

Providing a free, impartial and independent service for the resolution of unresolved disputes between consumers and members.

What we do

The Property Ombudsman (TPO) provides an impartial and independent service for resolving disputes.

The British Association of Removers Member firms (BAR) have opted into an agreement whereby their Member firms are members of TPO and we will apply the BAR/TSI Code of Practice which sets the standard expected from BAR Member firms.

The BAR/TSI Code of Practice can be found on our website, the BAR website or can be requested directly from the Member.

Our service is free of charge to consumers, who are able to withdraw their complaint at any stage of TPO's processes.

The Ombudsman does not regulate the removals industry that is the role of BAR, Trading Standards and the government. Her role is to provide redress for consumers, which aims to put them back into the position they were in before the complaint arose. The Ombudsman's powers do not allow her to fine or punish a BAR Member firm.

What complaints can we consider?

- Poor or incompetent service.
- Infringement of your legal rights.
- Failure to follow the rules set for member firms under BAR/TSI's Code of Practice and membership obligations.
- Unfair treatment.

What complaints can't we consider?

- Complaints which have not previously been referred to the BAR Member firm.
- Complaints against a Member firm who is not registered with BAR.
- Complaints being, or which have been, dealt with by a court or any other redress scheme
- Complaints concerning alleged criminal activity and/or negligence claims.
- Complaints requiring a full legal decision and/or legal sanctions.
- Complaints referred to TPO over 12 months from the date of the Member's 'final viewpoint' letter.
- Complaints that happened before the Member firm was registered with BAR.
- Complaints where the value of the claim is above £5,000.
- Frivolous or vexatious complaints.
- Outstanding insurance claims

What happens if I have a complaint?

The Ombudsman must allow the Member firm the opportunity to resolve the issue themselves. Accordingly, you must:

1. Tell the Member firm why you are unhappy, setting out (in writing) the specific act or omission which has given rise to your dissatisfaction.
2. Let the Member firm know what you would like them to do to resolve your complaint.
3. Follow up any conversations in writing or by email, making a note of the date and time and who you spoke to.
4. Keep copies of all correspondence to and from you and the Member firm.

What should the Member firm do?

All BAR Member firms are obliged to maintain and operate an in-house complaints procedure. The procedure must be in writing and explain how to complain to the Member firm and, if you remain dissatisfied, to the Ombudsman.

The key points they must adhere to are:

- Provide you with a copy of their complaints procedure on request (this may be available on their website).
- Abide by the timescales set out in the BAR/TSI Code of Practice.
- Produce their final viewpoint letter if they cannot resolve your complaint.

When can you refer your complaint to us?

We can consider complaints:

- Once you have received the Member firm's final viewpoint letter, and you remain unhappy; or
- If eight weeks have passed since you first complained and the issues remain unresolved.

