

Lease renewal landlord and tenant ACT 1954

Request for appointment of arbitrator or independent expert



CI Arb
evolving to resolve

Requesting the appointment of (please tick as appropriate):

An Arbitrator

A Mediator

An Independent Expert

In the matter of a dispute between the following:

Claimant / first party /
landlord / tenant*:

Address:

Telephone:

Email address:

Represented by*:

Address:

Telephone:

Email address:

Original landlord (if applicable):

Parent/associated company*:

and

Respondent / second party/
landlord / tenant*:

Address:

Telephone:

Email address:

Represented by*:

Address:

Telephone:

Email address:

*Fill in as applicable or add, if necessary, names of other parties or representatives, by using another copy of this form.

Details of the property:

Address:
(include full postcode)

Google maps URL

Details of the dispute (please tick as appropriate):

Landlord & Tenant

Easements & Right of Light

Property ownership & Interferences

Professional Disputes

Utilities

Other:

Please provide brief details regarding the issues concerned or special requirements stated in the lease:

Date of lease*:

Amount in dispute/passing rent*:

User category*:

Preferred location for the meeting*:

*complete if applicable

Preference for the Arbitrator's / Independent Expert's Background and Skills:

Party one:

Knowledge/profession:

Specialist experience (if any):

Party two:

Knowledge/profession:

Specialist experience (if any):

Your application is accepted on the basis that the information you provide is both accurate and complete. The liability of CI Arb and the appointed arbitrator / mediator / expert in relation to the appointment may be restricted if the information provided is inaccurate or incomplete.

Please complete either part A or B below.

Part A – Unilateral application for the appointment of an arbitrator / mediator / independent expert

1. An agreement between the parties dated _____ allows for or includes the provision that in the event of a dispute, either party may apply to the President or Deputy President of the Chartered Institute of Arbitrators to appoint (tick as applicable) an arbitrator _____ / a mediator _____ / independent expert _____ in the matter.
2. A copy of said provision of the agreement, and particulars of the dispute, are attached and clearly marked.
3. Any condition precedent to the right of either party to make a unilateral application for the appointment of (tick as applicable) an arbitrator _____ / a mediator _____ / independent expert _____ (tick as applicable) has been satisfied and the particulars of this, if any, are attached.

It is agreed as a condition of such an arbitration appointment:

4. To pay the reasonable fees and expenses of the arbitrator, whether or not the arbitration reaches a hearing or any award is made;
5. To provide adequate security for such payment if the arbitrator so requests;
6. To make such payment within ten days of receipt of notice that the award is ready to be taken up or that such payment is otherwise due;
7. To inform the arbitrator in the event of the settlement of the dispute before any decision is made and state which party is to pay any fees and expenses due to the arbitrator; and

8. That it is acknowledged that the Chartered Institute of Arbitrators is not liable, by reason of having appointed or nominated the arbitrator; for anything done or omitted to be done by the arbitrator in the discharge or purported discharge of his / her functions.

It is agreed as a condition of such a mediation / expert determination appointment:

4. To pay the reasonable fees and expenses of the mediator / independent expert, whether or not any agreement / determination is made;
5. To provide adequate security for such payment if the mediator/ independent expert so requests;
6. To inform the mediator / independent expert in the event of a settlement of the dispute; and
7. That it is acknowledged that the Chartered Institute of Arbitrators is not liable, by reason of having appointed or nominated the mediator / independent expert, for anything done or omitted to be done by the mediator / independent expert in the discharge or purported discharge of his / her functions.

Name: _____ Signed: _____

Capacity: _____ Date: _____

*(as, or for and on behalf of, Claimant)

Part B – Joint application for the appointment of an arbitrator / mediator / independent expert

The parties hereby apply to the President or Deputy President of the Chartered Institute of Arbitrators for their dispute (particulars of which are attached), to be referred to (tick as applicable) an arbitrator / a mediator / an independent expert appointed for that purpose by the President or Deputy President of the Chartered Institute of Arbitrators.

N.B. Items 4-8 (Arbitration)/Items 4-7 (Mediation / Independent Expert) also apply.

Signed: _____ Signed: _____

Name: _____ Name: _____

Capacity: _____ Capacity: _____

Date: _____ Date: _____

(as, or for and on behalf of, Claimant)

(as, or for and on behalf of, Respondent)

Fee

I enclose cheque for **£360** (inclusive of VAT) payable to 'The Chartered Institute of Arbitrators' or if you would like to pay by bank transfer or by Credit/Debit Card, please contact us on +44 (0)20 7421 7455.

Please return the completed form by email or post to:

Dispute Appointment Service
Chartered Institute of Arbitrators

12 Bloomsbury Square
London, WC1A 2LP

T: +44 (0)20 7421 7455
E: das@ciarb.org