

- Events discussed under RICS
- Snapshot: Doc library # 6.2

Mr Simon Love
Conduct Manager (Complaints)
Professional Regulation & Consumer Protection
RICS
PO Box 2291
Coventry CV4 8ZJ

Ms N Klosterkötter-Dit-Rawé
3 Jefferson House
11, Basil Street
London SW3 1AX

(By Recorded Delivery)

Your Ref: PC-SL/183/4402/05

17 May 2005

- By the time I sent this letter, I had not received Simon Love's 13.05.05 letter (to which I replied in my 02.06.05 letter).
- I was wasting my time and money writing these letters, as predictably, the outcome of my legitimate 02.02.05 complaint was a 'Get lost!' of 04.11.05, preceded by others.
- 3 years later, it was followed by the RICS attempting to gag me

The RICS' reply: 10.06.05

- For subsequent events, see Overview # 10 & # 11
- Martyn Gerrard- Background (another "RICS regulated firm")

Dear Mr Love

**Complaint against Ms Joan Doreen Hathaway M.R.I.C.S. and Mr Barrie Martin F.R.I.C.S.
Martin Russell Jones, Edgware, Middx HA8 7BJ (London NW4 3JL at time of complaint)**

On 5th May I sent you a letter (copied to Messrs Louis Armstrong, Chief Executive, RICS, Barry Gilbertson, President, RICS) pointing out to you that I had not received a reply to my (recorded delivery) letter to you dated 18 April 2005. In this letter, I asked you when I would hear of your decision.

This letter was preceded by my 5 March 2005 (recorded delivery) letter in reply to your 1st March 2005 initial response to my complaint, dated 2 February 2005, I filed with your Office against Ms Joan Hathaway and Mr Barrie Martin of Martin Russell Jones.

I also pointed out that, as this amounted to lack of communication from you since 1st March 2005, if I did not hear from you by Friday 13 May 2005, I would assume that your Office approved of the conduct of Ms Hathaway and Mr Martin – as detailed in my 2 February 2005 complaint, 5 March and 21 March 2005 letters.

As, at the date of writing, I still have not received any communication from your Office, I conclude that your Office approves of Ms Hathaway and Mr Martin's conduct. From this, I draw the following conclusions:

1. Your Office views Mr Tim Brock, ARICS, LSM Partners, as incompetent and / or a liar – for producing a very damning assessment of Mr Brian Gale, MRICS, Brian Gale Associates, specifications and pricing for the major works at Jefferson House – specifications and costings that were endorsed by Ms Hathaway and Mr Martin "as being correctly drawn-up and resulting in pricing that was reasonable".
2. By implication, it can only be assumed that your Office views Mr Tim Brock's colleagues as likewise incompetent and / or liars.
3. As Mr J. Humphrys FRICS, member of the LVT panel who reviewed the 7 August 2002 application by Steel Services - Martin Russell Jones concurred with Mr Brock's findings and conclusions in the 17 June 2003 LVT determination (Ref: LVT/SC/007/120/02), it follows that your Office views Mr Brock and Mr Humphrys (as well as the other LVT panel members) as having resorted to an 'arrangement' in order to discredit Ms Hathaway and Mr Martin, as well as their client's surveyor, Mr Brian Gale.
4. Your Office views DTZ (known at the time of my disputes with Ms Hathaway and Mr Martin as Debenham Tewson & Chinnocks) as... (?). How do you, Mr Love, by implication, view DTC's actions at the time for putting pressure on Ms Hathaway to undertake the works as per the terms of my lease – and to a reasonable standard? Do you view DTC perhaps as 'ignorant bullies'? What other conclusions should I - and Mr Mark Strukett, FRICS, DTZ's Chief Executive – be

drawing Mr Love? (I have made references to DTC in my complaint to your Office against MRJ under points 1.1.1.19.3, 255, 274, 280, 281, 286, 290 and 293).

