



RICS professional standards and guidance, UK

# Home survey standard

1st edition, November 2019



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RICS professional statement

1st edition, November 2019



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# Contents

<b>Acknowledgments .....</b>	<b>ii</b>
<b>RICS professional standards and guidance .....</b>	<b>1</b>
RICS professional statements .....	1
<b>Glossary .....</b>	<b>3</b>
<b>1 Introduction .....</b>	<b>5</b>
1.1 Overview .....	5
1.2 Scope .....	5
1.3 Home Reports in Scotland .....	6
1.4 Effective date .....	7
<b>2 Setting up the service .....</b>	<b>8</b>
2.1 Conflicts of interest and referral fees .....	8
2.2 Qualifications and experience .....	8
2.3 Knowledge of locality and nature of property .....	8
2.4 Client liaison .....	9
2.5 Levels of service .....	10
2.6 Terms of engagement .....	10
2.7 Leaseholds and other properties with shared facilities .....	11
<b>3 Carrying out the service .....</b>	<b>12</b>
3.1 Locality .....	12
3.2 Information from property owner/agents .....	13
3.3 Equipment .....	13
3.4 Inspection methodology and scope of the inspection .....	14
<b>4 The report .....</b>	<b>15</b>
4.1 General principles .....	15
4.2 Content .....	15
4.3 Level-specific reporting requirements .....	15
4.4 Summary or overall opinion .....	16
4.5 Risks to occupants .....	17
4.6 Legal matters .....	17
4.7 Energy matters .....	18
4.8 Providing cost advice .....	19
4.9 Further investigations .....	19
4.10 Findings of the report .....	20
4.11 Service completion .....	20
4.12 Software and products .....	20
4.13 Documentation storage and retention .....	21

<b>Appendix A: Definition of levels .....</b>	<b>22</b>
A1 Survey level one .....	22
A2 Survey level two .....	22
A3 Survey level three .....	23
<b>Appendix B: Benchmarking the levels of inspection .....</b>	<b>24</b>
<b>Appendix C: Knowledge of general environmental issues in a locality .....</b>	<b>29</b>
<b>Appendix D: Minimum requirements for all terms of engagement .....</b>	<b>30</b>
<b>Appendix E: Risk to occupants – typical safety hazards in a residential dwelling .....</b>	<b>31</b>
<b>Appendix F: Legal matters – other features and issues .</b>	<b>32</b>

# RICS professional standards and guidance

## RICS professional statements

### Definition and scope

RICS professional statements set out the requirements of practice for RICS members and for firms that are regulated by RICS. A professional statement is a professional or personal standard for the purposes of *RICS Rules of Conduct*.

### Mandatory vs good practice provisions

Sections within professional statements that use the word ‘must’ set mandatory professional, behavioural, competence and/or technical requirements, from which members must not depart.

Sections within professional statements that use the word ‘should’ constitute areas of good practice. RICS recognises that there may be exceptional circumstances in which it is appropriate for a member to depart from these provisions – in such situations RICS may require the member to justify their decisions and actions.

### Application of these provisions in legal or disciplinary proceedings

In regulatory or disciplinary proceedings, RICS will take into account relevant professional statements in deciding whether a member acted professionally, appropriately and with reasonable competence. It is also likely that during any legal proceedings a judge, adjudicator or equivalent will take RICS professional requirements into account.

RICS recognises that there may be legislative requirements or regional, national or international standards that have precedence over an RICS professional statement.



## Document status defined

The following table shows the categories of RICS professional content and their definitions.

### Publications status

Type of document	Definition
<i>RICS Rules of Conduct for Members and RICS Rules of Conduct for Firms</i>	These Rules set out the standards of professional conduct and practice expected of members and firms registered for regulation by RICS.
International standard	High-level standard developed in collaboration with other relevant bodies.
RICS professional statement [PS]	Mandatory requirements for RICS members and RICS regulated firms.
RICS guidance note [GN]	A document that provides users with recommendations or an approach for accepted good practice as followed by competent and conscientious practitioners.
RICS code of practice [CoP]	A document developed in collaboration with other professional bodies and stakeholders that will have the status of a professional statement or guidance note.
RICS jurisdiction guide [JG]	This provides relevant local market information associated with an RICS international standard or RICS professional statement. This will include local legislation, associations and professional bodies as well as any other useful information that will help a user understand the local requirements connected with the standard or statement. This is not guidance or best practice material, but rather information to support adoption and implementation of the standard or statement locally.

# Glossary

<b>Accessible</b>	Part of a property that can be easily reached, exposed or entered without undue effort as long as it is safe to do so.
<b>Chancel matters</b>	This is an historic financial liability imposed on landowners to fund repairs to medieval churches. Although few homeowners have to pay this charge, it can affect the sale and purchase of property.
<b>Client, customer or consumer</b>	The party who has commissioned the service.
<b>Complex properties</b>	Homes that consist of many different and connected parts. Typical examples include properties that have been extensively altered and extended, and/or are built using several different distinct construction methods.
<b>Conventional properties</b>	Homes designed and built using construction methods that are considered normal and/or ordinary for that region and age.
<b>Historic building</b>	A building or structure that is listed and/or valued because of its historic, archaeological, architectural or artistic interest.
<b>Home Report Scotland</b>	Comprises a property questionnaire, a 'Single Survey' and an energy report. These requirements are as a result of provisions contained in Part 3 of the <i>Housing (Scotland) Act 2006</i> and associated regulations.
<b>Inspection</b>	A careful visual examination of the inside and outside of the residential property and all permanent outbuildings to establish their condition.
<b>Levels of service</b>	These identify the nature and extent of the different components of the contract. Based on the client's requirements, these levels will include the inspection and report
<b>Locality</b>	The neighbourhood, district and/or region in which the subject property is located.



