



PENALTY CHARGES FOR NON-COMPLIANCE



ENERGY PERFORMANCE CERTIFICATES FOR NON-DWELLINGS (CEPCs)

- It is the **responsibility of the seller or landlord** to provide a CEPC to a prospective buyer or tenant at the earliest opportunity, and in any event when written information about the building is provided in response to a request, when the building is viewed and before any contract for sale or let is entered into.
- It is **good practice for any agent** offering a property for sale to inform the seller or landlord of the legal obligation and to recommend that an EPC is obtained as soon as possible and at least 14 days before it is required.
- Enforced by Trading Standards Office
- Penalty of 12.5% of the rateable value of the building applies **Min £500 - Max £5000**

DISPLAY ENERGY CERTIFICATES (DECs)

- Required for any building with a total useful floor area >1000m² occupied by **public authorities & institutions** providing public services to a large number of persons and visited by the public.
- Enforced by Trading Standards Office
- Failure to display a valid DEC in a prominent place clearly visible to the public **£500 per offence**
- Failure to have in possession or control a valid advisory report **£1000 per offence**

AIR CONDITIONING INSPECTIONS

- It is the responsibility of the **person who controls the technical functioning** of the air conditioning system to ensure that it is inspected at regular intervals not exceeding 5 years.
- Enforced by Trading Standards Office
- Failure to commission, keep, or provide an inspection report when required **£300 per offence repeatable quarterly**

HOME INFORMATION PACKS (HIPs)

- The person marketing the property, usually an **estate agent or housing developer**, is responsible for ensuring that a Home Information Pack (HIP) is in place and made available to potential buyers on request (within a maximum of 28 days from commencement of marketing - from 6th April 2009 this will change to the first day of marketing).
- Enforced by Trading Standards Office who must also notify the Office of Fair Trading of a breach, which could result in a banning order.
- Failure to comply **£200 repeatable per day per property**
- Estate agents must comply with HIP regulations and belong to an approved redress scheme.
- Failure to comply **£1,000 penalty charge, repeated if necessary**

ENERGY PERFORMANCE CERTIFICATES - EXISTING DWELLINGS (EPCs), RENTED PROPERTY

- It is the **responsibility of the seller or landlord** to provide an EPC to a prospective buyer or tenant at the earliest opportunity, and in any event when written information about the building is provided in response to a request, when the building is viewed and before any contract for sale or let is entered into.
- Even though a HIP is not required it is **good practice for any agent** offering a property for sale to inform the seller or landlord of the legal obligation and to recommend that an EPC is obtained as soon as possible and at least 14 days before it is required.
- Enforced by Trading Standards Office
- Failure to comply **£200 per offence**

ENERGY PERFORMANCE CERTIFICATES (EPCs)- NEW DWELLINGS

- The builder is responsible for making available a valid EPC to the owner not more than 5 days after construction
- Failure to comply **£200 per offence**

Correct on 02/04/09