

## COMPANY COMPLAINTS SETTLEMENT SCHEME FOR THE NOTARIAL PROFESSION (January 2015)

### 1. Company Complaints Settlement Scheme

Houthoff Buruma aims at providing high-quality services. In the unlikely event that you are dissatisfied with the work a (junior) civil-law notary performed on Houthoff Buruma's behalf, or with an invoice Houthoff Buruma sent to you, we ask you to inform us of your complaint. In accordance with the procedure laid down in the Company Complaints Settlement Scheme for the Notarial Profession below, we will take up your complaint and will seek to solve your complaint within a reasonable period of time.

### 2. Definitions

Client	the recipient, whether represented or not, of the services of Houthoff Buruma;
Disputes Committee	the Disputes Committee for the Notarial Profession, set up and maintained by the Foundation Disputes Committee for Consumer Affairs [ <i>Stichting Geschillencommissies voor Consumentenzaken</i> ] and the Foundation Disputes Committee for Professional and Commercial Issues [ <i>Stichting Geschillencommissies voor Beroep en Bedrijf</i> ] ( <a href="http://www.degeschillencommissie.nl">www.degeschillencommissie.nl</a> );
Houthoff Buruma	Houthoff Buruma Coöperatief U.A., with its registered office in Amsterdam and listed in the Trade Register of the Chamber of Commerce under number 34216182;
Company Complaints Settlement Scheme	the present scheme in which the procedure has been laid down for handling Complaints of Clients of Houthoff Buruma as referred to in the Complaints and Dispute Settlement Regulation of the Royal Notarial Association;
Complaint	a dispute about (i) the formation and/or the performance of an engagement , (ii) a claim for compensation of damage which, assessed at the moment it is filed, does not or will not exceed the amount of EUR 10,000 (including any VAT due) or is explicitly limited to that amount and where the excess over EUR 10,000 is waived in writing, and/or (iii) the amount of the invoice sent to the Client up to an amount of EUR 10,000 (including any VAT due);
Complaints Officer	the person appointed by Houthoff Buruma in charge of handling the Complaint, not being the Civil-Law Notary against whom the Complaint is directed; and

Civil-Law Notary                      the civil-law notary, assigned civil-law notary or junior civil-law notary employed at Houthoff Buruma.

### **3. Filing a Complaint**

- 3.1. The Client files the Complaint within a period of three months after the moment when the Client has become aware of - or has in reasonableness been able to become aware of - the acts or omissions of the Civil-Law Notary giving rise to the Complaint. If a Complaint is filed after the expiry of the aforementioned three-month period, the Complaints Officer may decide not to take up the Complaint. In such event the Complaints Officer will inform the Client as soon as possible after receipt of the Complaint in writing as to whether or not the Complaint will be taken up.
- 3.2. The Client files the Complaint in writing with Houthoff Buruma for the attention of the Complaints Officer. To this end the Client has to provide at least the following information:
- (i) the name and address details of the Client;
  - (ii) the name of the Civil-Law Notary against whom the Complaint is directed;
  - (iii) a specification of the acts or omissions of the Civil-Law Notary, or the invoice, which gave rise to the Complaint;
  - (iv) the file number to which the Complaint is related;
  - (v) the statement that the Complaint should be handled by means of the Company Complaints Settlement Scheme; and
  - (vi) the date the Complaint is filed and signature.
- 3.3. If the Complaint does not meet the requirements specified in article 3.2, the Complaints Officer will inform the Client about this after receipt of the Complaint. In such event the Client will be given the opportunity to provide the missing information as yet within a period of fourteen days, failing which the Complaints Officer will not take up the Complaint. In the latter case the Complaints Officer will inform the Client in writing about not taking up the Complaint.

### **4. Acknowledgement of receipt of a Complaint**

After receipt of a complete Complaint the Complaints Officer sends an acknowledgement of receipt of it to the Client. The Client also receives the contact details of the Complaints Officer and information about the next steps of the procedure in accordance with the Company Complaints Settlement Scheme.

**5. Handling of a Complaint**

- 5.1. The Complaints Officer informs the Civil-Law Notary against whom the Complaint is directed of this Complaint, in writing and as soon as possible, and gives the Civil-Law Notary the opportunity to respond to the Complaint in writing.
- 5.2. The Complaints Officer obtains the information that is required for a proper, impartial handling and assessment of the Complaint. The Complaints Officer may ask the Client and the Civil-Law Notary to provide more detailed or additional information.
- 5.3. If considered necessary by the Complaints Officer, or if one party so wishes or both parties so wish, the parties are called to be heard at a place, day and time to be set by the Complaints Officer.
- 5.4. The Complaints Officer may ask both parties to make a proposal for the solution of the Complaint. On the basis of all the information obtained, the Complaints Officer in consultation with Houthoff Buruma's executive board will submit a solution of the Complaint to both parties.
- 5.5. Both parties are to respond in writing to the solution for the Complaint, failing which the party in question is deemed to agree to the proposal of the Complaints Officer for the solution of the Complaint.
- 5.6. The Complaints Officer informs both parties in writing of the decision on the Complaint.
- 5.7. A Complaint is handled with the greatest possible care and confidentiality.

**6. Time limit**

The Complaints Officer will seek to solve the Complaint to the satisfaction of the Client within four weeks after receipt of a complete Complaint. If the handling of the Complaint within four weeks turns out not to be possible, the parties will be informed in writing of the reason of the delay, as well as of the period within which a decision will be given about the merits of the Complaint.

**7. Registration**

The Complaints Officer sees to it that Houthoff Buruma registers all Complaints internally.

**8. Disputes Committee**

- 8.1. If a Complaint has not been solved to the satisfaction of the Client, the Client may submit the Complaint to the Disputes Committee, all this in accordance with the Notarial Profession Disputes Committee Rules as applicable at the time the Complaint is filed with the Disputes Committee and where it can be requested from the secretary of the committee.

- 8.2. If the Civil-Law Notary against whom the Complaint is directed wishes to submit the Complaint to the Disputes Committee, the Civil-Law Notary must give the Client a term of five weeks in which the Client has to notify whether or not he agrees to this. If the Client does not agree or does not respond, the Civil-Law Notary will be free to submit the Complaint to the competent court.

**9. Other**

The Client does not have to pay a fee to Houthoff Buruma for the costs of the handling of the Complaint in accordance with this Company Complaints Settlement Scheme. Each party bears its own costs.

Please file your complaint by e-mail ([companycomplaints@houthoff.com](mailto:companycomplaints@houthoff.com)) for the attention of the Complaints Officer.  
Should you have any questions about the Company Complaints Settlement Scheme for the Notarial Profession,  
please contact Ms Loes Beukers, Company Secretary ([l.beukers@houthoff.com](mailto:l.beukers@houthoff.com)).