

ASTSRP26

Liaise with buyers regarding Home Information Packs



Overview

This standard is about liaising with potential and actual buyers regarding Home Information Packs (HIPs).

Element 1 covers the competence required to access, and make available to potential buyers, the contents of Home Information Packs. This should be done in accordance with any conditions regarding use and disclosure imposed by the seller of the property to which the HIP relates. As you should only supply HIPs to suitable buyers, you must be able to assess their suitability and, where necessary, explain and record the reasons why HIPs cannot be provided in certain cases.

Element 2 covers the competence required to handle specific queries from potential buyers regarding HIPs. You are expected to be able to explain the purpose of each of the HIP documents; the terms under which HIP documents are provided, and the redress arrangements available to the buyer should they be dissatisfied with any aspect of the service.

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 buyers to other professionals (e.g. Home Inspectors, conveyancers, and Domestic Energy Assessors) as necessary.

There are two elements:

1. Provide potential buyers with relevant Home Information Packs
2. Handle specific queries from buyers regarding Home Information Packs

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Performance criteria

Provide potential buyers with relevant Home Information Packs

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 inform potential buyers of the existence of Home Information Packs and associated Energy Performance Certificates, and explain why they are prepared for properties prior to marketing
- P3 explain why Home Information Packs are not required for certain properties
- P4 supply relevant Home Information Packs and pack documents, which are complete and in appropriate formats, to potential suitable buyers, and in response to requests from suitable potential buyers, in accordance with any conditions regarding use and disclosure imposed by the seller
- P5 agree with potential buyers the format in which a copy of the Home Information Pack, or any document therein, is to be provided
- P6 check that Home Information Packs and pack documents relate to properties being offered for sale
- P7 confirm the authenticity of documents contained within Home Information Packs
- P8 assess the suitability of potential buyers requesting Home Information Packs and pack documents, in terms of whether the buyers are genuinely interested, have the means to purchase and are likely to be acceptable to the seller, if instructed to do so by the seller of the property to which the information relates
- P9 explain, in a tactful and courteous manner, the reasons why a copy of the Home Information Pack or pack documents cannot be provided to individuals in particular circumstances
- P10 recognise where the decision to provide a Home Information Pack or pack documents needs to be referred to the seller or to a higher level within your organisation
- P11 explain any charges made for supplying a paper copy of a Home Information Pack and pack documents and confirm this in writing
- P12 keep clear, complete and accurate records relating to requests for, and the provision of, copies of Home Information Packs and pack documents
- P13 where additional documents (such as sales particulars and advertising materials) are provided to potential buyers, distinguish these clearly from the Home Information Pack and pack documents
- P14 develop and maintain effective working relationships with other professionals throughout your work

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Handle specific queries from buyers regarding Home Information Packs

You must be able to:

- P15 respond promptly to specific queries from buyers regarding Home Information Packs or facilitate their obtaining answers from an alternative source
- P16 explain clearly the purpose of each of the documents contained within the Home Information Pack
- P17 explain clearly the terms under which Home Information Packs and pack documents are provided and the extent to which potential buyers may rely their contents
- P18 explain to potential buyers that the Home Condition Report does not contain a property valuation but that its contents may be used by lenders and valuers to inform assessment of value
- P19 refer buyers to relevant sources of guidance, advice and assistance where they require information or help that is beyond your authority or competence to provide
- P20 explain to potential buyers the redress arrangements available to them should they wish to make a complaint about you, your agency or Home Information Pack documents
- P21 explain the concept of caveat emptor and its continuing application to buyers notwithstanding the introduction of Home Information Packs

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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 background to the legislation and the rationale for the introduction of Home Information Packs
- K3 the required, authorised and prohibited contents of Home Information Packs, including the use of Home Condition Reports, sale statements, home contents forms, home use forms, Energy Performance Certificates, evidence of title, standard searches, warranties and guarantees, additional documents for leasehold properties, and other contents specified by the Regulations
- K4 the provisions of current, relevant anti-discriminatory legislation

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

You need to know and understand:

- K5 the extent and limits of your own authority and competence and the importance of not working beyond these
- K6 the sources of guidance, advice and assistance to which you should refer buyers when they require information or help that you cannot provide

Providing potential buyers with HIPs

You need to know and understand:

- K7 the providers of Home Information Packs with whom you should liaise
- K8 how to access and provide Home Information Packs and pack documents in appropriate formats for buyers
- K9 how to ensure that Home Information Packs and pack documents relate to properties being offered for sale
- K10 how to confirm the authenticity of documents contained within Home Information Packs
- K11 how to assess the suitability of potential buyers
- K12 requirements regarding language, legibility and clarity of copies of Home Information Packs and pack documents
- K13 requirements regarding the attachment of any conditions to the provision of copies of Home Information Packs and pack documents
- K14 how to explain to individuals why they are not entitled to have sight of or be given a copy of a Home Information Pack and pack documents, and the importance of doing this with tact and courtesy
- K15 how to recognise the need to refer the decision to provide a Home Information Pack and pack documents to the seller or higher level within

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your organisation

- K16 the importance of clearly recording the reasons why an individual is not entitled to see or receive a copy of a Home Information Pack
- K17 limitations on any charges made for the supply of copies of Home Information Packs and pack contents, and different charging arrangements depending on the format used
- K18 how to record information relating to requests for, and the provision of copies of Home Information Packs and pack documents; including information relating to the names and contact details of potential buyers requesting copies of HIPs and pack documents; and the dates on which such requests were made; names and contact details of potential buyers who have seen or been provided with copies of HIPs and pack documents, and the dates on which this occurred; any conditions attached to the provision of HIPs and pack contents to potential buyers; the reason(s) for any refusal to provide copies of HIPs and pack contents to individuals; warranties and guarantees; Home Condition Reports including Energy Performance Certificates; additional documents for leasehold properties; and other contents specified by the Regulations

Handling queries from buyers about HIPS

You need to know and understand:

- K19 the importance of responding promptly to specific queries from buyers regarding Home Information Packs and pack documents
- K20 the purpose of Home Information Packs and individual pack documents
- K21 the definition of condition ratings within Home Condition Reports
- K22 the aim of Energy Performance Certificates provided within Home Condition Reports
- K23 the way in which the contents of the Home Condition Report may be used by lenders and valuers to inform assessment of property value
- K24 the principles and practical application of the concept of caveat emptor

Redress arrangements

You need to know and understand:

- K25 the protections and redress arrangements afforded by the HIP Code operated by the Property Codes Compliance Board
- K26 redress arrangements relating to: your marketing of properties with Home Information Packs; the completeness of pack documents and their compliance with the law; the accuracy of pack documents

Effective working relationships

You need to know and understand:

- K27 how to develop and maintain effective working relationships with other professionals

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