



Tel: 01568 797099 E-mail: reports@h-er.co.uk Web: www.h-er.co.uk

Terms upon which the Energy Performance Certificate is prepared

INTRODUCTION

The Energy Performance Certificate is a report on the energy efficiency of the property at the time of inspection. It is in a standard format and has been prepared by a Domestic Energy Assessor who is registered with a Domestic Energy Assessor Accreditation Scheme and holds the Diploma in Domestic Energy Inspection.

The Domestic Energy Assessor has a duty to provide an opinion about the energy efficiency of the property that can be used and relied upon by prospective buyers. The report will be included in the Home Information Pack commissioned on the property and entered on the Central Register.

The Code of Practice for Domestic Energy Assessors issued by the NHER Accreditation Scheme sets out the principles that must be followed and applied by all Domestic Energy Assessors who are a member of the NHER Accreditation Scheme. You are strongly advised to read these terms of engagement. No responsibilities can be accepted for the consequences should the readers fail to act upon specific reasonable advice within it.

TERMS OF ENGAGEMENT

The report has been commissioned on the basis of these Terms of Engagement by, or on behalf of, the seller of the property, and describes the energy efficiency of the property on the date of inspection. The Domestic Energy Assessor has a duty to provide an impartial opinion that can be used and relied upon by a prospective buyer and the seller. It is agreed by the parties that the provisions of the Contracts (Rights of Third Parties) Act 1999 will apply.

This Energy Performance Certificate will be carried out in accordance with the NHER Accreditation Scheme's Domestic Energy Assessor Code of Practice. Any services the Domestic Energy Assessor may agree to provide in addition to preparing this Energy Performance Certificate are outside of the scope of the NHER Accreditation Scheme, and must be covered by a wholly separate contract from that covering the Energy Inspection. Those parts of the property that have been inspected and those parts where an inspection has not taken place are set out below and form part of these terms.

Any personal information regarding the seller that is recorded by the Domestic Energy Assessor will be held safely and securely and the seller has a right to see these records. The seller's contact details may be used during the process for monitoring the compliance and performance of Domestic Energy Assessors. Personal information about the various parties, in particular the owner, occupier(s) and seller of the property which has no relevance to the Energy Performance Certificate will not be recorded by the Domestic Energy Assessor.

PAYMENT

The terms of payment and fees payable for the Energy Performance Certificate are as separately agreed between the Domestic Energy Assessor and the Seller (or on the Seller's behalf).

WHAT THIS REPORT TELLS YOU

It tells you about the energy efficiency of the property and gives appropriate recommendations selected from a standard set of recommendations to tell you how the energy efficiency might be improved.

WHAT THIS REPORT DOES NOT TELL YOU

The Report will not include any valuation of the property and does not provide information on the condition of the property or the services.

It does not tell you about any matters, other than those specifically related to energy efficiency, nor does it warn you about any Health and Safety Risks to occupiers or visitors to the property. The report does not give accurate running costs, an indication of heating and lighting bills, advice on how the improvements will affect the saleability or value of the property or how to carry out the improvements. The report also does not provide the exact U value - the exact thermal conductance from the outside to inside covering all modes of heat transfer.

WHAT IS INSPECTED

Externally, to collect the necessary data all reasonably accessible parts of the property are visually inspected from within its grounds and adjoining public and communal areas. If the Domestic Energy Assessor needs to access any elements of the property not at ground level in order to collect the data required to issue an EPC, then the Domestic Energy Assessor may use binoculars or a digital camera and may use a ladder where the surface is no more than 3 metres from ground level and where it is safe and practical to do so.

Internally, the Domestic Energy Assessor gains access to as many parts of the property as is safe and practical in order to collect the data required to issue an EPC. Internal fixed floor coverings are not lifted and heavy items of furniture are not moved. Cupboards/storage areas are not emptied where it would be unreasonable for the Domestic Energy Assessor to do so.

[Form: E-EPC]

Herefordshire Energy Reports
Parent Company Registered Office: The Staves, Bodenham, Hereford, HR1 3JX
Company Reg. No. 5473579



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WHAT IS NOT INSPECTED

The Domestic Energy Assessor undertakes a visual inspection to collect the necessary data and does not carry out tests of services, or look at those parts of the property that are covered, unexposed and inaccessible or damage any part of the property when undertaking the inspection. In particular the following are not inspected:

Exterior The parts of the property that can only be seen by entering somebody else's private grounds or property. The parts of the property that cannot be reached other than from ground level with a 3 metre ladder. (The Domestic Energy Assessor will not walk on flat roofs). Exposure works will not be carried out to the foundations, cavity walls and parts of the property covered by the ground.

Interior Areas that are behind secured trap doors, behind heavy furniture or filled cupboards. Floor surfaces and under floor areas that are beneath fitted carpets and other fixed floor coverings. Roof voids, where there is no access or where the access is above 3 metres from the immediate floor level below, or where it would be unsafe. Insulation and other material in the roof space will not be lifted or moved. The inside of chimneys, boiler and other flues.

The Domestic Energy Assessment should not be construed or used as a general or specific survey of the condition of the property, nor will the Domestic Energy Assessor comment upon any such matters whilst carrying out an energy inspection

WHAT YOU SHOULD DO IN THE EVENT OF A QUERY OR COMPLAINT

The Domestic Energy Assessor is required to have a formal complaint handling process. Should you have a complaint about an Energy Performance Certificate or the Domestic Energy Assessor, you should contact the Domestic Energy Assessor asking him/her for a copy of the complaint handling process. This procedure will describe how to make a formal complaint, who it should be addressed to, and what further recourse is available to you.

Upon receipt of any complaint the matter will be taken seriously and all efforts made to investigate the circumstances and resolve the issues. Should you not be satisfied with the way the complaint was handled you may refer the matter to the Domestic Energy Assessor Accreditation Scheme complaints handling process which will arrange for the claim to be resolved independently.

DATA PROTECTION

The Domestic Energy Assessor will comply with the requirements of the Data Protection Act 1998. Any personal data (as defined in that Act) that the Domestic Energy Assessor receives about you, or from you, will only be used for the purposes of:

- preparing the Energy Performance Certificate;
- submitting the report to the Register of Energy Performance Certificates along with any site notes and raw data used to prepare the reports;
- sending a copy to you and/or your adviser(s) and any HIP pack provider;
- an audit of the Domestic Energy Assessor's performance standards by the Domestic Energy Assessor's Accreditation Scheme.

The Domestic Energy Assessor is required by law to retain records for 15 years, and any personal data which needs to be retained will be kept secure and confidential. You are entitled to see any personal data held by the Domestic Energy Assessor although he is entitled to charge a small fee for this.

CANCELLATION

If you cancel the appointment

You have the right to cancel the appointment, however, a cancellation charge of 50% plus expenses will be charged to the Home Information Pack Provider on your behalf. Any refunds due to you will be paid 30 days after the appointment date.

If we cancel the appointment

If we cancel the appointment with less than one working day's notice, a replacement date will be booked.

If we terminate an assessment during the appointment due to any of the following reasons, a fee of 50% will be charged to the Home Information Pack Provider on your behalf; a conflict of interest arises or during the normal course of the assessment, discovery of potentially unlicensed firearms, dangerous weapons, explosives, illegal drugs, evidence of terrorist activity or large amounts of loose cash.

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