
OFT approval of estate agents redress schemes

Revision to Criterion 9

March 2008

OFT919a

Revised Criterion 9, first requirement

'The procedures must allow all the parties concerned to present their viewpoint before the ombudsman and see the arguments and facts put forward by the other party and any experts' statements. Any request for an oral hearing must be considered by the ombudsman (or his appointed deputy) by reference to the nature of the issues to be determined, and in particular the extent to which the complaint raises issues of credibility or contested facts that cannot be fairly determined by reference to documentary evidence and written submissions. In deciding whether there should be a hearing and, if so, whether it should be in public or private, the ombudsman will have regard to the provisions of the European Convention on Human Rights.'