

RICS Dispute Resolution Service

Below is a summary of the RICS dispute resolution service. Full details of the service can be found in section 2 of the new service charge code. [Download service charge code.](#)

Dealing with disputes

The Royal Institution of Chartered Surveyors (RICS) has a dedicated dispute resolution service that deals with all aspects of property and construction related disputes including the area of service charges.

RICS Dispute Resolution Services is Quality Assured and is the UK's largest alternative dispute resolution provider for property and construction disputes dealing with around 9500 cases per year. Alternative dispute resolution is very often cheaper and less time consuming than taking a case to Court.

How RICS can resolve your service charge dispute

RICS provides a two stage dispute resolution process comprising **Evaluative mediation** and **expert determination**.

Evaluative mediation

Disagreement on one or two issues early in the negotiation process can have a knock-on effect and delay agreement on everything that follows. The involvement of an evaluative mediator in the early stages of some negotiations can:

- Prevent misunderstanding and minor disagreements from escalating.
- Bring parties closer together through communication and transparency.
- Provide understanding and empathy from both sides.
- Avoid the need for constant or sporadic fire-fighting throughout the negotiation process.
- Ensure smooth progress of objectives in a consensual environment.
- Avoid creating a culture for further disputes.
- Preserve the foundations of the business relationship.

Expert determination

Where consensual settlement is not possible, expert determination can bring a quick and final end of a dispute by a decision of an impartial and expert third party.

The decision will be an evaluative opinion based on:

- **The persuasiveness of argument and evidence submitted by the parties.**
- **The results of the expert's own investigations.**
- **The application of the expert's knowledge and experience in the subject matter.**

Expert determination has many benefits. It is an informal and private process where the dispute is resolved relatively quickly by an impartial expert who knows the subject

matter intimately. The procedure and timetable is flexible and can be decided by the parties.

A third option – PACT

Parties involved in a service charge dispute or dispute related to a lease renewal matter may wish to consider 'PACT'. PACT stands for Professional Arbitration on Court Terms. In more simple terms it is "lease renewal arbitration", though parties can also opt for expert determination. It is a process that offers opportunity for all type of disputes arising at lease renewal to be resolved without the necessity of going to court.

Contacting RICS

If you would like further information on the RICS dispute resolution service or if you have a current service charge dispute that both parties would like resolved without having to involve the Courts please call the RICS dispute resolution services team on +44 (0) 20 7222 7000 or email drs@rics.org. Alternatively visit the RICS website at www.rics.org/drs.