
Overview

This standard is about providing information and advice about Home Information Packs (HIPs) to sellers wishing to market their property through your organisation.

Element 1 covers the competence required to liaise with sellers prior to the procurement of a Home Information Pack. You will need to explain why a HIP is required, outline the components of the HIP, and alert sellers to the potential impact of the HIP on the marketing of their property.

Element 2 covers the competence required to agree with sellers the terms and conditions under which you will procure a HIP on their behalf. You will need to discuss the costs and timescales involved, agree terms and conditions in writing, and procure the Pack.

Element 3 covers the competence required to review the HIP once it has been procured. You must help sellers to review the contents of the HIP noting any issues or inaccuracies that require further explanation or discussion.

Element 4 covers the competence required to advise sellers on the use of the HIP in the marketing of their property. You must assess the potential impact of the HIP on the saleability of property and, where appropriate, recommend ways in which the saleability of property may be improved.

Throughout your work, you must understand and adhere to the requirements of the current, relevant legislation, and Home Information Pack regulations. In addition, you must understand the requirements of the HIP Code operated by the Property Codes Compliance Board, and also work within the limits of your own authority and competence at all times; this will include referring sellers to other professionals (e.g. Home Inspectors, conveyancers and Domestic Energy Assessors) as necessary.

There are four elements:

1. Provide information and advice to sellers prior to Home Information Pack procurement
2. Agree terms and conditions for Home Information Pack procurement
3. Review the Home Information Pack once it has been procured
4. Advise sellers on the use of Home Information Packs to market property

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Liaise with sellers regarding Home Information Packs

Performance criteria

Provide information and advice to sellers prior to Home Information Pack procurement

You must be able to:

- P1 ensure that you keep up-to-date with relevant developments relating to Home Information Packs under the Housing Act, Regulations and accompanying guidance
- P2 respond promptly to enquiries from sellers who plan to market their property through your organisation
- P3 identify whether a Home Information Pack is required for the property in question and the property interest being offered for sale
- P4 inform sellers of the need to procure a Home Information Pack prior to marketing their property, and explain clearly the reasons for this
- P5 explain to sellers the respective responsibilities of the seller and selling agent in connection with the Home Information Pack
- P6 explain clearly to sellers all relevant aspects within the contents of the Home Information Pack, including the contents of the Energy Efficiency Certificate, the Home Condition Report, and the documents/information that the seller will need to supply
- P7 outline clearly to sellers the role and responsibilities of Home Inspectors and Domestic Energy Assessors, and arrangements for their qualification and licensing
- P8 explain clearly to sellers the extent and limitations of the information contained within Home Information Packs, and where responsibility lies for the accuracy of that information
- P9 respond promptly and clearly to seller's questions about the Home Information Pack
- P10 refer sellers to other sources of guidance and advice where they require information that is beyond your authority or competence
- P11 explain to sellers how the Home Information Pack can be enhanced by providing information alongside it over and above that required by law
- P12 alert sellers to the potential implications of the Home Information Pack in the marketing of their property, including the effect on timescales

Agree terms and conditions for Home Information Pack procurement

You must be able to:

- P13 suggest to sellers ways in which a Home Information Pack can be procured on their behalf, including the protections afforded by having a Pack procured from a provider subscribing to the HIP Code operated by the Property Codes Compliance Board
- P14 explain clearly the circumstances under which blank or incomplete documents may be included in the Home Information Pack
- P15 explain clearly the circumstances under which unobtainable and unavailable documents may be omitted from the Home Information Pack
- P16 explain clearly the terms under which certain pack documents have to be

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- supplied, and the requirements regarding any updating of pack contents
- P17 outline to sellers the potential costs and timescales involved in procuring a Home Information Pack and explain how and when these costs may be met
- P18 explain clearly to sellers the terms and conditions of credit arrangements, relevant to the seller, that they may enter into in order to fund procurement of the Home Information Pack
- P19 explain clearly to sellers their legal obligations should they themselves undertake actions concerning the marketing of their property
- P20 agree with sellers any conditions under which the Home Information Pack for their property will be provided to suitable potential buyers, including any charges to be made for supplying copies of packs to potential buyers
- P21 agree, and confirm in writing with sellers all relevant terms and conditions under which you will procure a Home Information Pack on their behalf as part of the overall property marketing agreement, including details of the pack ownership, its use by other agents, and the implications of the seller withdrawing their property or of terminating the agency agreement
- P22 procure Home Information Packs on behalf of sellers
- P23 explain clearly the seller's right to a copy of the Home Information Pack for the purposes of checking its accuracy
- P24 explain clearly to sellers the point at which their property can be marketed following procurement of a Home Information Pack
- P25 explain clearly to sellers any business relationship your agency may have with organisations providing Home Information Packs including any fee or commission payable by the pack provider to the agency
- P26 explain clearly to sellers the implications of withdrawing their property from the market or terminating the agency agreement

