
Application procedures for approval of estate agents redress schemes

Guidance for applicants

The following sets out the procedures that need to be followed by an estate agents redress scheme operator to apply for its scheme to be approved by the OFT.

1. Download the application form from the OFT website at www.offt.gov.uk/oft_at_work/markets/services/estate-agency/

A list of additional information requirements to support your application should also be downloaded from this site.

Guidance on our policy and procedures for withdrawal of approval is also available on the website.

Further information and advice can be sought from the assessment team. Please contact in the first instance:

Melloney Smith
Melloney.smith@oft.gsi.gov.uk
Tel: 020 7211 8479

Approval of estate agents redress schemes
Melloney Smith
3C/06
Office of Fair Trading
Fleetbank House
2-6 Salisbury Square
London
EC4Y 8JX

2. You should complete the application form and email it, along with relevant supporting documents to earsapp@oft.gsi.gov.uk. You will receive an email acknowledgement.
3. You should also forward a hard copy of the application form and supporting documents in hard copy to the address above.

4. Your application form and supporting information will be placed on the OFT website. Anyone wishing to comment on the application will be able to do so.

Your application will be assessed and relevant stakeholders consulted about the application. Responses from stakeholders will be placed on the website.

6. If your application is successful, you will receive a letter formally confirming approval and a copy of this will be placed on the website. The OFT will also issue a press release confirming approval.
7. If the OFT proposes to refuse the application, you will be sent a notice outlining this proposal to refuse and the reasons for it, and you will be invited to submit representations in writing within a period specified in the notice which will not be less than 30 days.
8. If representations are received and the OFT decides to approve the scheme, then you will receive a letter formally confirming approval, and a copy of this will be placed on the website. The OFT will also issue a press release confirming approval.
9. If however representations are received and the OFT decides to refuse your application (or if no representations are received), then you will receive a notice confirming the OFT's decision to refuse the application and the reasons why. A press release will be issued and a copy of this refusal notice will be placed on the website.

Notifications regarding proposed changes to an approved scheme

10. If you make a change to your redress scheme after approval, you will be required to notify the OFT about the change within 14 days of the change being made.
11. The notification should be emailed to the OFT's mailbox earsapp@oft.gsi.gov.uk. On receipt of the notification, you will receive an email acknowledgment.
12. If OFT decides that any change made to the scheme means that the approval criteria are no longer being met, then it will notify you of its intention to consider withdrawal of approval as a result.

Publicity

13. If your redress scheme is approved, then you and your members will be able to advertise the fact that the scheme is OFT approved.

However, the wording used should be 'OFT approved estate agents redress scheme'.

14. As the scheme administrator, it will be your responsibility to ensure that any publicity used is in line with the wording outlined above and is not in any way misleading. If it is, the OFT will expect you to take appropriate action to ensure that the wording is removed or amended.
15. Any publicity generated by you in relation to the OFT approved status of the redress scheme (such as magazine/newspaper articles), should be passed in draft form to the OFT for consideration at least two weeks prior to its intended publication.