

## Your Legal Questions



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**Q. I want to sell my shop business and the agent tells me I need an Energy Performance Certificate for the shop. Is this true?**

**A.** Unless a property has no energy use, irrespective of whether it is residential or commercial an Energy Performance Certificate is now required. If you have not come across an Energy Performance Certificate before this is an assessment of your property's energy use and carries the same rating as shown on certain electrical items such as fridges i.e. A, B, C etc. The higher rating the more energy efficient the property. Energy assessors undertake such inspections and can be contacted directly to arrange appointments. With residential property the Energy Performance Certificate is contained within the Home Information Pack which now has to be in place before a property is advertised for sale.

With commercial property, whilst there is no requirement for a Home Information Pack an Energy Performance Certificate needs to be obtained at the earliest opportunity but no later than the date contracts are exchanged for any sale or the date of sale or grant of any lease whichever is sooner. Once obtained the Certificate lasts for ten years and is stored centrally. It is assigned a unique number to allow it to be accessed on line for any future sale or lease.

Even if you are selling residential or commercial property privately without putting it on the market an Energy Performance Certificate is still required.

In summary, Energy Performance Certificates are required for all property transactions where the property has an energy use and in answer to your question, yes you will need an Energy Performance Certificate but not a Home Information Pack.

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