



NFOPP Technical Award Sale of Residential Property (England, Wales and Northern Ireland) Syllabus

Unit 1

Health and Safety, Security and General Law:

- Health & Safety at Work Act 1974 and security issues relating to self and others both within the workplace and outside when dealing with appraisals and viewings
- Safety and security issues on building sites
- Safety and security issues on properties including dealing with keys and information
- Basic land law - freehold, leasehold, commonhold; easements and covenants
- General legal concepts as they relate to the provision of estate agency services and new home sales
- Simple contract dealing with offer, acceptance and consideration
- Torts including negligence, occupiers liability and vicarious liability
- Discrimination to include an appreciation of sexual, racial and disability discrimination
- Data Protection Act 1998
- Money Laundering Regulations 2007 and Proceeds of Crime Act 2002

Unit 2

Law relating to Residential Property Sales:

- Common law duties of the estate agent and sales staff, authority, agent of necessity
- The Estate Agents Act 1979, Estate Agents (Provision of Information) Regulations 1991 and Estate Agents (Undesirable Practices) (No.2) Order 1991, in particular complying with section 18, knowledge of connected persons and personal interests, trigger mechanisms leading to warning and prohibition orders, rules for dealing with deposits and clients money
- Property Misdescriptions Act 1991, in particular 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
- Part 5 Housing Act 2004 – Home Information Packs (HIPs) and Energy Performance Certificate (EPC) Regulations.
- Sale of Goods Act 1979, the Consumer Estate Agents and Redress Act 2007, the Property Ombudsman Service, the Surveyors Ombudsman Service, and other Alternative Dispute Resolutions (ADR) methods.
- 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
- Town & Country Planning Act 1990 (T&CPA) relating to estate agents' boards and T&CPA relating to new homes
- Consumers, Estate Agents and Redress Act 2007.

Unit 3

Practice relating to Residential Property Sales:

- Agency terms 'sole agency', 'sole selling rights', 'ready, willing and able' **AND** Types of agency, sole agency, joint agency, multiple agency
- Methods of sale private treaty, auction, tender
- Part 5 Housing Act 2004 – Home Information Packs (HIPs) and Energy Performance Certificate (EPC) Regulations
- Types of seller, e.g. private persons, trustees, executors, order of court
- Marketing and advertising, styles and copy-writing, layout, media types, follow-up, rules, marketing plans, selling techniques, IT in agency e.g. use of web, email etc
- Responsibilities of staff to clients and applicants including codes of practice and ethics, disclosure of personal interests and connected persons
- Dealing with offers, qualification of offers, dealing with multiple offers
- Knowledge of the role of others in the house buying process e.g. solicitors, surveyors and lending institutions, including a knowledge of the conveyancing process
- Sales and Agency terminology
- Stamp Duty Land Tax

Unit 4

Property Appraisal and Basic Building Construction:

- Factors affecting property value including, location, situation, comparable property values, time of transaction, ownership status, availability, age of property, size of property to include code of measuring practice, area of land, construction method, style of property, external and internal condition, planning and building regulations, occupancy restrictions
- Basic building construction including type, style and age of residential properties
- Terminology and main features of roofs, walls, floors, foundations and services.
- Common building defects and identifying features and rectification procedures, especially covering dampness, timber defects, wall and foundation defects and roof defects
- Common guarantee and certification systems for new homes.