<b>Modern methods of construction (MMC)</b>	A method of building a residential property that uses a variety of new and innovative building techniques and materials. In some cases, whole parts of the residential property can be made in a factory and transported to the building site.
<b>Older properties</b>	A residential building constructed using traditional building materials and techniques.
<b>Referral fee</b>	An amount of money that is paid by one organisation to another for being recommended to a customer.
<b>Repairing covenants</b>	Terms in an agreement that usually result in an annual sum paid to the landlord/freeholder that goes towards the repair and maintenance of shared facilities [for example, shared gardens, hallways and lifts].
<b>Residential property survey</b>	This comprises an inspection, report and advice of the condition of residential property.
<b>Single Survey Scotland</b>	An objective report containing an assessment of the physical condition of a residential property and a valuation
<b>Software package</b>	A set of computer-based software that fulfils a particular function. A typical example would be a computer-based inspection and reporting package used by some residential surveyors.
<b>Tests</b>	Measures to check the quality, performance or reliability of parts of the building. For example, taking samples of the building fabric [plaster, brick and concrete] or checking the performance of a service system [checking the safety and performance of heating appliances, electrical systems or underground drainage]. The use of a moisture meter and the opening and closing of windows and doors are not tests.

# 1 Introduction

## 1.1 Overview

RICS has been protecting standards and providing guidance for RICS members and RICS regulated firms in the residential sector for over 30 years. During this time, the scale of social, economic, political and technological change has been without precedent. This transformation is set to continue at an even greater pace.

To enable RICS members and regulated firms to adapt and innovate, RICS intends this professional statement to provide a clear, flexible framework within which RICS members and RICS regulated firms can develop their own services the public can recognise and trust, that are consistent with the high standards expected by RICS.

This professional statement sets out a series of concise mandatory requirements. These establish ‘benchmarks’ around which RICS members and RICS regulated firms can design and deliver services that meet their clients’ needs in a changing environment. It also provides information that the public and their advisers will find useful.

The purpose of this professional statement is to:

- establish a clear framework that sets minimum expectations to protect and maintain consistent high-quality standards for residential property survey services that RICS members and regulated firms provide
- provide mandatory requirements for RICS members and regulated firms in the UK who deliver residential property surveys at all levels
- replace and harmonise previous RICS publications relating to residential surveys, including:
  - *Surveys of residential property* (3rd edition), RICS guidance note
  - *RICS Condition Report* (1st edition), RICS practice note
  - *RICS HomeBuyer Report – Survey* (1st edition), RICS professional statement
  - *RICS HomeBuyer Report – Survey & Valuation* (5th edition), RICS professional statement and
  - *RICS Building Survey* (1st edition), RICS practice note.

This professional statement will form the basis of any assessment by RICS regulation of those RICS members and RICS regulated firms who deliver or are involved with residential property survey services.

## 1.2 Scope

This professional statement covers condition-based residential surveys at all service levels – see appendix A. A residential property survey comprises an inspection, report and advice of the condition of residential property. The primary purpose of such surveys is to consider a property as a physical asset, although some additional matters should be included, such as:

- environmental matters (for example, flooding, radon, former mining activity, neighbouring uses)
- legal issues (for example guarantees, statutory approvals, rights of way and other easements) and
- risks to the occupants.

Where RICS members or RICS regulated firms wish to incorporate a property valuation into their service, the valuation must be in accordance with the current edition of **RICS Valuation – Global Standards** and **RICS Valuation – Global Standards: UK national supplement**.

This professional statement provides:

- the mandatory requirements to which all condition-based residential survey services offered by RICS members and RICS regulated firms must conform and
- best practice that outlines how the mandatory requirements are met. This includes:
  - the process of confirming the scope and nature of the services to be provided
  - the typical levels of service to which this document applies
  - the nature of the pre-inspection preparation and research required
  - the inspection process associated with each level of service
  - report writing methodology
  - post-report client liaison and
  - service closure activities.

This professional statement considers each requirement in turn and provides information on the nature and extent of each level of service.

## 1.3 Home Reports in Scotland

The home buying and selling process in Scotland is governed by a unique legal process. Consequently, certain elements of this professional statement do not apply to the Home Report.

Key variations are:

- The Home Report is a prescribed document under the *Housing (Scotland) Act 2006* and the *Housing (Scotland) Act 2006 (Prescribed Documents) Regulations 2008* and as such it cannot be varied.
- Pre- and post-survey client liaison is tightly governed in the Home Report and restricted to clarification and amendment of matters of factual accuracy. No other client liaison is appropriate.
- Risk to occupants does not form part of the mandatory Home Report.

The current edition of *The Home Report, Scotland*, RICS guidance note assists members in producing Home Reports in accordance with the requirements of Scottish legislation. Reference to this guidance note is clearly highlighted in the document and departing from this professional statement pursuant to Scottish legislation takes precedence over all other requirements within this professional statement. This professional statement does apply to all other condition-based residential services offered by RICS members and RICS regulated firms in Scotland.

## 1.4 Effective date

This PS is effective 15 months from publication.

## 2 Setting up the service

RICS members and RICS regulated firms **must**:

- have a clear understanding of client needs
- have the appropriate knowledge (including that of the locality), skills and experience to provide the agreed service
- ensure potential clients understand the nature of and differences between the levels of service offered so they can make an informed choice and
- agree the full details of the terms of engagement with the client before the service is delivered.

### 2.1 Conflicts of interest and referral fees

The RICS member must declare any potential conflicts and how these are managed in accordance with the current editions of the **International Ethics Standards, RICS Valuation – Global Standards, RICS Valuation – Global Standards: UK national supplement, RICS Rules of Conduct** and **Conflicts of interest**, RICS professional statement.

RICS members and regulated firms **must** be transparent and open with their clients or potential clients by acknowledging that they have offered or received a referral fee or other inducement prior and relating to taking the instruction.

RICS members and regulated firms **must** provide clients or prospective clients with a written statement (which should be included in the terms of engagement) stating one of the following, depending on which applies:

- that the RICS member or regulated firm does not pay a referral fee or equivalent to any party who may have recommended them or
- that a payment has been or may be made, either individually or part of a third-party commercial relationship.

### 2.2 Qualifications and experience

To ensure professionals provide a high level of service, RICS members **must** be qualified, experienced and able to deliver services by:

- having knowledge of the tasks to be undertaken and the risks involved
- possessing the experience and ability to carry out their duties in relation to the appropriate level of service and
- identifying their own limitations and taking appropriate action where their knowledge and experience is found to be inadequate.