5. Whatever the attribute that your Office - by implication - imparts on DTC/DTZ, the implication also reflects on the British Petroleum Pension Fund (Director, Mr Gary Ryan Hibbard) who responded to my request for help by asking DTC to assist me.
6. Your Office views Frank Morris Associates (also trading as Winkworth Surveyors), in particular Mr Everett, RICS accredited, also as a bully (?) ...(?) for, likewise, putting pressure on Ms Hathaway to get works carried out – as per the terms of my lease and to a reasonable standard. (I have made references to Frank Morris Associates in my complaint to your office against MRJ under points 274, 287 and 288).

Against what I conclude as the aforementioned implications of your Office's evident endorsement of Ms Joan Hathaway and Mr Barrie Martin's conduct, I will record that:

1. LSM Partners

I have the utmost praise for the professionalism, integrity, soundness of advice and overall level of service I have received not only from Mr Tim Brock but also his colleagues, including Managing Partner, Mr Andrew Smith. Every single contact I have had with LSM Partners, whether client facing or support staff, deserves the highest compliments.

2. DTC / DTZ and the BP Pension Fund

It was as a result of my contacting Mr Bob Horton, then CEO of BP, that the BP Pension Fund contacted DTC asking them to provide me with assistance. While the BP Pension Fund was – mercifully at the time – the freeholder for Jefferson House, it was under no obligation to help me. Yet, they very generously came to my assistance over a period of one year (at no cost to me but, no doubt, at considerable cost to themselves).

Equally, I only have praise for the professionalism and efficiency with which DTC / DTZ assisted me.

3. Frank Morris Associates

Likewise, I must record my compliments and praise for Mr Everett's professionalism – and his tenacity in getting Ms Hathaway to undertake what had been agreed.

I feel I must give you the opportunity to reply before I copy to these firms / corporates – by 27 May 2005 - this letter, as well as my 2 February 2005 complaint to your Office and subsequent correspondence (your reply to me of 1 March 2005; my letters to you of: 5 March 2005, 21 March 2005, 18 April 2005 and 5 May 2005).

However, I am copying Mr Tim Brock on these documents (as I have already supplied him with a copy of my complaint to your Office), as well as Mr Stephen Carr-Smith, Ombudsman for estate agents, given the articles published in (1) the FT on Friday 13 May 2005: "*Unfair practices – Call for new clampdown on rogue estate agents*"; (2) The Guardian on Monday 16 May 2005: "*Estate agents – Red tape needed*".

In these articles, Mr Carr-Smith is reported as saying that the current Ombudsman scheme "...should be extended to include ... property management...". Given my experience, I wholeheartedly endorse his suggestion – and would be very happy to add my name in support of this move.

The 13 May 2005 press release from Mr Stephen Carr-Smith' Office states: "*The RICS has also made a commitment to mandatory redress for all its members (by 2007)*".

My interpretation of this sentence is that the RICS already embraces the concept of ensuring a professional and ethical level of service from all its members. A message that is given prominence on the RICS website – from which I quote:

"Why is it important to get an RICS member?"

"All RICS members must follow a strict code of conduct...";

"Consumers are protected by a formal complaints handling procedure".

Very clearly, these are highly deceitful claims given the massive discrepancy between these statements and current practice.

Yours sincerely



N Klosterkotter-Dit-Rawé

cc. and enclosures

	My 2 Feb 05 complaint to the RICS against MRJ	Mr Love letter to me of 1 Mar 05	My 5 Mar 05 letter to Mr Love	My 21 Mar 05 letter to Mr Love	My 18 Apr 05 letter to Mr Love	My 5 May 05 letter to Mr Love	FT, Guardian articles & OEA press release
Messrs Tim Brock and Andrew Smith, LSM Partners	Already supplied	x	x	x	x	x	x
Mr Stephen Carr-Smith Ombudsman Estate Agents	x	x	x	x	x	x	
Messrs Louis Armstrong, CEO, RICS and Mr Barry Gilbertson, President, RICS							

Messrs Tim Brock and Andrew Smith
LSM Partners, 2 Gees Court, St Christopher's Place, London W1U 1JA

Mr Stephen Carr-Smith
Ombudsman for Estate Agents, Beckett House, 4 Bridge Street, Salisbury, Wilts SP1 2LX

Doc library
5.13

Messrs Louis Armstrong, Chief Executive, RICS, Barry Gilbertson, President, RICS
RICS, 12 Great George Street, Parliament Square, London SW1P 3AD

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