

# PROGRESS

an industry update on Home Information Packs

Issue 20 : 9 August 2007

[www.homeinformationpacks.gov.uk](http://www.homeinformationpacks.gov.uk)

## HIPs are live

Home Information Packs (HIPs) have gone live and will currently apply to homes marketed from 1 August with 4 or more bedrooms.

## NAO report released yesterday

In response to media interest in the NAO's findings on the use of two consultants in the HIPs programme, a spokesman for Communities and Local Government said:

*"These are historic issues that arose over a year ago about the employment of two consultants — we resolved this matter at the time. As the report makes clear, the Department acted quickly to terminate the consultants' contracts once a conflict of interest had been established. We are satisfied that no impropriety took place and have since tightened procedures to prevent this from happening again."*

## Background

As the report itself makes clear, it is not about the introduction of HIPs and EPCs. It is an analysis of how the Department dealt with a potential conflict of interest about the use of consultants to provide advice on the approval of HIPs' accreditation schemes. It has no bearing on the rollout of HIPs.

On the suggestion the report was delayed:

*"The Department co-operated fully with all requests from the NAO in putting this report together — the timetable for publication was entirely a decision for the NAO. It is wrong to suggest otherwise."*

On the NAO wider look at CLG and HIPs mentioned in the report:

*"This is standard procedure for the NAO, and will not affect the rollout of HIPs."*

## EPCs explained

The HIPs team has recently received a number of questions concerning the EPC and its role in the HIP process. The following facts aim to answer these questions:

### Fact 1: The role of the EPC in the provision of a HIP

Before 1st January 2008, marketing of a property can begin without a HIP provided all of the required documents including an EPC have been requested and are expected to arrive within 28 days. *Once the EPC is available, this exception stops* and a HIP should be produced that contains:

- The Energy Performance Certificate
- Evidence of title
- Index
- Sale Statement
- Searches and, where appropriate, leasehold documents or evidence that they have been commissioned

### **Fact 2: The EPC and estate agents particulars**

Once the EPC is available, estate agents particulars need to be produced with the EPC graphs included or the certificate itself attached.

### **Fact 3: EPC and exchange**

Under regulations implementing EU law, an EPC is *always* needed before exchange takes place, even if the property was taken off the market because a sale was agreed quickly.

### **Fact 4: Validity of the EPC**

The EPC currently has a validity of 12 months. If a property is sold and is then placed back on the market within this 12 month period *the EPC remains valid* for inclusion in the HIP. We will be holding a full consultation on this validity period in the near future.

## **HIPs Ordering proforma proof of commission**

In Issue 19 of PROGRESS, we provided you with an example of a HIPs ordering proforma form. After a minor adjustment, the amended HIPs ordering proforma can be found [here](#).

The form can be completed by a HIP provider for the marketer of a property to demonstrate that a HIP has been commissioned. This form is not mandatory and HIP providers may use their own systems and forms to give proof of commissioning to the marketer of a property.

Please read below an explanation of Regulation 34, to which the form relates:

### ***Regulation 34 of the Home Information Pack (No.2) Regulations 2007***

This Regulation allows marketing to start without a HIP during a temporary period when the following conditions are met:

- the property was put on the market before 1 January 2008;
- requests for the required documents were delivered before the property is put on the market; and
- the request for the documents complies with regulation 18(1) — i.e. the request was made to the person who usually provides such documents (a specialist pack provider for example) and was accompanied by the appropriate fee or a commitment to pay it.

In addition to the above, their exception does not apply unless the responsible person makes all reasonable efforts to obtain the documents within the period of 28 days following the start of marketing and thereafter if they cannot be obtained within that period.

This exception ceases to apply when an energy performance certificate or predicted energy assessment is obtained. At this point the home information pack duties will start to apply and the responsible person will need to assemble a pack as soon as possible.

## **Latest update of DEA and HI numbers**

Please click [here](#) to see the latest update of DEA and HI numbers.

The website directs readers to the implementation update which explains the criteria for rolling out to the next phase.