### 2.3 Knowledge of locality and nature of property

RICS members **must** be familiar with the nature and complexity of the subject property type, the region in which it is situated and relevance to the subject instruction, including:

- common and uncommon housing styles, materials and construction techniques. This is particularly important where services are offered for older and historic buildings where understanding the interaction of different building materials and techniques is essential
- current advice and guidance relating to asbestos and other common deleterious materials
- an awareness of the main principles of modern methods of construction
- environmental issues including publicly available information (see appendix C for further details)
- the location of listed buildings and conservation areas/historic centres, the implications of these designations especially in relation to legislation that affects repair and improvement work
- a basic understanding of the type of tenure for the subject property. Where that property is held on a leasehold basis, the RICS member **must** meet the requirements set out in section 2.7
- relevant requirements specified by local and regional government organisations and structures and
- awareness of the social and industrial heritage relevant to the instruction.

Although an RICS member with this knowledge may be able to provide all levels of service, those who provide level two services on older and/or complex properties, historic buildings and those in a neglected condition and all level three services will require a broader and deeper technical knowledge. Where appropriate, the RICS member **must** decline the instruction if the subject property type is beyond their knowledge and skill level.

Please note Home Report Scotland variations apply. Refer to the current edition of *The Home Report, Scotland*, RICS guidance note.

## 2.4 Client liaison

RICS members and RICS regulated firms **must** take all reasonable steps to ensure that clients:

- understand the differences between the levels of service, including the extent and limitations of each option
- are advised of the range of options the RICS member can offer, together with the key features and benefits of each
- are aware of the fee that will be charged for the service and
- agree the terms of engagement
- agree report format and method of delivery and
- explain the intended future use of the property (for example buy to let).

Clients may not be familiar with the range of choice available and will require advice on which level best suits their needs. The RICS member or regulated firm should confirm the client has access to appropriate information before any contract is formed.

Where instructions have been received from a third party (for example, from a lender or a panel manager), the RICS member or regulated firm should satisfy themselves the instruction is best suited to both the property and the needs of the client.

Where the RICS member finds the instruction is not suitable, the client should be given the reasons why and advised on the appropriate level of service.

## 2.5 Levels of service

RICS members **must** ensure their service is clearly ‘benchmarked’ against one of the defined levels included in appendix A. These levels are not prescriptive or detailed. Instead they provide enough detail to allow the minimum nature of the service to be identified while maintaining sufficient flexibility for RICS members to respond to changes in the market and client requirements.

The benchmarked level against which the RICS member’s service meets all requirements set out in this document **must** be clearly stated. For example:

*This service is delivered in accordance with the Home survey standard (1st edition) RICS professional statement and is equivalent to level [insert appropriate level]. In addition, this service has the following particular features: [insert any variations from the level defined by this professional statement] in accordance with client requirements and specific instructions in writing.*

The ‘equivalent level’ definition should be included on the RICS member’s website, in their standard literature and in their terms of engagement. The RICS member should also explain the equivalent level in any communications (verbal or otherwise) with clients or potential clients before those terms are agreed.

See appendix A for a detailed description of the different levels.

Please note Home Report Scotland variations apply. Refer to the current edition of *The Home Report, Scotland*, RICS guidance note.

## 2.6 Terms of engagement

The client must receive an up-to-date document that describes the terms of engagement matched to the specific instruction. At levels one and two on less complex properties, these are likely to be standard documents amended to take account of the property type and intended future use; and any specific client requirements, either in terms of content or format.

Standard documents may also be appropriate for some level two services on older and/or complex properties, historic buildings and those in a neglected condition and all level three services but careful consideration should be given to whether any variation is required for the specific instruction. Where these are varied, these should be clearly described and explained by the RICS member or RICS regulated firm during the pre-inspection discussions with the client.

The terms of engagement should be issued and returned by the clients before the inspection is carried out. Where this is not possible, the terms of engagement **must** be agreed before the delivery of the service, ideally before any professional advice on the property is given.



RICS members and RICS regulated firms supplying professional services to consumer clients must be aware of applicable regulations including the *Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013*. These regulations contain important provisions and the RICS member should take legal advice to ensure that the contract letter, engagement procedures and related materials being used are compliant with all current legislation in these respects.

The terms of engagement **must** point out that the service does not include an asbestos inspection and it falls outside *The Control of Asbestos Regulations 2012*. However, the report should properly emphasise the suspected presence of asbestos-containing materials if the inspection identifies that possibility.

A minimum requirement for terms of engagement has been included in appendix D.

Please note Home Report Scotland variations apply. Refer to the current edition of *The Home Report, Scotland*, RICS guidance note.

## 2.7 Leaseholds and other properties with shared facilities

Any survey of a leasehold residential property raises separate and additional factors arising from shared responsibilities and the wide variety of repairing covenants in common use. Additionally, where the leasehold property is a flat, the inspection is usually restricted to the subject property and the accessible common parts and grounds. Onerous repairing liabilities may exist independently from the property, for example where the lease imposes a liability on the property owner/occupier to pay a proportion of the total estate repair costs.

The RICS member should set out the limitations of any advice given, such as stating that no due diligence has taken place in relation to the true legal effect of the lease – this is exclusively the responsibility of the client's legal advisers.

However, legal advisers will not have inspected the property and so the RICS member should:

- be aware of issues that typically arise with leasehold tenures
- identify any obvious and relevant matters that may affect the client's responsibility for carrying out repairs and liability to pay towards their cost and
- recommend that the client obtains independent legal advice on the terms and interpretation of the lease and any issues arising, particularly relating to ground rents and service charge obligations.

## 3 Carrying out the service

The RICS member or RICS regulated firm **must**:

- undertake appropriate pre-inspection research to support the service (see appendix C)
- be familiar with the type of property to be inspected and the area in which it is situated
- inspect the property in accordance with the level of service agreed
- produce an accurate and comprehensive record of the property at the time of inspection to allow reflection before the service is delivered
- provide an accurate summary or overall opinion consistent with their professional obligations
- only recommend justifiable further investigation
- be clear in the report about the scope of inspection including limitations, caveats and actions available to the client
- deliver a property-specific, clear report to the client properly reflecting the acquired information
- offer to discuss the findings of the report with the client following delivery
- ensure any software, technology and system used to deliver the report is compliant with this professional statement and
- document the service and ensure there is a complete record. This **must** be securely stored and accessible in compliance with current data protection legislation and regulations.

Please note Home Report Scotland variations apply. Refer to the current edition of *The Home Report, Scotland*, RICS guidance note.

### 3.1 Locality

RICS members **must** be familiar with the type of property to be inspected and the area in which it is situated.

