

NFOPP Awarding Body

Arbon House, 6 Tournament Court, Edgehill Drive, Warwick CV34 6LG
Telephone 0845 250 6008



This syllabus is live from 1st November 2011 and replaces all other syllabus.

Please be aware that the following amendments have been changed to the syllabus:

Property appraisal: use of and adjustment to, comparables is new to unit 4

If your MOL study materials do not match this syllabus please contact MOL telephone 0161 2032103 and discuss the changes.

This is the syllabus you will be examined against during the four unit examinations.

NFOPP Technical Award

Sale of Residential Property (England, Wales and Northern Ireland)

Syllabus

Unit 1

Health and Safety, Security and General Law

- a. Health and Safety at Work etc Act 1974 and security issues relating to self and others both within the workplace and outside when dealing with appraisals and viewings
- b. Safety and security issues on building sites
- c. Safety and security issues on empty and occupied property, including dealing with keys and information
- d. General legal concepts as they relate to the provision of estate agency services and new home sales
- e. Basic land law: freehold, commonhold and leasehold; easements and covenants
- f. Basic contract law: offer, acceptance and consideration
- g. Tort: negligence, occupiers' liability and vicarious liability
- h. Discrimination: age, sex, race, and disability
- i. Data Protection Act 1998
- j. Money Laundering Regulations 2007, Proceeds of Crime Act 2002

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Unit 2

Law Relating to Residential Property Sales

- a. Common law duties of the estate agent and sales staff; authority including agent of necessity
- b. Estate Agents Act 1979, Estate Agents (Provision of Information) Regulations 1991, Estate Agents (Undesirable Practices) (No.2) Order 1991, and Estate Agents (Specified Offences) Order 1991; in particular complying with s18, knowledge of connected persons and personal interests; trigger mechanisms leading to warning and prohibition orders; rules for dealing with deposits and clients' money
- c. Property Misdescriptions Act 1991: what constitutes a statement under the Act, what are the specified matters, who polices the Act and what penalties can be imposed, use of disclaimers, due diligence procedures
- d. Sale of Goods Act 1979: s14
- e. Energy performance certificate (EPC) regulations
- f. Financial Services and Markets Act 2000 and Consumer Credit Act 1974 in relation to the provision of financial services and advice within the agency practice
- g. Town and Country Planning Act 1990: development, enforcement, agents' boards, new homes
- h. Consumers, Estate Agents and Redress Act 2007 and ombudsmen services
- i. Cancellation of Contracts Made in a Consumer's Home or Place of Work etc Regulations 2008, Consumer Protection from Unfair Trading Regulations 2008, Unfair Terms in Consumer Contracts Regulations 1999

Unit 3

Practice Relating to Residential Property Sales

- a. Agency terms: sole agency, sole selling rights, ready, willing and able; types of agency: sole agency, joint agency, multiple agency
- b. Methods of sale: private treaty, auction, tender
- c. Energy performance certificate (EPC) regulations
- d. Types of seller: private persons, builders and developers, trustees, executors, order of court, mortgagee in possession, corporate bodies,
- e. Marketing and advertising, styles and copywriting, layout, media types, follow-up, rules, marketing plans, selling techniques; IT in agency: use of web, email etc
- f. Responsibilities of staff to clients and applicants including codes of practice and ethics, disclosure of personal interests and connected persons
- g. Dealing with offers, qualification of offers, dealing with multiple offers
- h. Knowledge of the role of others in the house buying process: solicitors, surveyors and lending institutions; knowledge of the conveyancing process
- i. Stamp Duty Land Tax

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Unit 4

Property Appraisal and Basic Building Construction

- a. Factors affecting property value: location, situation, type of property, style of property, construction method, age of property, size of property, area of land, tenure, occupancy restrictions, time of transaction, external and internal condition, planning and building regulation approvals
- b. Property appraisal: use of and adjustment to, comparables
- c. Basic building construction: type, style and age of residential properties
- d. Terminology and main features of roofs, walls, floors, foundations and services
- e. Common building defects and identifying features and rectification procedures, especially: dampness, timber defects, wall and foundation defects and roof defects
- f. Common warranty and certification systems for new homes.