

**APPLICATION FOR THE**

**(A) THE APPOINTMENT OF AN ARBITRATOR [ ]**

**Or**

**(B) NOMINATION OF INDEPENDENT EXPERT [ ]**

**BY THE PRESIDENT OF THE SOCIETY OF CHARTERED SURVEYORS IRELAND**

**IN RESPECT OF A RENT REVIEW DISPUTE**

Office Use Reference No:

Please complete fully; tick boxes as appropriate and delete as appropriate.

I/We \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

acting as Principal/Authorised Agent hereby request the President of The Society of Chartered Surveyors Ireland to appoint/nominate an Arbitrator/Expert to act in the case details of which are set out below:

Have the parties failed to agree on a third party in accordance with the terms of the lease?

 YES [ ] NO [ ]

**1.**  **ISSUE IN DISPUTE**

(a) Is it established that the amount of the rent on review is in dispute?

YES [ ] NO [ ]

(b) Have procedures as specified in lease relating to the appointment/nomination been complied with?

 YES [ ] NO [ ]

 Specific Clause/page in lease \_\_\_\_\_

(Lease should be included with the application)

(c) State any particular provisions e.g.: time limits to which the President’s attention should be drawn, i.e.

 (i) Time limits

 (ii) Areas of specialty

 (iii) Other

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(d) Are there any issues, apart from the amount of the rent, which are in

dispute and are likely to be raised?

 YES [ ] NO [ ]

 If yes, please give details:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**2.** **LEASE/CURRENT PARTIES TO THE LEASE**

(a) Date of Lease \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **SECTION 1**

1. Name and address of Current Landlord

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Contact number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(b) Name, address and contact number of present Landlord representative

to whom communications should be sent (e.g.: Solicitor, Surveyor,

Company Official)

 Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Contact number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (c) Name and address of Valuer acting for the present Landlord

 Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Contact number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SECTION 2**

1. Name and address of Current Tenant

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Contact number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(b) Name, address and contact number of present Tenant representative

to whom communications should be sent (e.g.: Solicitor, Surveyor,

Company Official)

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Contact number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Name and address of Valuer acting for the present Tenant

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Contact number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Note: As we aim to only engage via email, it is important to include email addresses for contact persons to whom communications are to be sent

**3.** **PREMISES**

 (a) Address of premises for which rent is to be reviewed \_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (b) Review Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (c) Current Passing Rent \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (d) Type of premises:

[ ] Retail – Shop

[ ] Retail – Warehouse

[ ] Offices

[ ] Industrial/Warehouse

[ ] Other – please specify

 (e) Approximate floor area \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**4.** **VALUERS**

In order to avoid possible conflict of interest please state the names of any individuals considered unsuitable for this appointment on the grounds that their appointment would raise a real possibility of bias in the eyes of a reasonably minded person because of a present or previous connection with either party or with the subject property.

 **NAME DETAILED REASON MUST BE STATED**

**5. GENERAL/DECLARATION BY APPLICANT**

I/We undertake to be responsible for payment of the proper fees and costs of the person appointed.

This undertaking is without prejudice to any right to recover all or part of such fees or costs from the other party to the dispute as I/we may have, pursuant to the provisions of the Lease.

I/We have supplied a certified copy of the lease as executed.

I/We have paid the sum of € which is to cover administrative costs and is non-refundable. ***(€500.00 in respect of each lease)***

Pay By EFT (**quote your name and dispute resolution**) to:

SCSI, Bank of Ireland, Baggot Street Branch.

Sort Code 901490; A/c 72598806

**IBAN: IE63 BOFI 9014 9072 5988 06; BIC: BOFIIE2D**

The applicant is personally to confirm the following:

*“I have read the subject lease and the application that is being made herewith is in accordance with the subject lease and I undertake and acknowledge that if there are any errors made on my part in relation to the completion of the form applying to the President of The Society of Chartered Surveyors Ireland for the appointment of an Arbitrator/Independent Expert, that I will be fully responsible for acknowledging any such errors and that any such mistakes on my part may lead to a fresh application being made to the President with all the associated costs and otherwise being incurred by the applicant”*

**Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\*\*Please note that the above declaration must be completed in all cases\*\***

**Please complete and return the form along with the supporting lease to:**

**drs@scsi.ie**

Disputes Resolution Officer

The Society of Chartered Surveyors Ireland

Regulation Department

38 Merrion Square

Dublin 2

Tel: 01 64455 00