The depth and breadth of the research will depend on a range of factors including the RICS member's knowledge and experience, the locality and the client's specific requirements. At levels one and two, the amount of research is likely to be similar. Research for level two services on older and/or complex properties, historic buildings and those in a neglected condition, and all level three services is likely to be more extensive, and also if the client has requested additional services.

The research will depend on circumstances and may vary over time as additional property-based information becomes publicly available. Desktop research should include information about the general environment, neighbourhood and subject property as described in appendix C.

## 3.2 Information from property owner/agents

Where relevant and practical, the owner and/or seller or their agent should be asked to provide appropriate information including details of:

- previous alteration, repair and improvement work
- the energy performance certificate
- planning permissions
- building regulations and/or information provided by a competent person scheme
- any relevant guarantees and warranties
- evidence of service agreements and
- lease details.

It will also be appropriate to ask whether, to the owner's knowledge, any building insurance claims have been made and if the property (or neighbouring properties) has been flooded or affected by Japanese knotweed. Other matters should include ownership of boundaries, existence of any neighbour disputes, rights of way and so on.

Many organisations provide a range of information about the transaction and the property at an early stage in the conveyancing process. The RICS member or RICS regulated firm should carefully evaluate this information before incorporating it into the report.

Where information is offered by the vendor/occupier, the RICS member should keep a clear record.

## 3.3 Equipment

For all levels of service, RICS members and RICS regulated firms should have access to suitable equipment required to complete the service. This will typically include:

- **Equipment for recording information:** the method of recording information will vary. RICS members and regulated firms **must** produce an accurate and comprehensive record of the property at the time of inspection to allow reflection during the report production stage and before the report is delivered.
- **Measuring equipment:** the RICS member or RICS regulated firm must measure in accordance with the current edition of **RICS property measurement**, RICS professional statement. The RICS member should collect appropriate dimensions and other property characteristics to a suitable level of accuracy.
- **Access equipment:** the RICS member should have appropriate tools and equipment available that will enable inspection of all accessible parts of the property (depending on the nature of service).
- **Health and safety equipment:** RICS members should carry out all parts of the service safely and this covers work done in the office, travelling to and from the property, and during the inspection itself. RICS members should have appropriate health and safety procedures and policies in place, including access to appropriate health and safety related equipment. For more information see the current edition of **Surveying safely: health and safety principles for property professionals**, RICS guidance note.

## 3.4 Inspection methodology and scope of the inspection

The RICS member is responsible for carefully inspecting the property in accordance with the nature and level of service, the terms of engagement and client needs.

### 3.4.1 Specific inspection details

The extent of an inspection will depend on a range of circumstances (including health and safety considerations). A number of critical aspects are identified in appendix B and these can help distinguish the different levels of inspection from one another.

RICS members should ask the owner/occupier to open any traps and hatches that provide access to parts of the structure and move furniture and/or possessions where these prevent normal levels of inspection (where practicable). Where this is not done, RICS members should inform the client.

For the Home Report in Scotland, the client will be the vendor. The perspective purchasers will need to know any limitations to the inspection.

### 3.4.2 Safety during the inspection

The RICS member **must** be able to safely undertake the tasks involved or manage others undertaking those same tasks. This is particularly important in relation to gaining access to voids that may be present within the property.

The RICS member should also consider health and safety aspects such as:

- keeping a record of their appointment either at the office or at home
- letting someone know their expected return time
- carrying a personal alarm
- carrying a mobile phone and
- using ladders and other equipment safely.

For personal safety reasons, the RICS member or RICS regulated firm should be familiar with the current edition of **Surveying safely: health and safety principles for property professionals**, RICS guidance note.

### 3.4.3 Recording information

The RICS member or RICS regulated firm **must** keep a record of the inspection, including:

- the construction, condition and circumstances of inspection (including any limitations)
- the checks made to the fabric and structure and what was found and
- appropriate dimensions and diagrams, sketch plans, and any images captured during the inspection.

As level two services on older and/or complex properties, historic buildings and those in a neglected condition and all level three services will include more detailed and technical assessments of the building, the amount of recorded information will be greater.

## 4 The report

### 4.1 General principles

The report **must** be property specific and:

- be clearly presented and follow a logical structure so clients can quickly find the required information
- be factual and unambiguous, and clearly separate fact and the RICS member's opinion
- use non-technical terms throughout – if technical words are occasionally used, the client will find a layperson's explanation helpful and
- provide a balanced perspective of the condition of the property.

### 4.2 Content

The presentation of the report will be a matter of an RICS member's individual approach but should conform to good practice in report production and to the following principles:

- clearly explain the level of service, what the client can expect to see in the report and encourage the client to ask questions of the RICS member
- include a summary or overall opinion and
- is structured in a way that enables the client to locate required information easily.

### 4.3 Level-specific reporting requirements

The nature and content of the report will vary between the different levels of service. The distinctive nature of each level is described in the following subsections.

Please note Home Report Scotland variations apply. Refer to the current edition of *The Home Report, Scotland*, RICS guidance note.

#### 4.3.1 Survey level one

For each element of the building, the RICS member should:

- describe the part or element in enough detail so it can be properly identified by the client
- describe the condition of the part or element that justifies the RICS member's judgement and
- provide a clear and concise expression of the RICS member's professional assessment of each part or element.

This assessment should help the client gain an objective view of the condition of the property, make a decision and, once in ownership (if the client is a buyer), establish appropriate repair/improvement priorities. A condition rating system is one way of achieving this, although RICS members may use their own prioritisation methodology. Whatever the choice, any system **must** be clearly defined in the information given to the client.

### 4.3.2 Survey level two

A survey level two service should follow a similar structure and format to level one. Although it will provide more information, it should still be short and to the point, avoiding irrelevant or unhelpful details and jargon. Material defects should be described and the identifiable risk of those that may be hidden should be stated. A level two report will have the following additional characteristics:

- it should include comments where the design or materials used in the construction of a building element may result in more frequent and/or more costly maintenance and repairs than would normally be expected
- the likely remedial work should be broadly outlined and what needs to be done by whom and by when should be identified
- concise explanations of the implications of not addressing the identified problems should be given and
- cross-references to the RICS member's overall assessment should be included.