Review the Home Information Pack once it has been procured

You must be able to:

- P27 check the source and authenticity of copies of Home Information Packs for which you are responsible, and take appropriate action where you have any concerns
- P28 check that the Home Information Pack does not contain documents prohibited by Regulations
- P29 take the appropriate action in cases where any of the required items in the Home Information Pack are not available
- P30 liaise with the seller once a Home Information Pack has been produced for their property
- P31 familiarise yourself with the Home Information Pack and ensure that there are no discrepancies between the information contained therein and the marketing information you prepare for the property
- P32 provide a copy of the HIP to the seller, and review its contents with them, noting any issues and potential inaccuracies that require further

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- explanation or discussion
- P33 refer the seller to relevant sources of guidance and advice regarding the interpretation of the Home Information Pack where they require information that is beyond your authority or competence
- P34 liaise with sellers regarding any required documents missing from the Home Information Pack
- P35 differentiate between Home Information Pack documents (required and authorised) and other material to be supplied alongside these documents
- P36 develop and maintain effective working relationships with other professionals throughout your work market property

Advise sellers on the use of Home Information Packs to market property

You must be able to:

- P37 assess, with sellers, the potential impact of the contents of the Home Information Pack and any missing documents on the marketability and saleability of their property
- P38 advise sellers on ways in which the contents of the Home Information Pack may impact on the saleability of their property
- P39 refer sellers to appropriate, reputable sources of assistance in addressing any issues or concerns with their property
- P40 explain to sellers what evidence is required to demonstrate that any issues or concerns with their property have been addressed
- P41 take the necessary action to inform relevant parties where there are any documents missing from the HIP which might affect the conveyancy process
- P42 review with sellers any conditions regarding use and disclosure to be attached to the provision of the Home Information Pack and pack documents to potential buyers
- P43 review with sellers the requirements relating to the updating of any pack documents and maintaining the pack index
- P44 explain to sellers that the Home Information Pack, and any Home Condition Report, will be stored on a central register, and outline the ways in which it may be used by lenders, Domestic Energy Assessor Accreditation Schemes, Home Inspectors Certification Schemes and enforcement authorities
- P45 explain to sellers the redress arrangements available to them should they wish to make a complaint about you, your organisation or the contents of the Home Information Pack
- P46 develop and maintain effective working relationships with other professionals throughout your work

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Liaise with sellers regarding Home Information Packs

Knowledge and understanding

You need to know and understand:

Legislation, rationale and HIP contents

- K1 the provisions of current legislation relevant to Home Information Packs and Home Information Pack Regulations, and accompanying guidance, and their impact for your area of operations
- K2 the definition of a 'responsible person' under current legislation, and the legal duties relating to seller and agent to: have a Home Information Pack; ensure its authenticity; provide a copy of the whole or a part within 14 days of request
- K3 the background to the legislation and the rationale for the introduction of Home Information Packs
- K4 other relevant and current legislation relating to the marketing of property
- K5 when a Home Information Pack is and is not required for a property
- K6 the required, authorised and prohibited contents of Home Information Packs
- K7 the extent and limitations of the information contained within Home Information Packs
- K8 the way in which Energy Performance Certificates and Home Condition Reports will be stored centrally, and the uses to which pack contents may be put by lenders, Domestic Energy Assessor Accreditation Schemes, Home Inspectors Certification Scheme/s and enforcement authorities

Your authority and competence, and the need to refer to other professionals

You need to know and understand:

- K9 the extent and limits of your own authority or competence and the importance of not working beyond these
- K10 the sources of guidance and advice to which you should refer sellers when they require information that you cannot provide

Providing information and advice to sellers prior to HIP procurement

You need to know and understand:

