

Between

Renewable Energy Assurance Ltd (“REAL”)

and

DHS Renewables Ltd (“the Code Member”)

CONSENT ORDER

(This document is a summary of the original Consent Order)

Terms of Consent Order

The RECC Executive, on behalf of REAL, invited the Code Member to agree to a Consent Order on the following terms:

1. *From the date on which this Consent Order is signed by the Code Member, the Code Member agrees that it will cease from offering, entering into or completing contracts with domestic consumers for solar thermal refurbishments where the aim of the contract is to make that consumer’s existing solar thermal system eligible for the domestic RHI; unless the Code Member has obtained written confirmation from Ofgem before the refurbishments are carried out, that the specific refurbishments to that consumer’s system will render it eligible for the RHI.*

[Please note that this term may be reconsidered in the event of any relevant change to policy following a decision from Ofgem and/ or the Parliamentary Ombudsman]

2. *The Code Member agrees that, within 14 days of the date the Code Member signs this Consent Order, it will:*
 - *address all issues that remain outstanding from the audit and provide the RECC Executive with evidence of all actions it has taken;*
 - *provide details of how it has improved its policies and procedures where complaints have shown specific failings, significantly with regard to its complaints handling procedures; and*
 - *provide evidence that it has complied with the Arbitration Award reference 327160013 in full or that it has formally appealed the Award in the High Court.*
3. *The Code Member agrees that, where it takes a deposit and/ or an advanced payment from a domestic consumer and that consumer subsequently cancels the contract within the*

Cancellation Period stipulated in that contract in line with the Code, and where the consumer has not received any of the goods yet, it will return the consumer's deposit and/or any advanced payment within 14 days of receiving notice of that cancellation.

Since the Code requirements in relation to the return of a consumer's deposit may change in the future, by signing this Consent Order the Code Member confirms that it will also comply with the Code's requirements, as amended from time to time, in relation to the return of consumer deposits.

The Code Member signed the Consent Order on **22 August 2016** and agreed to all terms.

Summary of information received

The Code Member was invited to agree to the Consent Order as the following information had been received from the sources identified below.

Issue	Source	Code Breaches
1. Code Member failed to cease signing contracts and undertaking solar thermal refurbishments after consumers received rejection letters from Ofgem regarding their eligibility for the domestic RHI.	Complaint information	Section 4
2. Code Member failed to demonstrate that it had put procedures and practices in place to correct issues highlighted in complaints and feedback.	Communications with the Code Member	Section 4
3. Code Member failed to refund consumer deposits within 14 days of them cancelling their contracts.	Complaint information	Section 6.2
4. Code Member failed to resolve consumer complaints speedily and effectively.	Complaint information	Section 9.1
5. Code Member failed to demonstrate its compliance with the Code following a full audit by the RECC Executive	Audit in January 2015	Section 4, Clause 4.1 (Bye-Laws)
6. Code Member failed to comply with an arbitration award.	Complaint information	Section 4, Clause 4.10.2 (Bye-Laws)

The information received gave the RECC Executive reasonable grounds to consider that provisions of the Code and its Bye-Laws had been breached. Furthermore, the RECC Executive considered that the above information suggested that there had been a serious breach of the Code and its Bye-Laws.

Review of the Code Member's Response

The Code Member was given an opportunity to respond to the information received.

Following a review of the Code Member's response, and the other information available to it, the RECC Executive considered that a Consent Order requiring the Code Member to take certain actions and to desist from taking certain actions was necessary in order to ensure the Code Member's future compliance with the Code. The request for the Code Member to agree to the Consent Order was made in accordance with clauses 7.5.2 and 8 of the Bye-Laws.