Survey level two reports should also make it clear that the client should obtain any further advice and quotations recommended by the RICS member before they enter into a legal commitment.

### 4.3.3 Survey level three

A level three service should reflect the thoroughness and detail of the investigation. It should address the following matters:

- the form of construction and materials used for each part of the building should be described in detail, outlining any performance characteristics. This is especially important for older and historic buildings where the movement of moisture through building materials can be critical to how the building performs
- obvious defects should be described and the identifiable risk of those that may be hidden should be stated
- remedial options should be outlined along with, if considered to be serious, the likely consequences if the repairs are not done
- a timescale for the necessary work should be proposed, including (where appropriate and necessary) recommendations for further investigation
- future maintenance of the property should be discussed, identifying those elements that may result in more frequent and/or more costly maintenance and repairs than would normally be expected
- the nature of risks of the parts that have not been inspected should be identified and
- prioritisation of issues should be outlined.

## 4.4 Summary or overall opinion

The summary should provide a brief, simple and clear overview that will help orientate the client.

Where condition ratings or other prioritisation methods are used, this section will help place such assessments in context and give a balanced view of the property.

The overall opinion should be the last part the RICS member produces. It should be as concise as possible, be property specific and not repeat descriptive detail. It should express the RICS member's view of the main positive and negative features of the property and highlight areas of concern.

Please note Home Report Scotland variations apply. Refer to the current edition of *The Home Report, Scotland*, RICS guidance note.

## 4.5 Risks to occupants

Although residential property surveys do not include a formal assessment of statutory health and safety risks (for example, a Housing Health and Safety Rating System), matters that an RICS member or regulated firm is aware of that present a safety risk to occupants **must** be described in the report. RICS members should consider concisely listing the risks in a separate section with appropriate cross-referencing to where they appear in the report.

As these matters will reflect current research and regulation, they may change over time. An indicative list of safety hazards has been included in appendix E.

The range of identified matters will be the same for each level of service; what will vary is the explanation:

- A level one report will identify and list the risks and give no further explanation.
- A level two report will identify and list the risks and explain the nature of these problems.
- A level three report will do all this and explain how the client may resolve or reduce the risk.

Where the service is for a buy to let, the RICS member should adjust the scope of the service so the client can be properly advised on statutory risks and hazards to health and safety of occupants.

## 4.6 Legal matters

The legal adviser is responsible for checking the relevant documents but will not be familiar with the property. The RICS member will be the 'eyes and ears' of the legal adviser and so should identify apparent and specific items and features that have possible legal implications. It is unlikely the legal adviser will read the whole report so the RICS member **must** clearly highlight the relevant legal matters and remind the client they should bring these matters to the attention of their legal adviser. A separate legal section in the report is an effective way of achieving this.

Where appropriate, if the situation can be physically resolved, the RICS member will describe what needs to be done (for example, removing/improving unauthorised work, rebuilding a boundary wall or cutting back an overgrown hedge).

This will enable the client's legal adviser to explain in greater detail how these matters may affect ownership of the property.

### 4.6.1 Regulations

Typical regulatory matters will include:



- conservation areas (especially Article 4 designation), listed building status and the need for consents
- work done under the various 'competent person schemes'
- planning permission and building regulation approval for alterations and repairs, and any indemnity insurance policies for non-compliance (if known)
- trees and any tree preservation orders
- environmental matters, such as remediation certificates for previously contaminated sites and whether a mining report is required and
- the use of adjacent, significant public or private developments.

#### **4.6.2 Guarantees**

Although guarantees/warranties may be declared on the property information form, the RICS member should ask the owner/occupier if they have any guarantees/warranties for any repair and alteration work carried out where practical. The RICS member should record relevant details. It is the legal adviser's role to confirm the validity or transferability of these documents; however known or suspected discrepancies identified by the RICS member should be highlighted. The client should be advised to ask their legal adviser about the following examples:

- structural work such as underpinning, removal of structural elements, lateral restraint and chimney stabilisation works
- timber and damp treatment works
- wall ties and cavity wall tie replacement work
- new windows and doors
- cavity wall insulation
- installation and repair of service installations and
- Japanese Knotweed management plan and any associated warranty/guarantee.

Where the certification of a new-build or converted property is available, the RICS member should try to establish the parts of the property to which this applies and verify the age of the property/conversion.

#### **4.6.3 Other matters**

The RICS member should include other features and issues that may have an impact on the property and require further investigation by the legal adviser. This will include a broad range of issues noted during the visual inspection or through the RICS member's knowledge of the locality. A list of these features and issues has been included in appendix F.

### **4.7 Energy matters**

Concerns over climate change and legislative and commercial changes in the energy sector have created a demand for clear and objective guidance on energy matters. Consequently, energy advice will be of great value to many clients. The nature of this service will be influenced by a range of factors that may change over time, for example, global, regional and national legislation and practice; the nature of the subject property;

and the competence and technical knowledge of the RICS member or RICS regulated firm.

At all levels of service RICS members and regulated firms **must** be able to identify and advise on defects and deficiencies caused by inappropriate energy efficiency measures implemented at the subject property.

In addition, the different levels should include the following particular features:

- Level 1 – where the EPC has not been made available by others, the RICS member should obtain the most recent certificate from the appropriate central registry where practicable. The relevant energy and environmental rating should be reviewed and stated.
- Level 2 – in addition to that described for level 1, checks should be made for any obvious discrepancies between the EPC and the subject property and the implications explained to the client.
- Level 3 – in addition to that described for levels 1 and 2, at this level the RICS member should give advice on the appropriateness of any energy improvements recommended by the EPC.

Appropriately qualified and/or experienced RICS members and regulated firms may wish to offer more additional energy services and these must be reflected in the terms and conditions.

Where additional energy services are offered for older and/or complex properties, historic buildings and those in a neglected condition, RICS members **must** have the level of competence and technical knowledge to deliver them.

## 4.8 Providing cost advice

It is of value to some clients to receive a cost estimate of recommended remedial works. Where this optional service has been offered, the RICS member **must** have the level of competence and technical knowledge to deliver it. They should clearly state all appropriate reservations and limitations associated with this function during the initial client enquiry and in the original terms of engagement. For example, the RICS member should explain the methodology used to calculate the estimates, tell the client the figures are for guidance only and that they should get formal, written quotations from appropriate organisations prior to a legal commitment.