- K11 the provisions of, and the protections afforded by, the HIP Code operated by the Property Codes Compliance Board
- K12 the role and responsibilities of Domestic Energy Assessors, the requirements of Domestic Energy Assessor Accreditation Schemes, and the content of Energy Performance Certificates
- K13 the role and responsibilities of Home Inspectors, requirements of the Home Inspector Certification Scheme/s, and the content of Home Conditions Reports
- K14 the duty of care that a Home Inspector has towards the sellers, buyers and lenders

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- K15 the probable questions that sellers may have about Home Information Packs and appropriate ways of addressing these

Liaise with sellers regarding Home Information Packs

You need to know and understand:

- K16 the types of the information that can be provided alongside Home Information Packs over and above that required by law
- K17 the potential implications of Home Information Packs regarding the marketing of property, and the importance of alerting sellers to them
- K18 how to handle the non-availability of any of the required items in the Home Information Pack

Agreeing terms and conditions for HP procurement

You need to know and understand:

- K19 the range and type of organisation(s) that can prepare a Home Information Pack on the seller's behalf
- K20 your liability and the liability of your organisation for the accuracy of pack contents
- K21 the protections and redress afforded to the seller and your organisation through procuring a Home Information Pack which complies with the HIP Code operated by the Property Codes Compliance Board
- K22 the potential costs and timescales involved in procuring a Home Information Pack and how and when these costs must be met
- K23 the terms and conditions of credit arrangements that may be used by the seller to fund the procurement of the Home Information Pack, and the importance of complying with the Consumer Credit Act
- K24 the definition of a suitable buyer (i.e. one who is: likely to have the means to purchase; genuinely interested in the property; and likely to be acceptable to the seller)
- K25 the terms under which Home Information Packs are provided to suitable prospective buyers, including any charges to be made for supplying paper copies of Packs
- K26 how to agree the terms and conditions under which you will procure Home Information Packs for sellers as part of the overall property marketing agreement, and the importance of putting this in writing
- K27 how to procure Home Information Packs on behalf of sellers in a way which maximises consumer protection and compliance with the law and industry standards, and minimises the risk of delays in marketing
- K28 the advantages for the marketing and conveyancy process of including authorised as well as required documents within the HIP
- K29 the point at which a property can be marketed following procurement of a Home Information Pack
- K30 the implications of withdrawing a property from the market e.g. the potential need to procure a new Home Information Pack

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Reviewing the HIP once it has been procured

You need to know and understand:

- K31 your legal duties regarding checking the source and authenticity of copies of Home Information Packs, and time at which they may be included in the pack
- K32 how to check the source and authenticity of copies of Home Information Packs
- K33 what action to take should you have any concerns about the source or authenticity of the contents of Home Information Packs
- K34 the requirements regarding the omission of unavailable and unobtainable documents from the Home Information Pack
- K35 the importance of checking that there are no discrepancies between the contents of the Home Information Pack, particularly the Home Condition Report, and property marketing materials
- K36 the importance of providing copies of HIPs to sellers to enable them to review the content, identify potential inaccuracies, and to consider ways of addressing any issues arising
- K37 how to review the contents of Home Information Packs with sellers and identify issues of particular note, including sale statements, home contents forms, home use forms, evidence of title, standard searches, warranties and guarantees, Home Condition Reports including Energy Performance Certificates, additional documents for leasehold properties, and other contents specified by the Regulations
- K38 the importance of differentiating between Home Information Pack documents (required and authorised) and other material to be supplied alongside these documents

Advising sellers on the use of HIPs to market property

You need to know and understand:

- K39 how to assess the potential impact of the contents of the Home Information Pack and any missing documents on the saleability of property
- K40 the ways in which the saleability of property may be improved by addressing issues raised within the Home Information Pack
- K41 the sources of assistance to whom sellers should be referred to address issues or concerns with their property

Redress arrangements

You need to know and understand:

- K42 the redress arrangements available to sellers in relation to any acts or omissions by you
- K43 the redress arrangements to which sellers should be referred should they challenge the content of any document in the Home Information Pack

Effective working relationships

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You need to know and understand:

K44 how to develop and maintain effective working relationships with other professionals

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Developed by Asset Skills

Version number 1

Date approved March 2009

Indicative review date March 2011

Validity Current

Status Original

Originating organisation Asset Skills

Original URN SRP25

Relevant occupations Retail and commercial enterprise; Service enterprises; Sales and Customer Services Occupations; Sales Related Occupations

Suite Sale of Residential Property

Key words Liaise, sellers, Home Information Packs, respond, explain
