

# Online Dispute Resolution Scheme for Real Estate Agency Services

## Resolve Property Contract Disputes Swiftly with Mediation and Arbitration

### About the Scheme

Launched by eBRAM International Online Dispute Resolution Centre (eBRAM), the "Dispute Resolution Service for Real Estate Agency Disputes" aims to assist the public in resolving disputes with estate agents arising from property transactions or leasing, providing both parties with highly efficient dispute mediation and arbitration services.



- ✓ Reasonable Fees
- ✓ Simple and Time-saving
- ✓ Neutral and Independent Mediators / Arbitrators to Handle Your Disputes

### What is Mediation ?

The goal of mediation is to resolve disputes with the assistance of a mediator. eBRAM's Mediation Rules and Online Dispute Resolution Platform are designed for amicable and efficient mediation, allowing parties to negotiate disputes with the assistance of a neutral and independent third party.

### What are the Benefits of Mediation ?

- 🔑 Time and Cost-saving: Compared to litigation, mediation is generally faster and more cost-effective. Parties do not need to endure lengthy scheduling and trial processes, nor do they need to pay high litigation costs.
- 🔑 Parties Retain Control: In mediation, the parties can jointly decide on a solution, rather than having a judge make a ruling.
- 🔑 Reduction of Direct Conflict: Mediation emphasizes fairness and understanding, helping to ease tension and conflict between the parties, and preserving relationships.
- 🔑 Objective and Amicable: The mediation process is guided by a professional third-party mediator who does not advocate for either side, helping both parties discover mutually acceptable solutions that might otherwise be overlooked.
- 🔑 Confidentiality: Unless agreed by all parties, the mediator must keep all information arising from or related to the mediation confidential.

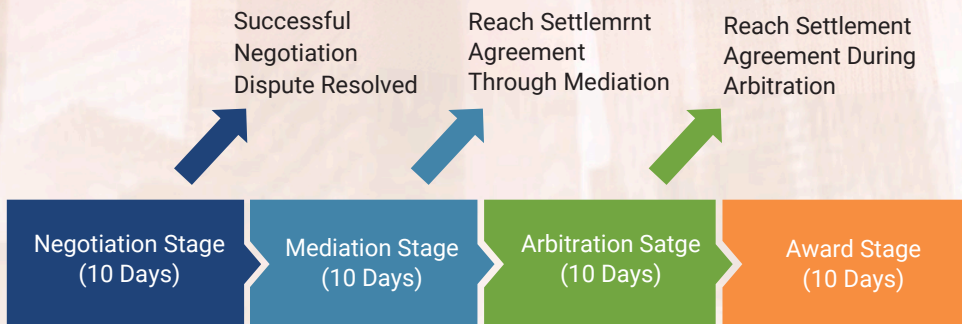
## What is Arbitration ?

Arbitration is a method of dispute resolution where the parties agree to let a third-party arbitrator make a legally binding decision. Arbitration is typically faster, more flexible, and more cost-effective than litigation. Arbitral decisions are generally final and difficult to appeal, making arbitration an effective dispute resolution mechanism.

## What are the Benefits of Arbitration ?

1. **Neutrality:** Arbitration allows the parties to choose a neutral seat of arbitration and independent arbitrators, ensuring a fair and impartial ruling.
2. **Flexibility:** Arbitral proceedings can be tailored to the needs of the parties, offering greater flexibility than court litigation.
3. **Time and Cost-efficiency:** Arbitration is often faster and more cost-effective than litigation, since arbitral awards are final.
4. **Confidentiality:** Arbitral proceedings are conducted in private, and awards are generally not made public, helping to protect commercial secrets and privacy.

