

Your Legal Questions

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Q. I'm thinking of putting my house on the market. Do I have to get a Home Information Pack before I can do this? Does the Pack last forever or will I have to pay for another one if it takes a while to sell in the current climate?

A. Since the beginning of April you must have the Pack available to view before you can market the property. It is no longer sufficient just to have requested it from the Pack provider. You should, therefore, apply for the Pack as soon as you decide to sell your property.

The minimum contents of the Pack are a statement of sale, an energy performance certificate, a local search and a drainage search.

If your property is not being marketed i.e. you are selling it to someone privately and no estate agents are involved, then there is no requirement to have a Pack, but you will still need an energy performance certificate.

The requirement for a Pack also applies to new homes although if selling off plan it cannot contain a full energy performance certificate because these can only be issued on a completed property. However, the Pack must contain a Predicted Energy Assessment.

If your property does not sell quickly, as long as it is being continuously marketed then you will not have to pay for another Pack. The Pack is valid for as long as the property is on the market. You would only have to pay for a fresh Pack if you were to take the property off the market and then put it back at some later date.

It remains to be seen whether the requirement to have a Pack prior to marketing the property will stifle an already tough property market.

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