

REPORT TO: HOUSING, DUNDEE CONTRACT SERVICES & ENVIRONMENT SERVICES
COMMITTEE (26TH JANUARY 2009)

REPORT ON: THE HOME REPORT - THE NEW WAY OF BUYING AND SELLING HOMES IN
SCOTLAND

REPORT BY: HEAD OF ENVIRONMENTAL HEALTH & TRADING STANDARDS

REPORT NO: 2-2009

1.0 PURPOSE OF REPORT

1.1 To make provision for enforcement of Part 3 of the Housing (Scotland) Act 2006, in relation to the provision of prescribed information in respect of the sale of houses in Scotland.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee authorise Environmental Health & Trading Standards Department's Trading Standards officers to require the production of prescribed documents, serve Penalty Charge Notices and generally have power to enforce the provisions of Regulations made under the Act.

3.0 FINANCIAL IMPLICATIONS

3.1 The costs of enforcement of the legislation will be contained within the Environmental Health & Trading Standards Department's budget.

4.0 MAIN TEXT

4.1 December 1st marked the introduction in Scotland of the Home Report, which has been implemented by the Scottish Government under the Housing (Scotland) Act 2006.

4.2 The Home Report is intended to address three issues around buying and selling homes in Scotland:

- the lack of good information on property condition,
- issues over the need for multiple surveys or valuations, and
- artificially low (upset) asking prices.

4.3 It contains three documents:

The Single Survey contains an assessment by a surveyor of the condition of the home, a valuation and an accessibility audit for people with particular needs.

The Energy Report contains an assessment by a surveyor of the energy efficiency of the home, its environmental impact, and recommends ways to improve its energy efficiency.

The Property Questionnaire is completed by the seller of the home and contains additional information, for example Council Tax banding, that will be useful to buyers.

4.4 The legislation places certain duties on sellers of houses, breach of which may result in the imposition of a penalty charge notice for £500. Local Weights and Measures Authorities have been deemed enforcement authorities for the purposes of the regulations. Training in the

- legislation has already been provided to appropriate officers by Scottish Government officials and the Society of Chief Officers of Trading Standards in Scotland.
- 4.5 It is proposed that enforcement of the Home Report legislation in Dundee be carried out by Trading Standards officers in the Environmental Health & Trading Standards Department.

5.0 POLICY IMPLICATIONS

This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-poverty, Equality Impact Assessment and Risk Management. There are no major issues.

6.0 CONSULTATIONS

- 7.1 The Chief Executive
Depute Chief Executive (Support Services)
Depute Chief Executive (Finance)
Head of Finance
Director of Planning and Transportation
Director of Economic Development

7.0 BACKGROUND PAPERS

- 7.1 None

Albert Oswald
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