## Why Use eBRAM's APEC ODR Rules ?



- 🔍 **One-stop** - Flexibly combines and adopts a fast three-stage online dispute resolution process to resolve disputes through negotiation, mediation, and arbitration within 2.5 to 7 weeks. The appointed neutral will assist the parties throughout the process.
- 🔍 **Reasonable Fees** - More affordable than general mediation and arbitration schemes. International
- 🔍 **Recognition** - eBRAM APEC ODR Rules are tailored in accordance with the APEC Collaborative Framework for Online Dispute Resolution, meeting international standards.
- 🔍 **Experienced Neutrals** - Neutrals on eBRAM's Panel are proficient in multiple languages, possess a global perspective, and have extensive experience in commercial dispute resolution.
- 🔍 **Global Enforceability** - Arbitral awards issued by eBRAM can be enforced in over 170 jurisdictions including Mainland China, with interim measures available under the arrangement between Mainland and Hong Kong courts.
- 🔍 **LawTech** - Through proprietary online video conferencing, AI translation systems, and electronic signature services, eBRAM provides a secure, one-stop online dispute resolution experience, including communications, document exchange, mediation, and hearings.

## How to Use eBRAM's Dispute Resolution Services?

This scheme is designed for owners, buyers, tenants, or estate agents involved in disputes arising from property transactions or leasing. Relevant parties may choose to conduct online dispute resolution proceedings under the eBRAM APEC ODR Rules ("APEC ODR Rules").

### How to Pre-arrange the Use of eBRAM APEC Rules in Future Contracts ?

Before a dispute arises, the parties may incorporate eBRAM's dispute resolution clause into their contracts:

***Any dispute, controversy or claim arising out of or relating to this contract, shall be settled in accordance with the APEC Rules of eBRAM in force when the Notice of Claim is submitted to eBRAM (the "eBRAM APEC Rules"), and in accordance with the schedule of fees under the eBRAM Online Dispute Resolution Scheme for Real Estate Agency Services.***

### Scheme Fees :

General Fees	Estate Agent	Applicant / Claimant
<b>Inquiry</b>	Free	Free
<b>Application Fee</b>	HKD 200	HKD 200

Disputed Amount (HKD)	Mediation Fee (HKD)		Arbitration Fee (HKD) For Cases Resolved by Award
	Applicant / Claimant	Estate Agent	Applicant / Claimant & Estate Agent*
<b>Up to HKD 200,000</b>	Free	Fixed fee of HKD 2,000 (including preparation and up to 4 hours of mediation), thereafter HKD 500 per hour	Fixed fee of HKD 5,000 (including all reading time, communications, and drafting of award), plus hearing fee of HKD 750 per hour (if applicable)
<b>HKD 200,001 - HKD 775,000</b>	Free	Fixed fee of HKD 4,000 (including preparation and up to 4 hours of mediation), thereafter HKD 750 per hour	Fixed fee of HKD 10,000 (including all reading time, communications, and drafting of award), plus hearing fee of HKD 750 per hour (if applicable)
<b>HKD 775,001 or above</b>	Free	Fixed fee of HKD 12,400 (including preparation and up to 4 hours of mediation), thereafter not exceeding HKD 3,100 per hour, except in exceptional circumstances	Fee not exceeding HKD 3,100 per hour

Note: Arbitration fees are shared equally between the parties unless the arbitral tribunal directs otherwise in the award.



If members of the public or estate agents wish to find out more about this scheme, they are welcome to visit eBRAM's dedicated page: [www.ebram.org/Real\\_Estate\\_Agency\\_ODR\\_Scheme](http://www.ebram.org/Real_Estate_Agency_ODR_Scheme)



eBRAM 「Online Dispute Resolution Scheme for Real Estate Agency Services」 website

### Platform Features



Access the platform anytime, anywhere



Secure and reliable online video conferencing



AI translation



Electronic signature system



High-level data preservation



Document management system

### About eBRAM

eBRAM was established in 2018 as a Hong Kong non-profit legal technology and online dispute resolution organisation, aiming to promote online mediation and arbitration services to meet the rapidly growing demand for cross-border transactions and online dispute resolution.

eBRAM's lawTech services include Deal-Making Portal, the Hong Kong Legal Cloud Platform, an independent electronic signature system, online video conferencing systems, and artificial intelligence machine translation services. In addition, eBRAM is also an online mediation and arbitration centre, providing comprehensive online dispute resolution services to meet different needs, including the APEC Online Dispute Resolution Platform, online arbitration platform, and online mediation platform, offering a confidential, secure, and reliable environment to help resolve disputes.

Organiser of the Scheme:

