

TERMS OF ENGAGEMENT FOR THE EPC - 18th DEC 2007

INTRODUCTION:

The Energy Performance Certificate (EPC) is a report on the energy efficiency of the property at the time of inspection. It is in a standard format and has been prepared by a Domestic Energy Assessor (DEA) who is accredited with Elmhurst (a government approved accreditation scheme) and holds the Diploma in Domestic Energy Inspection.

The DEA has a duty to provide an opinion about the energy efficiency of the property that can be used and relied upon by prospective buyers. The report will be included in the Home Information Pack commissioned on the property and entered on the Central Register.

The Code of Practice for Domestic Energy Assessors, issued by the Elmhurst Accreditation Scheme, sets out the principles that must be followed and applied by all Domestic Energy Assessors who are a member of the Elmhurst Accreditation Scheme.

You are strongly advised to read these terms of engagement. No responsibilities can be accepted for the consequences should the reader fail to act upon specific reasonable advice within it.

TERMS OF ENGAGEMENT:

The report has been commissioned on the basis of these Terms of Engagement by, or on behalf of, the seller of the property, and describes the energy efficiency of the property on the date of inspection. The DEA has a duty to provide an impartial opinion that can be used and relied upon by a prospective buyer and the seller. It is agreed by the parties that the provisions of the Contracts (Rights of Third Parties) Act 1999 will apply.

This EPC will be carried out in accordance with the Elmhurst Accreditation Scheme's Domestic Energy Assessor Code of Practice.

Any services the DEA may agree to provide in addition to preparing this Energy Performance Certificate are outside of the scope of the Elmhurst Accreditation Scheme, and must be covered by a wholly separate contract from that covering the Energy Inspection. Those parts of the property that have been inspected and those parts where an inspection has not taken place are set out below and form part of these terms.

Any personal information regarding the seller that is recorded by the DEA will be held safely and securely and the seller has a right to see these records. The seller's contact details may be used during the process for monitoring the compliance and performance of DEAs. Personal information about the various parties, in particular the owner, occupier(s) and seller of the property which has no relevance to the EPC will not be recorded by the DEA.

PAYMENT:

If our contract is not directly with the vendor but with the company instructing us on behalf of their client (either the vendor themselves or another company

on behalf of the vendor), then payment will be required within 30 days of receipt of our invoice after the inspection. We can accept cheque (payable to Sycamore Energy Assessors Ltd.) or BACS payment. Please contact us for our account details.

If the contract is directly with the vendor - payment for the full HIP, or EPC only if appropriate, is due at the commencement of the EPC Survey. You may pay by cheque, made payable to: Sycamore Energy Assessors Ltd. or by cash or online Bank transfer, a credit/debit card facility along with deferred payment option.

If payment is not made at the commencement of the EPC assessment and no prior alternative arrangements have been agreed, we reserve the right to postpone the EPC assessment and make an additional charge of £25 (ex VAT) to cover the time and extra administration incurred.

WHAT THIS REPORT TELLS YOU:

It tells you about the energy efficiency of the property and gives appropriate recommendations selected from a standard set of recommendations to tell you how the energy efficiency might be improved.

WHAT THIS REPORT DOES NOT TELL YOU:

The Report will not include any valuation of the property and does not provide information on the condition of the property or the services.

It does not tell you about any matters other than those specifically related to the energy efficiency, nor does it warn you about any Health and Safety Risks to occupiers or visitors to the property. The report does not give accurate running costs, an indication of heating and lighting bills, advice on how the improvements will affect the saleability or value of the property or how to carry out the improvements. The report also does not provide the exact U value – the exact thermal conductance from the outside to inside covering all modes of heat transfer.

WHAT IS INSPECTED:

- **EXTERNALLY:** To collect the necessary data all reasonably accessible parts of the property are visually inspected from within its grounds and adjoining public and communal areas. If the DEA needs to access any elements of the property not at ground level in order to collect the data required to issue an EPC, then the DEA may use binoculars or a digital camera and may use a ladder where the surface is no more than 3 metres from ground level and where it is safe and practical to do so.
- **INTERNALLY:** the DEA gains access to as many parts of the property as is safe and practical in order to collect the data required to issue an EPC. Internal fixed floor coverings are not lifted and heavy items of furniture are not moved. Cupboards/storage areas are not emptied where it would be unreasonable for the DEA to do so.

WHAT IS NOT INSPECTED:

The DEA undertakes a visual inspection to collect the necessary data and does not carry out tests of services, or look at those parts of the property that are covered, unexposed and inaccessible or damage any part of the property

when undertaking the inspection. In particular the following are not inspected:

- **EXTERIOR:** The parts of the property that can only be seen by entering somebody else's private grounds or property. The parts of the property that cannot be reached other than from ground level with a 3 metre ladder. (The DEA will not walk on flat roofs). Exposure works will not be carried out to the foundations, cavity walls and parts of the property covered by the ground.
- **INTERIOR:** Areas that are behind secured trap doors, behind heavy furniture or filled cupboards. Floor surfaces and under floor areas that are beneath fitted carpets and other fixed floor coverings. Roof voids, where there is no access or where the access is above 3 metres from the immediate floor level below, or where it would be unsafe. Insulation and other material in the roof space will not be lifted or moved. The inside of chimneys, boiler and other flues.

The Domestic Energy Assessment should not be construed, or used as a general or specific survey of the condition of the property, nor will the DEA comment upon any such matters whilst carrying out an energy inspection.

WHAT YOU SHOULD DO IN THE EVENT OF A QUERY OR COMPLAINT:

The DEA is required to have a formal complaint handling process. Should you have a complaint about an EPC or the DEA, you should contact Sycamore energy Assessors directly where we will endeavour to deal with your query or complaint immediately. In the event of a dispute, we do have a formal complaints policy and we can supply you with written details upon request.

Upon receipt of any complaint, the matter will be taken seriously and all efforts made to investigate the circumstances and resolve the issues. Should you not be satisfied with the way the complaint was handled, you may refer the matter to our Accreditation Scheme, NHER, where their complaints handling process will arrange for the claim to be resolved independently.

DATA PROTECTION:

We will comply with the requirements of the Data Protection Act 1998. Any personal data (as defined in that Act) that we receive about you, or from you, will only be used for the purposes of:

- preparing the EPC
- submitting the report to the Register of Energy Performance Certificates along with any site notes and raw data used to prepare the reports;
- sending a copy to you and/or your adviser(s) and any HIP pack provider;
- an audit of the DEA's performance standards by the Elmhurst Accreditation Scheme.

The DEA is required by law to retain records for 15 years, and any personal data which needs to be retained will be kept secure and confidential. You are entitled to see any personal data held by the DEA although we are entitled to charge a small fee for this.