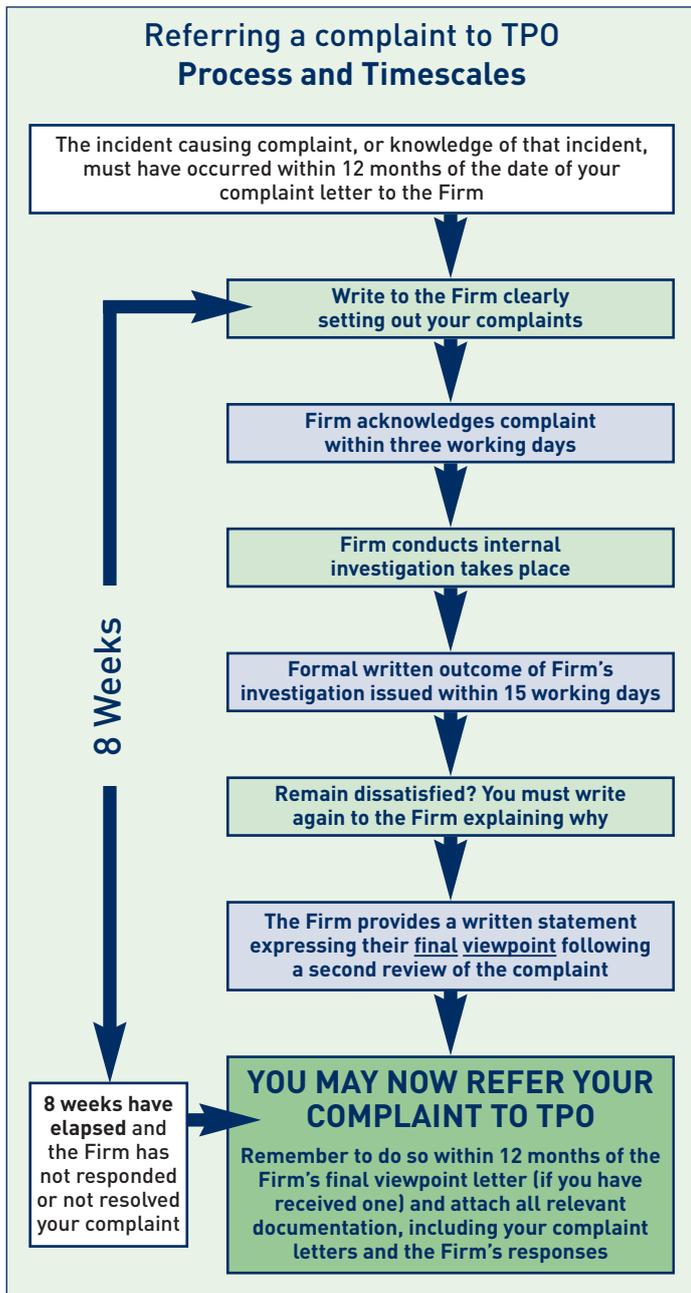


The Property Ombudsman Milford House, 43-55 Milford Street, Salisbury, Wiltshire SP1 2BP

Consumer Enquiries Tel: 01722 333 306 Fax: 01722 332 296

Membership Enquiries Tel: 01722 335 458 Email: admin@tpos.co.uk Website: www.tpos.co.uk





What will TPO do when we receive your complaint?

Stage 1

First Contact – We will confirm whether your complaint has completed the Member firm’s in-house complaint process and whether it can be considered under the Ombudsman’s Terms of Reference. Alternatively, we will signpost consumers to the most appropriate party if TPO is unable to deal with the dispute.

Stage 2

Assessment and Resolution – We will consider if the dispute is appropriate for resolution without a formal review. If it is, we will contact the parties and attempt to negotiate a resolution. If it is unlikely that a negotiated resolution could be reached or you reject the proposed resolution, we will contact the Member firm to request their file and their formal response to the complaint, and the complainant to request any other relevant information, before progressing the case to the formal review stage.

Stage 3

Formal Review – Once we have received all of the necessary information to compile a complete complaint file, the case is allocated to a Case Officer. Following a full and impartial investigation of the complaint, the Case Officer will draft a report with recommendations for the Ombudsman.

Stage 4

Proposed Decision and Representation – The Ombudsman considers the report and issues a Proposed Decision to the unsupported party first and then the supported party. Where the case is deemed to contain complex elements, this may occur after 90 days from the receipt of the complete complaint file. Each party is provided with the opportunity to accept or represent against the Proposed Decision.

Stage 5

Final Decision and Award – Following consideration of any new evidence, the Ombudsman will issue a Final Decision. If the complainant accepts the Final Decision and an award has been made, TPO will check that it has been paid by the Member firm. If the complainant does not accept the Final Decision, they remain free to pursue the matter elsewhere. BAR will also be provided with a copy of final decision.

Further information

Our website contains guidance to assist you in making your complaint to the Member firm.

It also provides links and contact details for other organisations that may be able to assist with your complaint, if the Ombudsman is unable to consider it:

Consumer Advice Services – such as Citizens Advice and Which?

Industry Regulators – such as Chartered Trading Standards Institute

Industry Trade Associations – such as the British Association of Removers

Other Ombudsmen – such as the Financial Ombudsman Service

Contact us:

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