Disputes Resolution procedure

The FMB sets high standards that builders have an obligation to meet in order to become Members. We therefore take any complaint against a member by a client very seriously. In the vast majority of cases it can be dealt with by the FMB Dispute Resolution Procedure.

GUIDANCE NOTES

What we do with the information

- Once we receive your completed complaint form, we will pass the relevant details from the form to our member. **Please remember to provide the address where the works have been carried out, if this is different from your residential address.**
- We will ask our member to respond within 14 days. When we receive the member's response, we will forward the details to you. In the event that the member fails to respond to the FMB, we will send them a 7 day reminder and If they still do not reply, we will send a final warning letter.

RICS Adjudication

- If we are unable to reach an amicable agreement between the two parties, we can refer the dispute to an independent adjudicator. However, both you and the member must agree to this.
- There will be a charge for this service. The adjudicator will charge an hourly fee depending on the complexity of the issues in dispute, but will not exceed £110 (exclusive of VAT) per hour up to a maximum of 10 hours. The adjudicator will decide who pays his / her fees. It is possible for either party to be responsible for all or most of the Adjudicators fees.
- If you do not agree to the appointment of an adjudicator, we may close your complaint.

Regional Complaints Committee

- Irrespective of what happens at an adjudication, the FMB can, if it thinks it appropriate to do so, refer the Member's conduct to the Regional Complaints Committee for consideration.

General

- This complaints procedure is primarily intended for domestic disputes and may not be suitable for some commercial, complex or multi issue disputes.
- The FMB Disputes Procedure is not able to offer a site inspection or become involved, if rectification or completion of the work is carried out by another builder . Should either party commence legal proceedings or employ a third party to resolve the dispute, then the Dispute Resolution process ceases to be appropriate.
- The FMB is not responsible for paying compensation or making any other financial award.
- Please answer all questions, providing full details. We will accept one A4 sheet if there is insufficient space for your answer in section 10.
- We will retain the information that you supply in this form for the period of 6 years from the date of the resolution of your complaint. Other than described above, we will not supply your information to any third parties without your consent unless we are legally obliged to do so

Disputes Resolution form for Clients

Please fill in all sections of this form in full and send it back to:
FMB Disputes Resolution, FMB, 4 Brooklands Avenue Cambridge, CB2 8BB

IT IS ESSENTIAL THAT YOU READ THE GUIDANCE NOTES VERY CAREFULLY BEFORE YOU COMPLETE THIS FORM.

Please provide full details. We will accept one A4 sheet if there is insufficient space for your answer in section 10

Complaint number
(for office use only)
C

Section 1 Is the work you want to complain about, covered under the MasterBond/Build Assure Warranty Scheme?

Yes Go to section 2 ☐ **No** Go to section 3 ☐

Section 2 Please give the Certificate of Insurance serial Number

Serial Number :

Please give the builder's membership number if known

Membership number:

Section 3 Your name

Your residential address and postcode

Postcode:

Address where works done (if different from your residential address

Postcode:

Phone number

Mobile number

E-mail address

Section 4 Builder's name

Address and postcode

Postcode:

Phone number

Mobile number

E-mail address

Section 5 Date the work started / /

If the work is finished, please tell us the date the work was completed. / /

Section 6 Please complete the following as appropriate:

Have you a written contract ? **Yes** ☐ **No** ☐

What is the total cost for the work **£**

How much have you paid so far? **£**

Section 7 Have you tried to sort out the problem with the builder? **Yes** ☐ **No** ☐

If Yes, state in what way:

Section 8 Have you had any remedial work carried out by another builder? **Yes** ☐ **No** ☐

Have you instructed a Solicitor (or a third party to try to resolve a dispute)? **Yes** ☐ **No** ☐

Please provide details:

PLEASE REMEMBER TO COMPLETE SECTIONS 9, 10, AND 11 OVERLEAF.....

Your signature

Date

Please note that a copy of this page of the form will be passed to your builder for their response

Section 9 Your name

Address where works done

Postcode:

Section 10 Please provide details of your complaint against your builder.

Section 11 If the matter cannot be resolved, would you agree to refer the dispute to an independent adjudicator?. **Yes** **No**

If you agree to pass your complaint to an adjudicator to sort out, the builder must also agree. There will be a charge for this service and the adjudicator will decide who pays his / her fees. The adjudicator will charge an hourly fee. The amount of the fee will depend on the complexity of the issues in dispute, but will not exceed £110 (exclusive of VAT) per hour up to a maximum of 10 hours.

Please now return the whole completed form to:
FMB Disputes Resolution , 4 Brooklands Avenue Cambridge, CB2 8BB