



HOME INFORMATION PACK

FAST FACTS GUIDE FOR BUYERS

THINGS TO REMEMBER WHEN PROVIDING HOME INFORMATION PACKS

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- ◆ Before you market a property, check the Home Information Pack website to confirm whether the property requires a Pack: www.homeinformationpacks.gov.uk/industry
- ◆ If a Pack is required, it is your responsibility as an estate agent to ensure the Home Information Pack has been ordered before the property goes on the market
- ◆ You must be able to provide a copy of the Pack to potential buyers on request
- ◆ You are responsible for making sure the documents in the Pack are authentic
- ◆ You must have joined an approved redress scheme by 1 August, when the first phase of Home Information Packs will start. For more information visit: www.dti.gov.uk/consumers/business/estate-agents/index.html
- ◆ The scheme duties will be enforced by Local Authority Trading Standards Officers, who can issue warnings or a fixed penalty of £200. Breaches of the Home Information Pack duties will be referred to the Office of Fair Trading who will take further action if necessary

WHAT IS A HOME INFORMATION PACK?

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A Home Information Pack contains the key information about a property, such as an Energy Performance Certificate, standard searches and evidence of title.

WHO COMPILES THE PACK?

Whoever is marketing the property is responsible for ensuring a valid Pack is available. Sellers have a number of options; they can compile it themselves, ask their solicitor, licensed conveyancer, estate agent or a dedicated Home Information Pack provider.



COMPULSORY DOCUMENTS

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The following documents are needed for every home that requires a Home Information Pack:

- ◆ An Index
- ◆ An Energy Performance Certificate (EPC) or predicted energy assessment
- ◆ A Sale statement
- ◆ Standard searches – e.g. local land charges register, local enquiries, drainage and water searches
- ◆ Evidence of title

If there is any delay in getting the EPC, searches or evidence of title, you must include proof that they have been ordered and where necessary paid for.

LEASEHOLD PROPERTIES

These documents are also compulsory for leasehold properties:

- ◆ A copy of the lease
- ◆ Management regulations not mentioned in the lease and any proposed amendments
- ◆ Statements or summaries of service charges for the previous 36 months
- ◆ Requests for payment of service charges, ground rent or insurance claims made for the previous year
- ◆ The name and address of the current landlord and any managing agent
- ◆ Summary of any work being undertaken

If there is any delay in getting the leasehold information, you must include proof that it has been ordered and where necessary paid for.

THESE DOCUMENTS ARE COMPULSORY FOR COMMONHOLD PROPERTIES:

- ◆ Individual register and title plan for the common parts
- ◆ Commonhold community statement
- ◆ management regulations not described in the commonhold community statement and any amendments
- ◆ Requests for payments, made for the previous 12 months, for commonhold assessment, reserve fund levy or insurance
- ◆ The name and address of any managing agent
- ◆ Summary of current or proposed work affecting the commonhold

If there is any delay in getting the commonhold information, you must include evidence that these documents have been ordered and where necessary paid for.

OPTIONAL DOCUMENTS

Sellers can choose to include the following:

- ◆ Home Condition Report
- ◆ Home use form
- ◆ Home Contents Form
- ◆ Legal summary of a Pack, or a Pack document
- ◆ Other searches
- ◆ Warranties and guarantees

Please note: this is not a complete list of the optional documents that can be included. Full details of what can and can't be added to the Pack can be found in the Home Information Pack Regulations:

www.homeinformationpacks.gov.uk/industry/137_pubregulations.html

The Pack must not contain any form of advertising of goods and services.

WHAT IS AN ENERGY PERFORMANCE CERTIFICATE?

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This is the only new component in the Pack. Energy Performance Certificates highlight how energy efficient a property is by giving it a rating from A – G, where A is the most energy efficient. They also offer advice on how to save energy and reduce fuel bills.

Please visit the following website to view a sample Energy Performance Certificate:
http://www.communities.gov.uk/pub/856/ExampleofEPC_id1504856.pdf

HOW WILL THE BUYER BENEFIT FROM IT?

The Energy Performance Certificate will identify cost effective improvements buyers can make to reduce fuel bills and carbon emissions and to make the property more energy efficient.

WHY SHOULD BUYERS TRUST THE ENERGY ASSESSMENT?

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All Domestic Energy Assessors must be members of an Accreditation Scheme set up to ensure that their work can be trusted by sellers, buyers and lenders.

These schemes are designed to ensure Assessors are properly qualified, have had a criminal record check and have adequate insurance cover for any claims that may be made. Any Assessors who do not meet the necessary standards can be suspended.

There is a public register of Domestic Energy Assessors at www.epcregister.com

Alternatively, you could search business listing services or the internet for Domestic Energy Assessors. A list of the accreditation centres is available at:

www.homeinformationpacks.gov.uk/industry/91_How_do_I_find_an_Energy_Assessor.html

WHAT IS A HOME CONDITION REPORT?

The Home Condition Report contains information about the physical condition of the property, and highlights any work that needs to be done. Both buyers and sellers will then know about repairs, and lenders can use the report to help with their valuation.

CAN BUYERS ASK FOR ONE, IF IT IS NOT PROVIDED?

