

The Falcon Chambers CRCA Arbitration Referral to Arbitration

Note: those wishing to seek the appointment of an Arbitrator by Falcon Chambers Arbitration (FCA) to determine a dispute under the Commercial Rent (Coronavirus) Act 2022 (CRCA) must fill out this form, the aim of which is to enable the FCA Arbitration Clerk to carry out a conflict check; to appoint a suitable member of FCA as Arbitrator; and to gauge the appropriate level of fee. Once completed please send to the email address below.

If you wish to find out more about the process, please see the [FCA CRCA Information Paper](#) on the FCA website, or contact the Arbitration Clerk at ArbitrationClerk@falcon-chambersarbitration.com.

The Parties

1. Please state the contact details of the Applicant and any representatives acting for it, including name and address (with postcode), email address and telephone number.

2. Please state the contact details of the Respondent and any representatives acting for it, including name and address (with postcode).

The Dispute

3. Please state (by way of summary of the matters set out in your Formal Proposal):

(a) the amount of commercial rent arrears in dispute.

(b) to what property or properties the dispute relates. Please supply full postal address and post code.

(c) what issues you consider are likely to arise, other than the question whether relief should be granted (please provide a summary only at this stage).

(d) what outcome you will be seeking, and what you know of the outcome sought by the Respondent.

(e) whether you or the Respondent have multiple similar claims against each other or against other parties.

Agreed matters

4. Please state whether it is agreed with the Respondent that:

- | | | | | |
|--|--------------------------|-----|--------------------------|----|
| (a) the tenancy to which this dispute relates is a business tenancy within the meaning of section 2 of CRCA; | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| (b) the dispute has not already been resolved by agreement before this application was made; | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| (c) the protected rent debt is not subject to a CVA, IVA or compromise; | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| (d) the debt does fall within the description "protected rent debt". | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |

Procedural Steps

5. Please confirm that you have served notice of your intention to make a reference to arbitration on the Respondent under section 10 of the CRCA, and that you have complied with the other requirements of that section, giving details of when and how you satisfied those requirements. YES NO

The Choice of Arbitrator

6. Under the CRCA, FCA will be responsible for appointing the arbitrator, and will try to accommodate your wishes. Please state:

(a) What level of seniority you consider appropriate for the Arbitrator;

(b) Whether you wish a particular member of FCA to be appointed, and if so whom;

(c) Whether these matters are agreed with the Respondent. YES NO

Intended Procedure

7. We appreciate that you may not be in a position to answer these questions in any detail (and you will not be bound by your answers), but please state as best you can, answering both for yourself and for the Respondent if you are able to do so:

(a) How many pages of single-sided documentation both sides together will supply to the Arbitrator;

(b) Whether you intend to supplement your Formal Proposal with evidence from witnesses of fact and experts, giving details in each case;

(c) Whether you would like in due course to ask for there to be an oral hearing.

YES

NO

Formal Proposal

8. Please attach a copy of your Formal Proposal, including any supporting information.
9. The Formal Proposal should cover the outcome you are seeking, including what proportion of the rent debt you envisage should be repaid, and the schedule you propose for repayment of any remainder.
10. There will be an opportunity to supply further information, if needed.
11. For a list of examples of the type of supporting evidence you may wish to include, please see the Statutory Guidance for Arbitrators and the Code of Practice published by the Department for Business, Energy & Industrial Strategy.

Monitoring data

12. The Government wishes you to supply certain data for monitoring purposes. Please fill in the form for this purpose set out in the schedule to this application or attach it to your Formal Proposal.

Administration Fee

13. We charge a fixed fee of £100 plus VAT for administering your referral to arbitration, carrying out conflict checks and appointing an arbitrator. Once we have received your completed Referral Form we will issue you with an invoice for the admin fee. Your referral will not be processed until we receive the fee. Once an Arbitrator is appointed, a further fee will then be payable to cover the Arbitrator's costs.

Please append your electronic signature below once you have completed this Pro Forma, and return it to ArbitrationClerk@falcon-chambersarbitration.com. Once this has been processed, you and the Respondent will be sent an FCA CRCA Arbitration Agreement confirming these details for signature and return.

Statement of Truth

I believe the facts stated in this form, in the attached Formal Proposal and any accompanying information are true.

Signature:

Date:

Full name:

Position held (if on behalf of a company):

The Falcon Chambers CRCA Arbitration Schedule - Monitoring Data

The following data will be used for monitoring purposes only

Business size:

Sole trade: 0 employees	<input type="checkbox"/>	Medium: 50 to 249 employees	<input type="checkbox"/>
Micro: 1 to 9 employees	<input type="checkbox"/>	Large: 250 employees or more	<input type="checkbox"/>
Small: 10 to 49 employees	<input type="checkbox"/>		

Main activity of the business:

Mining And Quarrying	<input type="checkbox"/>	Information and communication	<input type="checkbox"/>
Manufacturing	<input type="checkbox"/>	Real estate activities	<input type="checkbox"/>
Water supply, sewerage, waste management and remediation activities	<input type="checkbox"/>	Professional, scientific and technical activities	<input type="checkbox"/>
Construction	<input type="checkbox"/>	Administrative and support service activities	<input type="checkbox"/>
Wholesale and retail trade; repair of motor vehicles and motorcycles	<input type="checkbox"/>	Education	<input type="checkbox"/>
Transportation and storage	<input type="checkbox"/>	Human health and social work activities	<input type="checkbox"/>
Accommodation and food service activities	<input type="checkbox"/>	Arts, entertainment and recreation	<input type="checkbox"/>
		Other service activities	<input type="checkbox"/>

Main activity SIC code (if known):

Company Registration Number (if applicable):

Section H – Monitoring data (cont.) - Further details of Applicant (Optional)

The following data is for monitoring purposes only and is optional. Only relevant for applicant's that are sole traders.

Gender of Applicant:

Male	<input type="checkbox"/>	Other	<input type="checkbox"/>
Female	<input type="checkbox"/>	Prefer not to disclose	<input type="checkbox"/>



Age of Applicant:

18 – 24	<input type="checkbox"/>	35 – 44	<input type="checkbox"/>	55 – 64	<input type="checkbox"/>	75+	<input type="checkbox"/>
25 – 34	<input type="checkbox"/>	45 – 54	<input type="checkbox"/>	64 – 74	<input type="checkbox"/>	Prefer not to disclose	<input type="checkbox"/>

Ethnicity of Applicant:

Asian / Asian British	<input type="checkbox"/>
Black / Black British / Caribbean or African	<input type="checkbox"/>
Mixed / multiple ethnic groups	<input type="checkbox"/>
White	<input type="checkbox"/>
Other	<input type="checkbox"/>
Prefer not to disclose	<input type="checkbox"/>