



NFOPP TECHNICAL AWARD

SYLLABUS - RESIDENTIAL LETTING & PROPERTY MANAGEMENT

(For England and Wales)

Unit 1

Health & Safety, Security and General Law:

- Health & Safety at Work etc Act 1974 and security issues relating to self and others both within the workplace and outside when dealing with appraisals, viewings and routine inspections;
- Safety and security issues on properties including dealing with keys and information;
- General legal concepts of agency as they relate to the provision of letting and management services, agent of necessity;
- Basic land law - freehold, leasehold, commonhold, easements and covenants;
- Basic contract law dealing with offer, acceptance and consideration;
- Torts including negligence, occupiers liability and vicarious liability;
- Discrimination to include an understanding of sex, race, age and disability discrimination employment and provision of services;
- Data Protection Act 1998;
- Money Laundering Regulations 2007; Proceeds of Crime Act 2002.

Unit 2

Legal Aspects of Lettings & Management:

- Tenancies and Licences - Street v Mountford;
- Oral and written contracts and contracts by deed;
- Quiet enjoyment;
- Housing Act 1988 - Assured and assured shorthold tenancies;
- Housing Act 1996;
- Non-Housing Act 1988 tenancies (company lets, holiday lets, resident landlords, premium leases, agricultural property), Rent Act 1977;
- Grounds for possession;
- Protection from Eviction Act 1977;
- Unfair Terms in Consumer Contracts Regulations 1999;
- Other related legislation - Landlord & Tenant Act 1985 Section 1;
- Landlord & Tenant Act 1987 ss 47 & 48;
- Landlord & Tenant Act 1985 section 11;
- Housing Act 2004 Part 1 Chapters 1, 2, 3 in relation to HHSRS and local authority enforcement procedures;
- Safety in properties - Fire regulations;
Gas safety regulations;
Electrical regulations;
Furniture and furnishing regulations;
- Housing Act 2004 Part 7 - Houses in Multiple Occupation (HMOs);
- Housing Act 2004 Part 4 - Management of HMOs;
- Housing Act 2004 Part 2 - Licensing of HMOs;
- Housing Act 2004 Part 3 - Selective licensing;
- Housing Act 2004 Part 6 - Tenancy Deposit Protection;
- Other agency related legislation -
Accommodation Agencies Act 1953;
Consumer Protection against Unfair Trading Regulations 2008;
- Property Misdescriptions Act 1991;
- Stamp Duty Land Tax;
- FSA Regulations dealing with general insurance;

Unit 3

Residential Property Letting Practice:

- Agency terms to include introduction only, let and rent processing, let and manage, consents and authorities;
- Market appraisal and factors affecting letting value including style, location and amenities, size, age of property, external and internal condition, occupancy restrictions, accessibility, timing of comparable transactions, insurances, buy to let;
- The Energy Performance of Buildings (Certificates and Inspections)(England and Wales) Regulations 2007;
- Responsibilities of staff to clients, applicants and tenants including codes of practice and ethics, disclosure of personal interests and connected persons;
- Dealing with applications/offers, negotiating the offer, processing an application, qualification of offers, references, guarantors, credit checks;
- Disability Discrimination Act 2005 – obligations and reasonable adjustments;
- Terms in tenancy agreements including forfeiture clauses, deposit clauses, repairing and maintenance obligations; non-standard additional clauses;
- Implications of housing benefit tenants including regulations relating to benefit claimants and Rent Officer determinations;
- Preparation of tenancy agreement and provision of other associated documentation such as inventories/schedules of condition, safety records;
- Hand-over procedures including utilities;

Unit 4

Residential Property Management Practice:

- Client account procedures including deposits, rent processing/ collection. Arrears, contractor payments, fees and charges. Finance Act 1985 - tax implications relating to overseas landlords;
- Repairs and maintenance, electrical installations, periodic inspections, insurance claims, guarantees and warranties, contractor qualification, statutory consents;
- Town & Country Planning Act 1990 - considerations such as conservation area and listed building consents; 'To Let' board regulations;
- Dealing with breaches of tenancy agreements;
- Extension, renewal and ending of tenancies to include documentation, timing, follow-up, grounds for possession, harassment, and rent review;
- Rent Assessment Committee;
- Dilapidations (damage);
- Making and checking of inventories, tenants' abandoned goods;
- Party Wall Act 1996 and Environmental Protection Act 1990 and related legislation, including Noise Act 1996 to include notices, access, liaison with other relevant third parties;
- Dispute resolution procedures – Tenancy Deposit Protection schemes, the Property Ombudsman Service.