

A copy of this form and attachments will be sent to the registered form TPO ref _____

This is the form you need to complete if you want The Property Ombudsman to look at your complaint.

- Remember – you must have complained to the registered firm **FIRST** and unless the registered firm has failed to deal with your complaint, you should have received a final response letter from the registered firm.
- The Ombudsman can **ONLY** deal with those complaints that you have **ALREADY** put to the registered firm.
- If you need any help in completing this form, please see the “Tips” on the last page. Alternatively, telephone us on 01722 333306 selecting option 1 and we will do our best to guide you.
- If you need any information or a copy of this form in a different format, e.g. Braille, large print or another language, please let us know.
- If you have a particular need in the way in which we communicate with you, please let us know and we will do our best to help, depending on your needs.

Part 1 – Your details

First name:	
Surname:	Title:
Address for correspondence (including postcode):	
Occupation:	
Daytime phone no:	
Mobile:	
Home phone no:	
Email address:	

I am complaining as a (please tick relevant box):			
Seller – about a Search Compiler	<input type="checkbox"/>	Buyer – about a Search Compiler	<input type="checkbox"/>
Seller – about a Search Retailer	<input type="checkbox"/>	Buyer – about a Search Retailer	<input type="checkbox"/>
Other, please specify:			

Part 2 - The registered firm

Name of registered firm:
Address of registered firm:

Part 3 - What we need to know

	Yes	No
<p>1. COMPLAINTS HANDLING PROCEDURE:</p> <p>Have you made a complaint through the registered firm's internal complaints handling procedure?</p> <p>If YES, then you should complete this form with all relevant details</p> <p>If NO, you must do so and give the registered firm the opportunity to address your complaint before proceeding with a referral to us. If the registered firm persistently ignores or fails to address your complaint within the maximum timeframe detailed in the Search Code (currently 40 working days), please contact the Ombudsman's office and we will assist you to progress your complaint.</p>		
<p>2. RESPONSE:</p> <p>Have you received a response from the registered firm?</p> <p>If YES and the registered firm is still dealing with its consideration of your complaint, please wait until this process has been concluded before referring your complaint to us. If the registered firm has been dealing with your complaint for 40 working days and the matter remains unresolved, you may nevertheless refer your complaint to us.</p> <p>If YES and you have received the registered firm's final response letter, what is the date of the registered letter?</p> <p>If NO, you need to complete the registered firm's internal complaints handling procedure and ask for their final response letter.</p>		
<p>3. IF YOU ARE THE SELLER:</p> <p>Have you paid the registered firm's fee for the product concerned?</p> <p>If in part, how much? £ _____</p>		
<p>4. GOODWILL OFFER:</p> <p>Has the registered firm made you one?</p> <p>If YES, how much was the offer? £ _____</p> <p>Did you accept the offer?</p> <p>If you have accepted the offer in full and final settlement the Ombudsman cannot look at your Complaint(s).</p>		
<p>5. HAS YOUR DISPUTE BEEN REFERRED TO ANY OTHER BODY?</p> <p>If YES, please indicate which body and provide the relevant documentation such as:</p>		
Court of Law		
Trading Standards		
PCCB, COPSO		
Legal Complaints Service		

Part 4 - My specific complaints against the registered firm are:

Please state precisely each separate type of complaint that you have. Please do NOT say “see attached papers” or similar. It will help the Ombudsman if you set out your complaints against the registered firm as clearly as possible.

1.

2.

3.

4.

5.

(If you need more space, please continue on a separate page and attach it to this form)

- NB.** 1. The Ombudsman can ONLY deal with the complaints that you have already put to the registered firm.
2. The details and supporting evidence should be included in Parts 5 and 6.

Part 5 - I am providing the following supporting evidence

Part 6 - The outline case history of my complaint

This is your chance to tell your side of what happened and to explain why you have made your complaint. Please be as specific with details as you can (e.g. dates, times, names).

If you would prefer to type or write this on a separate page please do so.

Part 7 - I would like the registered firm to:

Please tell us what you think the registered firm should do to put things right.

Part 8 - Your permission for us to go ahead

I would like The Property Ombudsman to consider my complaint. I confirm that all the information I have given you is true and accurate to the best of my knowledge.

