

SHEFFIELD TRADING STANDARDS (COMPLAINT FORM)

Page 1 of 2

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				<u>OFT Codes:</u> Goods: Trading Practice:
<u>Dates:</u> Received: 24 June 2014 1st Response: 26 June 2014 Closed:		<u>How Received</u> (Letter includes e-mail) E	<u>Officer</u> Receiving: PHG Investigating: PHG Unit: FT	
<u>Comp Detail:</u> Claims of Restrictive Practices				
<u>Date</u>	<u>Information:</u> Dear Mr Graves I write in response to a letter forwarded by Angela Smith MP for the Chapeltown ISSE constituency (Penistone and Barnsley). Angela agreed to help ISSE as our members are unable to earn their rightful living as qualified specialist surveyors due to a very unfair and potentially illegal restrictive trade practice perpetrated by Property Care Association, a trade body, RICS members and RICS themselves (in being fully aware of the matter but being in denial and refusing to lend their support in not contacting their members to advise it is potentially an illegal practice yet which is easily done via members' E mail and practice advice circulars and notes), and lending institutions . I have copies of internal letters from the Leeds Building Society confirming surveyors MUST be PCA members. These letters to and from RICS and Leeds and other lenders can be forward to you if you would like to see them. I attach a letter I sent last year to numerous people including OFT who then recommended local trading standards officers to investigate. This letter outlines why ISSE members should not be discriminated against by lenders or RICS surveyors in preference to members of a self interested trade body putting its' members ahead of consumers - Property Care Association (PCA) - who hold themselves out to be a learned body allegedly turning out fully qualified surveyors as they boast. PCA examine and award after a 3 day course in a subject that requires extensive expertise impossible to learn in 3 days in even managing to operate the Housing Health and Safety Rating system under S9 of the housing Act 2004. Which is a basic necessity where failure to identify the cause of dampness can result in life threatening mould spores causing fatal respiratory conditions. Whereas ISSE have engaged an Ofqual awarding body ABBE jointly with ISSE offering 2 x 540 hour Diplomas in the subject. However my complaint to North Yorkshire Trading Standards (copy			

attached) regarding 3 rejections by Leeds building Society in refusing my survey offers by their mortgage borrowers didn't even get a response.

Recently one to Newcastle trading standards (copy attached) where a client actually placed an order for a minor piece of work in the sum of £150 that had been wrongly set at £5000 by the lenders surveyor - with my company - Alliance Preservation - but had to cancel it and the pensioner owner selling the property was advised our advice was not acceptable and she had to knock £5000 of the cost of the property when this should not have been needed. I attach a copy of the Which report 'unnecessary Treatments' where it can be seen that PCA members to their shame can't differentiate between a burst pipe and rising damp.

Newcastle answered my letter very promptly but said it is up to CMA to investigate. When I got Angela's letter I contacted them again and they still regard CMA as the rightful authority to investigate.

I agree with them to a degree as what is the point of central Govt setting up CMA (my letter to CMA attached here) if it's not going to take up a UK wide extreme malpractice of this nature where consumers are losing money every day in furtherance of a self interested trade body and because RICS surveyors don't want to rock the boat with something - if ever there was a very bad restrictive trade practice this must qualify as one of the worst. However even one case being investigated and brought to fruition could result in the practice being stopped overnight as I'm sure neither RICS nor lenders would wish to knowingly break the law. At present RICS have been very unwilling to even advise their members on the matter.

It has also succeeded, in those with far superior expertise than PCA members often have, in being denied the basic human right to earn a living.

Numerous pieces of legislation come to mind - Consumer Regulations 08 making transactional decisions on information etc -

As you can probably imagine ISSE have a large volume of correspondence on the subject and it seems only the intervention of an MP has had any effect. In itself it is quite unacceptable that a UK wide members' Institute representing the industry can't get anywhere on its own.

However now we have some sort of tangible result do you think it would be useful for me to visit you to discuss after you get a chance to review the attached letters here ? If so let me know and suggest a date. ISSE would very much appreciate any help you can provide in this long running matter.

Yours sincerely,

William Kidd Chair ISSE.