenues for both parties in a dispute to get resolution and to encourage improvement and higher standards in the market place. By delivering this service, customers feel reassured that they are protected, providers feel they have way of putting things right without condemnation and can also embrace the scheme as an indication that they are accountable to their consumers.

I hope you find this report informative and helpful and that the value of the work we have done is built on in the future.

Sean Hooker
Head of Redress

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 Total	226	1421	206	276	0
Domestic Disputes Received 2017 - 2018	67	629	50	112	0
Domestic Disputes Received 2018 - 2019	159	792	156	164	2
Cross Border Disputes Received Total	0	0	0	0	0
Cross Border Disputes Received 2017- 2018	0	0	0	0	0
Cross Border Disputes Received 2018 - 2019	0	0	0	0	0

	Sales	Lettings	Residential Leasehold Management	Other (Inventory Management Company)	Cosmetic Redress
Disputes Received - Accepted					
Domestic Disputes Received Total	65	374	56	73	1
Domestic Disputes Received 2017 - 2018	N/A	N/A	N/A	N/A	N/A
Domestic Disputes Received 2018 - 2019	65	374	56	73	1
Cross Border Disputes Received Total	0	0	0	0	0
Cross Border Disputes Received 2017- 2018	0	0	0	0	0
Cross Border Disputes Received 2018 - 2019	0	0	0	0	0

	Sales	Lettings	Residential Leasehold Management	Other (Inventory Management Company)	Cosmetic Redress
Disputes Rejected					
Total	36	253	62	45	0
2017 - 2018	6	70	10	8	0
2018 - 2019	30	183	52	37	0
Breakdown:					
a) No formal complaint raised with trader	12	108	22	13	0
b) Frivolous or vexatious/ unsupported complaint	2	11	0	3	0
c) Dispute being/more appropriate for it to be considered elsewhere (e.g. court)	15	104	36	21	0
d) Claim value over £25,000	4	7	1	2	0
e) Not referred within 12 months	3	23	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 Total	6.1%	3.5%	7.1%	10.2%	N/A
2017 - 2018	4.5%	2.7%	6%	5.4%	N/A
2018 - 2019	1.6%	0.8%	1.1%	4.8%	N/A

	Sales	Lettings	Residential Leasehold Management	Other (Inventory Management Company)	Cosmetic Redress
Time Taken					
Overall average time taken (days) Total	67	73	72	74	N/A
2017 - 2018	94	93	101	91	N/A
2018 - 2019	40	53	42	56	N/A

	Sales	Lettings	Residential Leasehold Management	Other (Inventory Management Company)	Cosmetic Redress
Time Taken					
Average time taken for formal decisions (days) Total	41	47	38	35	N/A
2017 - 2018	51	43	37	42	N/A
2018 - 2019	31	50	28	28	N/A

	Sales	Lettings	Residential Leasehold Management	Other (Inventory Management Company)	Cosmetic Redress
Rate of compliance with Ombudsman decisions					
Total	94%	67%	75%	77%	N/A
2017-2018	100%	66%	83%	79%	N/A
2018 - 2019	88%	68%	67%	75%	100%
Early Resolution	100%	97%	100%	100%	100%
Default Decision	80%	25%	0%	33%	N/A
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:



NATIONAL TRADING STANDARDS
Estate Agency Team
Protecting Consumers
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The Property Redress Scheme is a government authorised Consumer Redress Scheme for Lettings, Property Management and Estate Agents and other Property Professionals.
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