## 4.9 Further investigations

The RICS member's knowledge will, at times, lead to a suspicion that a visible defect may affect other concealed building elements. In these circumstances, an RICS member **must** recommend that a further investigation is undertaken.

However, the RICS member **must not** recommend a further investigation just because a given building element is inaccessible within the confines of a normal inspection. Examples include where the covering of one roof slope cannot be seen from any reasonable vantage point, but there is no evidence of defect in the roof void. In such cases, RICS members should inform the client of the restriction and advise on the implications. The RICS member should exercise professional judgement and **must not** call for further investigations only to cover him or herself against future liabilities.

Where a further investigation is recommended, the RICS member should include the following information in the client's report:

- a description of the affected element and why a further investigation is required
- when the further investigation should be carried out and
- a broad indication of who should carry out the further investigation (for example their qualifications, membership of a trade body, competent person scheme).

## 4.10 Findings of the report

RICS members should set aside adequate time to discuss the findings of the report.

The amount of time, and the breadth and depth of the discussions, will vary according to the level of service, the method of communication and client needs.

RICS members should accept that these exchanges are part of the service to the client and take care to make sure they meet the same professional standards. For example, RICS members can extend their liability and/or confuse the client by qualifying and expanding on the delivered report. In this respect, it is a matter of getting the right balance. The RICS member **must** conform to the following:

- clearly explain the status of the discussion/exchange with the client at the beginning
- not go beyond the scope already described in the agreed terms of engagement and
- keep a written record of the exchange. This should be securely stored and accessible in compliance with current data protection legislation and regulations.

Please note Home Report Scotland variations apply. Refer to the current edition of *The Home Report, Scotland*, RICS guidance note.

## 4.11 Service completion

Once the service is complete and post-report delivery discussions with the client concluded, the RICS member should make sure the project file is properly closed. Although this will depend on the RICS member's own quality assurance procedures, it will usually involve assembling and updating all the relevant information and communications (whether hard copy and/or digital) and archiving in accordance with current practice. These should be securely stored and be available for future inspection if required. A legal liability may extend up to a maximum of 15 years in England and Wales. In Scotland legal liability will extend for five years from the date of the valuation but may be longer in some circumstances. Refer to the current edition of **Risk, liability and insurance in valuation work**, RICS guidance note.

## 4.12 Software and products

RICS members and RICS regulated firms **must** satisfy themselves that any software used to deliver products and produce reports is developed in accordance with this professional statement to ensure quality assurance, consistency and transparency.

Please note Home Report Scotland variations apply. Refer to the current edition of *The Home Report, Scotland*, RICS guidance note.

## 4.13 Documentation storage and retention

RICS members and RICS regulated firms should manage all processes associated with the service rigorously and **must**:

- keep copies of relevant correspondence (electronic, digital and/or physical) in robust backup systems
- keep a record of all verbal discussions with the client and share a summary of these discussions when confirmation is required and
- ensure complete and clear records are retained.

All information collected and stored must conform to current data protection legislation and regulations. The file must be securely stored and retained for up to 15 years in line with current legislation and the current edition of **Risk, liability and insurance in valuation work**, RICS guidance note.

## Appendix A: Definition of levels

As described in section 2.5, RICS members **must** ensure their service is clearly 'benchmarked' against one of the defined levels in this appendix.

**Note:** These levels are not prescriptive or detailed. Instead they provide enough detail to enable the nature of the service to be identified while maintaining sufficient flexibility for RICS members to innovate and respond to changes in the market.

Please note Home Report Scotland variations apply. Refer to the current edition of *The Home Report, Scotland*, RICS guidance note.

### A1 Survey level one

This service is designed for clients (buyers, sellers and owners) seeking a professional and objective report on the condition of the property at an economic price. As a result, it is less comprehensive than survey level two and survey level three.

This level of service includes a visual inspection that is less extensive than for the other survey levels. No tests of the building fabric or services are undertaken. The report objectively describes the condition of the building, its services and the grounds. It highlights relevant legal issues and any obvious risks to the building, people or grounds. The report is succinct and provides an assessment of the relative importance of the defects and problems. Where the surveyor is unable to reach a conclusion with reasonable confidence, a recommendation for further investigation should be made.

A survey level one report does not include advice on repairs or ongoing maintenance and this, combined with the less extensive inspection, usually means it is better suited to conventionally built, modern dwellings in satisfactory condition. It will not suit older or complex properties, or those in a neglected condition.

### A2 Survey level two

This level of service is for clients who are seeking a professional opinion at an economic price. It is, therefore, less comprehensive than a level three service. The focus is on assessing the general condition of the main elements of a property.

This intermediate level of service includes a more extensive visual inspection of the building, its services and grounds, but still without tests. Concealed areas normally opened or used by the occupiers are inspected if it is safe to do so (typical examples include roof spaces, basements and cellars). The report objectively describes the condition of the different elements and provides an assessment of the relative importance of the defects/problems. At this level, although it is concise, the report does include advice about repairs and any ongoing maintenance issues. Where the surveyor is unable to reach a conclusion with reasonable confidence, a recommendation for further investigations should be made.

This level of service suits a broader range of conventionally built properties, although the age and type will depend on the knowledge and experience of the RICS member. This level of service is unlikely to suit:

- complex buildings, for example those that have been extensively extended and altered
- unique or older historic properties – although survey level two services may be appropriate for some older buildings, the decision will depend on the RICS member's proven competence and knowledge and the nature of the building itself. For example, a survey level two report on homes with traditional timber frames or those built much before 1850 is likely to be inconclusive and be of little use to the client or
- properties in neglected condition.

In such cases, a survey level two service will often result in numerous referrals for further investigations, an outcome that many clients find disappointing.

Where the client is planning to carry out extensive repair and refurbishment work in the future, the RICS member should give advice on suitable additional services.

### A3 Survey level three

This level of service is for clients who are seeking a professional opinion based on a detailed assessment of the property.

The service consists of a detailed visual inspection of the building, its services and the grounds and is more extensive than a survey level two. Concealed areas normally opened or used by the occupiers are inspected if it is safe to do so (typical examples include roof spaces, basements and cellars). Although the services are not tested, they are observed in normal operation – in other words, they are switched on or off and/or operated where the occupier has given permission and it is safe to do so.

