

Clive Betts MP
Chair, Levelling Up, Housing and Communities Committee
House of Commons
Palace of Westminster
London
SW1A 0AA

19 March 2024

By email only

Dear Mr. Betts,

Fake signatures on EWS1 Forms

I am writing as Chief Executive of RICS in response to your letter of 11 March following correspondence with your Secretary. We welcome the opportunity to respond to your questions and I have sought information from our independently led Standards and Regulation Board to support this response.

Dealing with your questions in turn, we offer the following comments;

1. How widespread do you think the issue of fake signatures might be?

We do not have any data to show that this is a widespread issue. Since introduction of the EWS1 process in December 2019, only three concerns have been reported to RICS which relate to RICS regulated members. One case resulted in a criminal conviction at Liverpool Crown Court and RICS expelled the candidate. The two other concerns were fully investigated but no evidence was provided by the persons raising concerns to support the allegations that fake signatures or fraudulent activity had taken place in the scope of undertaking EWS1 instructions. In both these investigations the RICS regulated member provided substantive information and evidence to the investigators. There was one further concern reported from a banking institution in the UK but the firm about which they had raised concerns was not a RICS Regulated Firm.

2. What methods are there for lenders and individual residents to verify that an assessment has in fact been carried out by a form's signatory?

As we state on our website [FAQs](#), we can check the membership of an individual member registered with the RICS. Individual membership can also be checked on our [Find a Member](#) portal. However, that individual should be approached to verify the signature on any EWS1 Form. We recommend this also for other non-RICS professionals such as fire engineers. Publications such as those on the RICS website, and educating consumers about what to look out for and request from RICS regulated members, has proved effective in raising levels of compliance and deterring potential breaches of RICS' Rules of Conduct.

3. If an individual becomes aware that the signature on an EWS1 form has been faked which is the most appropriate body or bodies to report it to: RICS, Action Fraud, Trading Standards, or another organisation?

We recommend, as this is fraud, that the police are contacted in the first instance. If the matter involves an RICS member, we would also wish to see the correspondence to carry out our own investigation. Where RICS has concerns for the wider public, we also have relationships with Trading Standards, Action Fraud, Insolvency Service and the FCA and will similarly make confidential reports.

4. Are fees (for uploading EWS1 Forms to the FIA portal) continuing to present a barrier to your members uploading EWS1 forms?

The fees were always a deterrent to professionals of any discipline uploading forms. As RICS only has regulatory remit over RICS regulated members, it may be in the public interest for government to provide a free portal for registration of EWS1 forms and FRAEWs for all professionals undertaking the service.

5. What impact do you expect PAS 9980 to have on the use of EWS1 forms, and any potential for fraud in assessments?

As the requirement for an external wall assessment has now been mandated under the Fire Safety Act 2021, and the introduction of PAS 9980 as a consistent methodology for such assessments, we anticipated the use of EWS1 forms would decline as FRAEW reports become commonplace. It is still early days yet in our opinion, and we anticipate it may be a few more years yet before EWS1 forms fade away completely. The EWS1 forms do, in the interim, provide a mechanism for public protection, especially until the PAS 9980 is fully understood and implemented by all stakeholders.

As always, we remain fully committed to supporting DLUHC, BSR, the devolved nations and yourselves to improve building safety and are at your service.

Yours sincerely,



Justin Young, CEO, RICS