

Commercial Rent Debt Arbitration Scheme



Request for the appointment of an Arbitrator under the [Commercial Rent \(Coronavirus\) Act 2022](#).

Either the Landlord or Tenant may refer their dispute to arbitration if the dispute meets the criteria set out in the [Commercial Rent \(Coronavirus\) Act 2022](#). This referral is made to the Chartered Institute of Arbitrators (CI Arb) pursuant to [10.4 of the Act](#).

Details of the tenancy

This referral is made by (please tick the appropriate box):

Tenant

Landlord

Tenancy details

Tenant's name:

Landlord's name:

Tenancy location: England Wales

Nature of the business to which the [protected rent debt](#) applies:

Address of the property or properties to which the dispute relates:

Postcode/zip:

Country:

Telephone:

Email address:

Party details

Applicant:

Address:

Postcode/zip:

Country:

Telephone:

Email address:

Represented by:

Address:

Postcode/zip:

Country:

Telephone:

Email address:

Respondent/Second Party:

Address:

Postcode/zip:

Country:

Telephone:

Email address:

Represented by:

Address:

Postcode/zip:

Country:

Telephone:

Email address:

Please provide a brief summary of the dispute below. This may include:

- Any alleged non-compliance with the [Code of Practice](#) for the commercial property sector;
- Whether the Applicant or the Respondent have other eligible disputes against each other concerning protected rent debt which can be consolidated, or against other parties;
- Whether the application relates to a single tenancy or multiple tenancies. If multiple, please include a separate document detailing each premises, tenancy agreement and unpaid debt amount; and
- Any further issues that you consider be relevant.

The amount of commercial rent arrears which are in dispute in £:

Preference for the arbitrator's background and skill

Knowledge/profession

This scheme is designed to operate with a sole arbitrator. The parties are free to agree the number of arbitrators to form the tribunal and whether there is to be a Chair. If the parties agree on an even number of arbitrators an additional arbitrator shall be appointed as Chair unless otherwise agreed between the parties. If there is no agreement between the parties on the number of arbitrators, a sole arbitrator will be appointed. Please state below whether there is agreement on the number of arbitrators (and if so how many you would like to hear the case).

Your application is accepted on the basis that the information provided is accurate and complete. CI Arb and/or the appointed arbitrator(s) shall not be liable for any loss, costs, claim, compensation, and/or liability as a consequence of any inaccurate, misleading or incomplete information.

Please complete below:

Declaration and application for the appointment of an Arbitrator

The applicant hereby declares:

- The applicant shall comply with the Commercial Rent (Coronavirus) Act 2022 and all relevant guidance as issued from time to time.
- The dispute meets the criteria set out in [Part 1 of the Commercial Rent \(Coronavirus\) Act 2022](#), and this referral is made to the Chartered Institute of Arbitrators (CI Arb) pursuant to [Section 10.4](#) of the Act.
- A notice of intention to refer this dispute to arbitration has been served to the Respondent and 14 days have elapsed.
- A formal proposal for resolving the matter of relief from payment of a protected rent debt is provided with this application in accordance with [Section 11\(1\)](#) of the Act. Please note that under [Section 11](#) the Respondent also has the opportunity to put forward a formal proposal in response, and both parties may subsequently revise their proposals.
- The applicant will notify CI Arb and the Respondent immediately if any of these circumstances change.

It is agreed as a condition of the appointment of an arbitrator:

- To pay the fixed fees due under this scheme, including the application and arbitrator's fee, which are not refundable;
- To inform the arbitrator and the Chartered Institute of Arbitrators promptly in the event of settlement of the dispute; and
- That the Chartered Institute of Arbitrators is not liable, by reason of having appointed or nominated the arbitrator(s), for any act and/or omission by the arbitrator(s) in the discharge or purported discharge of the arbitrator(s) functions, or otherwise.

Signature: _____

Insert image of signature here

Date:

Print name:

Applicant or Respondent

Fee payment

The Arbitrator fees are charged per arbitrator. If the parties request the appointment of more than one arbitrator, the relevant fee will be charged for each individual arbitrator appointed.

This Scheme operates on a fixed fee sliding scale based on the amount of protected rent debt in dispute. Please see the table below for the total cost, including appointment fee and the arbitrator's fee.

The fee must be paid upfront and in full by the applicant. Please note that neither the appointment fee or the arbitrator fee are refundable under any circumstances. Arbitrations under this process are intended to be completed without a hearing. If the parties wish to request a hearing, there will be an additional administration fee of £500 per party. This does not include the venue costs, the arbitrators expenses, or any other expenses associated with the hearing. The fixed fees listed here do not include any expert fees which will be charged separately if required.

Claim value	Arbitrator fee (exc. VAT)	Appointment fee (exc. VAT)	Total cost (exc. VAT)
Up to £50,000	£1,500	£250	£1,750
£50,000 - £100,000	£3,500	£500	£4,000
£100,000 - £250,000	£5,000	£500	£5,500
Over £250,000	£6,000	£500	£6,500

All payments should be made in pounds sterling, please ensure that a party name is provided as a reference.

Please tick your preferred payment option*:

Credit/Debit Card

Please telephone our Finance Department on **020 7421 7429** and have your card to hand. We accept MasterCard, Visa or American Express.

Bank Transfer

If you wish to pay by bank transfer, please ensure that a party name is provided as a reference.

CI Arb bank details:

Account name: DAS Fundholding Account

Sort code: 40-05-03

Account Number: 73664678

IBAN: GB81 HBUK40050373664678

Branch identifier code: HBUKGB4B

Cheque/Bank Draft

Please make your cheque payable to 'The Chartered Institute of Arbitrators'. Send it by post to our Dispute Appointment Service (DAS) Department at:

CI Arb, 12 Bloomsbury Square, London WC1A 2LP

***Please do not send cash to CI Arb by post.**

Checklist

Please check to ensure the following have been completed before the form is sent to the CI Arb:

The Respondent has been notified of the intention to refer the dispute to arbitration at least 14 days before the date of this referral, and a copy of the notification has been provided with this form.

All sections of Commercial Rent Arbitration application form have been completed.

A copy of your formal proposal under [Section 11](#) is provided outlining the outcome you are seeking, including what proportion of the rent debt you envisage should be repaid, and what schedule the payments can take place on. In addition to the above, the Respondent has the right to submit a formal proposal under [Section 11\(2\)](#) of the Act.

You have provided any other relevant supporting documentation.

The correct fee has been paid by the applicant to the CI Arb upfront and in full.

You have signed and dated the form.

Additional notes

- CI Arb will appoint a suitable arbitrator based on the information included in this application form. Upon appointment, the arbitrator will contact the Applicant and Respondent, and they will make arrangements for the conduct of the arbitration.
- The information in this form will be used to select a suitable arbitrator for resolving this dispute. Any incomplete or incorrect information may result in your referral to arbitration being dismissed.
- The appointment will not be made until all fees have been received by CI Arb in accordance with Section 19(4) of the Act.
- CI Arb will send a copy of this reference, the applicant's formal proposal, and any other accompanying documents to the Respondent and Arbitrator once appointed.

Please return the completed form with all the supporting documentation by email to:

E: das@ciarb.org

T: +44 (0)20 7421 7455