The report objectively describes the form of construction and materials used for different parts of the property. It describes the condition and provides an assessment of the relative importance of the defects/problems. Additionally, it should:

- describe the identifiable risk of potential or hidden defects in areas not inspected
- propose the most probable cause(s) of the defects based on the inspection
- outline the likely scope of any appropriate remedial work and explain the likely consequences of non-repair
- make general recommendations in respect of the priority and likely timescale for necessary work and
- give an indication of likely costs (this aspect would not normally form part of the level three service, but some RICS members may choose to include it). Where costings are included, this **must** be reflected in the terms and conditions.

Where an RICS member feels unable to reach the necessary conclusions with reasonable confidence, they should refer the matter for further investigations. However, at survey level three such referrals should be the exception rather than the rule. A survey level three report should aim to provide the client with all the information they need to make a decision.

This level of service will suit any domestic residential property in any condition depending on the competence and experience of the RICS member.

## Appendix B: Benchmarking the levels of inspection

This appendix highlights a number of different elements in a typical property where the differences between the inspection levels are illustrated. This is not a comprehensive listing of what is or is not inspected. Instead, it provides critical benchmarks around which an RICS member's service can be built.

In all other respects, the RICS member should inspect all parts of the property appropriate to the level of service agreed with the client and the nature of the property.

Please note Home Report Scotland variations apply. Refer to the current edition of *The Home Report, Scotland*, RICS guidance note.

### Windows

Survey level	Description
<b>General</b>	<p>In all cases, the RICS member only opens windows where:</p> <ul style="list-style-type: none"> <li>• permission has been given and</li> <li>• any keys/locks are available and are easy to operate without force or damage.</li> </ul> <p>The presence of occupier possessions and heavy curtains will often restrict level one and two inspections. For level three, a small number of possessions/curtains will be repositioned. Where inspections are restricted, the RICS member <b>must</b> inform the client.</p>
<b>Survey level one</b>	Include one on each elevation.
<b>Survey level two</b>	Include one on each elevation and one of each different type of window where there is a variety.
<b>Survey level three</b>	Attempt to open all windows where possible.



## Roof space

Survey level	Description
<b>General</b>	<p>The RICS member will carry out an inspection of roof space that is not more than three metres above floor level, using a ladder if it is safe and reasonable to do so.</p> <p>Energy efficiency initiatives have resulted in thick layers of thermal insulation in many roof spaces. Usually it is not safe to move across this material as it conceals joist positions, water and drainage pipes, wiring and other fittings. This may restrict the extent of the inspection and the scope of the report. Consequently, this matter should be discussed with the client at the earliest stage.</p>
<b>Survey level one</b>	The RICS member will not remove secured access panels and/or lift insulation material, stored goods or other contents. The RICS member will visually inspect the parts of the roof structure and other features that can be seen from the access hatch.
<b>Survey level two</b>	In addition to that described for level one, the RICS member will enter the roof space and visually inspect the roof structure with attention paid to those parts vulnerable to deterioration and damage.
<b>Survey level three</b>	<p>The RICS member will enter the roof space and visually inspect the roof structure, with attention paid to those parts vulnerable to deterioration and damage.</p> <p>Although thermal insulation is not moved, small corners should be lifted so its thickness and type, and the nature of the underlying ceiling can be identified [if the RICS member considers it safe to do so].</p> <p>Where permission has been granted and it is safe, a small number of lightweight possessions should be repositioned so a more thorough inspection can take place.</p>

## Floors

Survey level	Description
<b>Survey level one</b>	The RICS member will inspect the surfaces of exposed floors but will not lift carpets, floor coverings or floorboards, or move furniture. The RICS member will not lift hatches or carry out an 'inverted head and shoulders' inspection. The RICS member will assess floors for excessive deflection by a 'heel-drop' test.

Survey level	Description
<b>Survey level two</b>	In addition to that described for level one, where floors have unfixed access hatches/panels or floorboards, the RICS member will inspect subfloor areas by an inverted 'head and shoulders' inspection where appropriate and it is safe to do so. RICS members will not enter the subfloor area.
<b>Survey level three</b>	<p>The RICS member will inspect the surfaces of exposed floors and will lift the corners of any loose and unfitted carpets or other floor coverings where practicable. The RICS member will assess all floors for excessive deflection by a 'heel-drop' test. For a more complete assessment, the magnitude of any identified deflection/slope should be measured.</p> <p>Where the subfloor is inspected, an inverted 'head and shoulders' inspection will be carried out at the access point (either physically or using mirrors, cameras and the like). If it is safe to do so, the RICS member will enter the under-floor area to carry out a more thorough inspection.</p>

### Inspection chambers and underground drainage

Survey level	Description
<b>General</b>	<p>The RICS member does not perform or comment on design calculations or test the service installations or appliances in any way. At all levels, inspection chamber covers in common areas of flats are not lifted.</p> <p>In all cases, the RICS member will advise the client that further tests and inspections will be required if the occupier does not provide evidence of appropriate installation and/or maintenance, or the client requires assurance as to their condition, capability and safety.</p>
<b>Survey level one</b>	The RICS member will not lift inspection chamber covers to drains or septic tanks.
<b>Survey level two</b>	The RICS member will lift accessible inspection chamber covers to drains or septic tanks (where it is safe to do so and without causing damage) and visually inspect the chamber[s].

Survey level	Description
<b>Survey level three</b>	<p>The RICS member will lift accessible inspection chamber covers to drains and septic tanks (where it is safe to do so and without causing damage) and observe the normal operation of the drains in everyday use. This will be restricted where properties are empty and drained down.</p> <p>Where the RICS member considers it appropriate, and where practical, to the assessment of the system, 'everyday use' will usually include turning on water taps to sanitary ware and flushing toilets so the performance of visible drainage pipework can be observed and the nature of the below-ground connections identified.</p>

## Other services

Survey level	Description
<b>General</b>	<p>Other services are taken to mean all piped and cabled services associated with the property including electrics and other cabled systems, hot and cold water systems, heating, above-ground drainage, ventilation services, renewable energy systems and so on.</p> <p>The RICS member does not perform or comment on design calculations or test the service installations or appliances in any way.</p> <p>In all cases, the RICS member will advise the client that further tests and inspections will be required if the occupier does not provide evidence of appropriate installation and/or maintenance, or the client requires assurance as to their condition, capability and safety.</p>
<b>Survey level one</b>	The RICS member will visually inspect an identified sample of the parts of the different service systems that can be seen.
<b>Survey level two</b>	The RICS member will visually inspect all parts of the different service systems that can be seen within the normal course of the inspection.
<b>Survey level three</b>	In addition to those actions described under 'Inspection chambers and underground drains', the RICS member will observe the normal operation of the services in everyday use (where it is safe to do so and without causing damage) including operating an identified sample of lights and extractor fans and asking the occupier to operate the heating.