If the Home Condition Report is not included in the Home Information Pack, buyers can either commission one themselves, or choose an existing type of survey such as a Home Buyers Survey and Valuation (HSV). Buyers would need to pay for either of these.

For more information visit:

www.homeinformationpacks.gov.uk/consumer/22_Home_Condition_Report.html

WHY SHOULD BUYERS TRUST A HOME CONDITION REPORT PROVIDED BY THE SELLER?

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Home Condition Reports are produced by fully qualified Home Inspectors, and provide an unbiased report on the condition of the home. Buyers, sellers and the buyer's mortgage lender have a legal right to rely on them.



HOW DO BUYERS KNOW HOME INSPECTORS ARE LEGITIMATE?

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All Home Inspectors must be members of a certification scheme that will ensure that their work can be trusted by sellers, buyers and lenders.

These schemes will ensure Inspectors are properly qualified, have had a criminal record check and have adequate insurance cover for any claims that may be made. Any Inspectors who do not meet the necessary standards can be suspended.

If you need to find a Home Inspector, you can do so by searching your local directory or online business listings.

If your search is unsuccessful, you could contact one of the Certification schemes who have details of their members. Full details of all schemes are available at:
http://www.homeinformationpacks.gov.uk/industry/88_How_do_I_find_a_Home_Inspector.html

WHAT WILL THE PACK COST BUYERS?

Buyers can see a copy of a Home Information Pack for free, however there may be a charge for copying and posting.

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HOW WILL THE PACK BENEFIT BUYERS?

As the Pack provides most of what buyers need to know up front, they will be able to make faster and better informed decisions about the properties they are considering. Essentially, buyers will be able to make an offer on a property with confidence.



WHEN SHOULD THE AGENT GIVE THE PACK TO BUYERS?

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You should always make a copy of a Pack available to prospective buyers, within 14 days of them requesting it. If you have not yet received the Pack when the request is made, it must be made available as soon as possible when it arrives.

You may only withhold a copy of the Pack if you consider that the buyer:

- ◆ isn't genuinely interested in buying the property
- ◆ cannot afford the property
- ◆ doesn't meet the seller's criteria – if any have been given (please note that this does not authorise anything that could be an unlawful act of discrimination)

WHAT SHOULD BUYERS DO WITH THE PACK?

Once they have looked over the Pack for a property they are interested in, the buyer should pass it to their solicitor or licensed conveyancer so they can advise on any legal issues.

WHAT SHOULD THEY DO WHEN THEY'VE HAD AN OFFER ACCEPTED?

If they haven't already done so, buyers should pass the Pack to their licensed conveyancer or solicitor when they have had an offer accepted.

WILL A PACK BE REQUIRED FOR A PROPERTY THAT WAS ON THE MARKET BEFORE THE NEW LEGISLATION COMES IN?

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Properties already on the market when Home Information Packs are introduced will not need to have a Pack immediately. For the latest information on the phased introduction of Home Information Packs visit: www.homeinformationpacks.gov.uk/industry



WHEN MIGHT A PACK NOT BE AVAILABLE?

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Packs are not required for properties that are:

- ◆ unsafe and not fit for human occupation
- ◆ due to be demolished
- ◆ sold without vacant possession
- ◆ non-residential
- ◆ used as holiday or seasonal accommodation
- ◆ mixed use (e.g. a shop and flat above) and being sold as one lot
- ◆ dual use (e.g. a property that can be used for residential and non-residential purposes at the same time such as a guesthouse)
- ◆ part of a private sale (where the property is not marketed)
- ◆ part of the sale of a property portfolio

WHERE CAN BUYERS GO FOR MORE INFORMATION?

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Buyers should visit the relevant section of the Home Information Pack website at:
www.homeinformationpacks.gov.uk/consumer/43_For_buyers.html

The agent should also have copies of the leaflets entitled '**What to look for in your Home Information Pack**' and '**Home buyers and sellers' guide to Home Information Packs**' ready to give out.

These are available to order from:
www.homeinformationpacks.gov.uk/marketing

For more information email:
homeinfopacks@communities.gsi.gov.uk

WHERE SHOULD BUYERS GO IF THEY HAVE COMPLAINTS?

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A number of complaints services and redress schemes exist. The right one for the buyer depends on the nature of the complaint, and who it's about (i.e. solicitors, licensed conveyancers, energy assessors etc). Every estate agent selling residential properties for which a HIP is required must belong to a redress scheme – agents should provide confirmation of details to the buyer.

Consumer Direct, the government funded consumer advice line from the Office of Fair Trading, provides a single point to which buyers can go to get advice on where to take their complaint.

Further information can be found on their website at: www.consumerdirect.gov.uk
or the Home Information Pack website at:
www.homeinformationpacks.gov.uk/consumer/53_Complaints_procedure.html

FIND OUT MORE

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For general information about the scheme and a list of useful publications agents should visit: www.homeinformationpacks.gov.uk/industry

To order hard copies of the marketing material available, contact:

Communities and Local Government Publications

PO Box 236

Wetherby

LS23 7NB

Tel: **0870 1226 236**

Fax: **0870 1226 237**

www.homeinformationpacks.gov.uk/marketing

Email: communities@twoten.com

Published by the Department for Communities and Local Government.

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