I understand that:

- a) you will process personal details about me, which may include sensitive information, in order for you to deal with my complaint effectively. In particular, you will send a copy of this form and all documents I have provided to the registered firm I am complaining about in order that they may answer the complaint and they will release their company file to the Ombudsman's Office;
- b) you may need to exchange information about my complaint with others such as, but not limited to, the TPO Council, Property Codes Compliance Board and Trading Standards in order to fulfill your duties to report breaches of any relevant Code of Practice and help raise standards within the industry and for the purpose of legal proceedings and for disciplinary or other appropriate action and to deal with my complaint effectively;
- c) information used in considering my complaint may be retained for statistical analysis, for internal training purposes, as a source of precedents, or to assist in the investigation of future complaints;
- d) you may publish examples of where things can go wrong, based on real cases, but you will always respect my privacy and keep my personal information confidential.
- e) you handle complaints differently from the courts and you usually settle disputes by writing to the two sides, not by holding hearings in person but resolving disputes by correspondence, unless an oral hearing is specifically requested and considered by the Ombudsman to be necessary;
- f) TPO is a free service and I can withdraw my complaint at any stage during the TPO process;
- g) I am not obliged to instruct legal representation but retain the right to be represented or assisted by a third party at any stage of the TPO process.

I/we consent to the above

Signature _____ Date _____

Signature _____ Date _____

Please Note:

- If you are submitting this form on behalf of someone we will require their written authority. A letter of authority template can be requested from our office.

Now please return this completed form to us at:

The Property Ombudsman Milford House, 43-55 Milford Street, Salisbury, Wiltshire SP1 2BP Or via email at admin@tpos.co.uk

Please check that you have:

- Enclosed supporting evidence for your complaint, including relevant documentation.
- Enclosed a copy of the registered firm's final response letter and any other complaint related responses from the firm.
- Signed Part 8 of this form.
- Made a copy of this complaints form and supporting documents to retain for your own records.

Tips for submitting a complaint to The Property Ombudsman

When your complaint is assigned to a case officer all he/she knows about it is whatever is contained in the case file. It is in your best interests to prepare your complaint as carefully and as clearly as you can.

Communicating with us

- When completing the complaints form by hand please ensure you write clearly and use a dark ball point pen.
- If possible please download the complaints form via the PCCB website, type your submission, print, sign the form and send to this office with your supporting documentation.
- You can send your form to us electronically to admin@tpos.co.uk however, we will also need to have a paper copy of the complaint form signed by you and supporting documents.
- If you need any information or a copy of this form in a different format, e.g. Braille, large print or another language, please tell us.
- If you need any help in completing this form, please let us know and we will do our best to guide you.
- If you have a particular need in the way in which you need to communicate with us, or we communicate with you, please let us know and we will do our best to help, depending on your needs.

Be specific in telling us what you are complaining about

The case officer will review your complaint against the Search Code. If you feel that the registered firm was at fault in different areas, you should list them as separate types of complaint in Part 4 of the complaints form, giving details in each case.

Give a case history

A brief outline in date order of the major events of your case, including dates, names and events, will all help the case officer understand what happened from your point of view.

Submit all the evidence that you can to support your complaint

Where possible provide all the documentary information that you are relying on to support your complaint. This should include all the correspondence between you and the registered firm. If you have made an allegation and there is no supporting documentation to confirm what you are saying it is very difficult for the case officer to come to a decision. The case officer is not able to take sworn testimony and cross-examine witnesses under oath. In these cases you may wish to provide the details of anyone who saw what occurred.

Part 8 of the complaints form

Don't forget to sign the form. It gives us permission to get the registered firm's file of the transaction and to use the information in it to review your complaint.

We cannot go ahead without this. If you have been authorised to make a complaint on behalf of someone, we do need to see evidence of this.

Other points to consider:

Goodwill offers

Any goodwill offer that has been made during the course of the registered firm's internal complaints procedure will lapse when this Office takes your complaint. If the Ombudsman does not support your complaint, then the registered firm is not required to reinstate the goodwill offer. Even if the Ombudsman supports your complaint, his decision may be to award less, the same or more than the goodwill offer made by the registered firm.

Awards

The current limit for awards is £5,000. Awards are not "fines", they are made to reflect any actual financial loss that has been suffered and any associated aggravation, distress and/or inconvenience. If your claim amounts to significantly more than £5,000, you need to consider what alternative options are open to you which could mean taking your claim to Court. However, do speak to this office for guidance on whether the Ombudsman can consider your complaint before taking the matter to Court.

Timescales

The Ombudsman can only consider your complaint if:

- It is made by you to this office within twelve ~~three~~ months of the date of the registered firm's final response letter.
- Your complaint is referred to the registered firm within twelve months of having cause to complain.
- The act or omission of the registered firm giving rise to the complaint first occurred after the date on which the registered firm joined the PCCB.

If you are unsure on any of these timescales, please contact us and we will give you guidance.

Our assurance to you

You can be sure that your complaint will be reviewed thoroughly and fairly. The Ombudsman's final decision will be based entirely on the merits of the complaint.