## The grounds

Survey level	Description
<b>General</b>	RICS members will carry out a visual inspection of the grounds from within the boundaries of the subject property and where necessary, from adjoining public property.
<b>Survey level one</b>	<p>RICS members will carry out a cursory inspection of the grounds during a general walk around. The assessment should include external features relevant to the instruction and requests from the client.</p> <p>The inspection should also include the inside and outside of all permanent outbuildings not attached to the main dwelling, where access is possible, relevant to the instruction and client requests.</p> <p>RICS members will use appropriate methods and equipment to inspect a roof that is not visible from a window or another part of the building, and that is not more than three metres above ground level if it is safe and reasonable to do so.</p>
<b>Survey level two</b>	In addition to that described for level one, RICS members should perform a thorough inspection of the grounds, noting any limitations.
<b>Survey level three</b>	As in level two, the RICS member should perform a comprehensive inspection of the grounds, noting any limitations. Specific defective features and other matters associated with the grounds can be costly to resolve and may affect the client's decision. Consequently, the RICS member should fully account for these during a level three service and be prepared to follow the trail of suspected problems to a greater extent than at levels one and two. Examples include assessing retaining walls in danger of collapsing, deeply sunken paths or driveways, and dilapidated boundary walls or fences, as well as the legal and insurance implications.

## Appendix C: Knowledge of general environmental issues in a locality

RICS members need to be familiar with the nature and complexity of the locality in which the subject property is situated. This includes general environmental issues where the information is freely available to the public (usually online). The nature, quality and accuracy of the data varies between suppliers and so RICS members should treat this information with care. Although the range and nature of these issues will change over time, the list currently includes:

- flooding (surface, river and sea)
- radon
- noise from transportation networks
- typical geological and soil conditions
- well-known but unique local and regional ground conditions
- landfill sites and relevant former industrial activities
- former mining activities
- future/proposed infrastructure schemes and proposals
- planning areas (e.g. conservation areas, areas of outstanding natural beauty and Article 4 direction)
- listed building status and
- general information about the site including exposure to wind and rain, risk of frost attack, and unique local features and characteristics that may affect the subject property.

This list is not prescriptive or exhaustive because relevant issues will vary based on location.

Please also see the current edition of **Environmental risks and global real estate**, RICS guidance note.

Please note Home Report Scotland variations apply. Refer to the current edition of *The Home Report, Scotland*, RICS guidance note.

## Appendix D: Minimum requirements for all terms of engagement

Regardless of the level of service, the terms of engagement **must** address the following matters:

- the client's name, address and appropriate contact details
- the RICS member's name (where known at the time of instruction) and appropriate contact details
- the subject property's address and postcode
- the nature and type of service required
- the nature and the intended future use of the property
- the details of any special instructions and/or additional services
- the likely inspection date (if known) and the anticipated date the report will be published
- the style and delivery format of the report
- the agreed fee and the fees for any additional work (including VAT)
- details of any referral fees, inducements and potential conflicts of interest
- the payment arrangements, payment period
- cancellation rights
- forewarning of any restrictions due to health and safety implications that may arise on the day of inspection
- evidence that the client has confirmed acceptance of the terms and conditions
- confirm that as an RICS regulated firm their files may be subject to monitoring and will need to be provided to RICS upon request
- confirm that any fees taken in advance are not client money and not subject to the RICS client money protection scheme and
- the RICS regulated firm operates a complaints-handling procedure, details of which are available upon request.

The content and nature of these matters will change over time and RICS members must ensure the terms of engagement match the current legal requirements in all respects.

Please note Home Report Scotland variations apply. Refer to the current edition of *The Home Report, Scotland*, RICS guidance note.

## Appendix E: Risk to occupants – typical safety hazards in a residential dwelling

The following list identifies some of the common safety hazards that can be found during an inspection of a domestic residential property. This list is not intended to be exhaustive. RICS members and RICS regulated firms should have an awareness of:

- asbestos and other deleterious materials
- animals and vermin (bird droppings, rats, dog waste, etc.)
- lack of emergency escape, inadequate fire precautions and fire protection measures
- the implications of external wall systems and their combustibility/incorrect fixing. Referral should be made to competent persons where issues of combustibility and/or incorrect fixing appear to exist
- absence of safety glass to openings and outbuildings
- falls from height, lack of safety rails, steep stairs, and serious and significant tripping hazards
- unstable parts of the building, especially at high level
- unsecured fireplace surrounds
- lead water pipes and lead paint
- gas leaks and carbon monoxide poisoning
- dangerous electrics
- absence of test certificates for services/appliances/private water supply
- inappropriate use of accommodation (for example, non-conforming roof space conversion and bedrooms in damp basements)
- overhead power lines, which may cause issues relating to electromagnetic fields (EMFs)
- high radon levels
- automatic gates
- unprotected garden ponds and swimming pools and
- Legionnaire's disease.



## Appendix F: Legal matters – other features and issues

RICS members should include other features and issues that may have an impact on the subject property and require further investigation by the legal adviser. The following list (which is not exhaustive) illustrates this variety:

- flying freeholds or submerged freeholds
- evidence of multiple occupation, tenancies, holiday lettings and Airbnb
- future use of property
- signs of possible trespass and rights of way
- arrangements for private services, septic tank registration and so on
- rights of way and maintenance/repairing liabilities for private access roads and/or footways, ownership of verges, village greens and so on
- chancel matters
- other property rights including rights of light, restrictions to occupation, tenancies/vacant possession, easements, servitudes and/or wayleaves
- boundary problems including poorly defined site boundaries, repairs of party walls, party wall agreements and works in progress on adjacent land
- details of any building insurance claims
- parking permits
- presence of protected species (for example bats, badgers and newts) and
- Green Deal measures, feed-in tariffs and roof leases.



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