



Market Square, Manorhamilton, Co. Leitrim

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Terms and Conditions for

Pre-Purchase Survey

This document relates to Pre-Purchase Building Survey Reports and Snag List Inspections for residential and commercial properties.

To understand what is included and not included in your report it is essential and recommended that the following terms and conditions are read in full. By booking our services you are agreeing to these terms.

Any concerns expressed by a client about a property will only be reported on within the limitations of these terms and conditions.

It may be necessary for you to commission and pay for other specialist reports from appropriate experts for concerns or worries that you may have that are not covered under the limitations of this visual survey.

Example 1: If you want to know that no deleterious and hazardous materials are present, such as pyrite, alkaline cement or asbestos, then you must commission an additional qualified company or person that specialise in that field, to provide you with a report.

Example 2: If you want to know that no invasive plantations are present, such as Japanese knotweed, then you must commission an additional qualified company or person that specialises in that field, to provide you with a report.

Example 3: Our survey is limited to a cursory view of services only; therefore, to obtain any details regarding the design, installation, efficiency, current condition or potential failures of a system then you must commission an additional qualified company or person that specialise in that field, to provide you with a report.



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1. Report overview

a) The principle objective of the report is to inform you of significant structural defects within the property that may affect a buyer's decision e.g. defects in roof structure, cracks in walls, ceilings and floors that may indicate problems with the foundations. 90 – 95% of the surveyor's time is spent examining the main structural components of the property. The report does not comment on minor non-structural or cosmetic issues that do not materially affect the value of the property and are of no structural importance. (*Section 2b refers*).

b) Planning searches are not included in the pre-purchase survey. (*Section 5 refers*). For maximum cost efficiency, we recommend that our services are used in a staged sequence. First and foremost, it is essential to establish the structural condition of a property and this is done through the pre-purchase survey report. The "legal matters" section within the report will usually provide most, if not all the information required by your solicitor.

If your solicitor has queries after reviewing "the legal matters" section, familiarity of the property will enable us to assist your solicitor in better understanding what further information may be required, and advise which additional services may be required to provide this information. (These additional services if required will be quoted for separately and on an individual basis).



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Stage 1 – Pre-purchase building survey.

Stage 2 – Discuss with legal representative “legal matters” section in report.

Stage 3 – Follow up on any further additional investigations that may be necessary e.g. planning searches certificates of compliance, rights of way and any further investigations from other specialists such as a qualified plumber or pyrite testing etc.

2. Limitations of report

- a)** The Building Survey Report is based on a visual inspection only of the exposed and accessible main parts of the structure e.g. walls, roof, foundations etc. to determine the structural condition and general state of repair of the property. During the inspection no opening up or moving of furniture or personal belongings will be carried out. (*Sections 6 and 7 refer*).
- b)** The report does not comment on minor non-structural or cosmetic issues that do not materially affect the value of the property and are of no structural importance e.g. minor drying cracks in ceilings and walls, marginal building workmanship such as some unevenness in floors, walls and ceilings.
- c)** We do not carry out any tests on building materials used in the construction of the property. The surveyor will assume that the materials used in the construction of the property were suitable for their intended use.
- d)** The report is concerned with the general structure of the property and does not comment on building regulation compliance.
- e)** The visual structural survey is concerned with the condition of the property. Taking measurements of the property or site is not included in the pre-purchase building survey service.
- f)** The pre-purchase visual survey includes one visit to the property. If for any reason a re-check or re-inspection is required, an additional fee will be quoted for and charged accordingly.
- g)** We do not provide a BER report as part of our survey. A BER (building energy rating) certificate is a legal requirement and must be provided by either the Estate Agent or vendor before the property is placed on the market.
- h)** It must be appreciated that during a visual inspection defects may be present that cannot be identified conclusively or otherwise. The survey excludes liability and responsibility for loss



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or damages to you or a third party for latent defects, concealed defects or deficiencies that may become apparent or occur during or after the survey has taken place. We are however happy to offer direction and advice should a defect or deficiency subsequently come to light. E.g. plumbing leaks not active or visible at the time of survey.

i) Our visual survey will report on active leaks that are visible at the time of inspection. It is not uncommon for windows, doors, walls or roofs to have leaks that are only active and visible under certain weather conditions e.g. wind driven rain, and these conditions may not be replicated at the time of the survey. The survey excludes liability for leaks that latently occur during weather conditions not replicated at the time of the survey.

j) The survey reports on structural defects visible on the day of the survey. A considerable time can sometimes elapse between the survey date and taking ownership of the property. We therefore advise, without any exception, that before closing the sale and taking possession of the property, that clients take a final pre-close walk through of the property and grounds with the estate agent, following the removal of the vendors' personal possessions. This walk through will determine that no previously hidden or covered issues have been revealed, and that no subsequent water leaks, fire, smoke or other damage have occurred since the survey was performed. Your legal adviser can provide advice on this action. (*Section 6 refers*).

k) It is important to be aware that you may require from other companies or individuals' additional inspections, surveys or reports that are not covered by this building survey report. For example, to ascertain the design, installation, efficiency, current condition and likelihood of potential failure of the services, the presence of any deleterious and hazardous materials or invasive plantations within the property it is essential and recommended that separate tests and reports are commissioned before closing. (*Sections 8 – 11 refer*).

l) We do not carry out tests or report on any services (*except for a cursory view of services – section 8 refers*). We do not carry out an inspection for the presence of deleterious and hazardous materials, invasive plantations or land contamination e.g. asbestos, lead, pyrite, alkaline cement, Japanese knotweed, oil spillage etc. (*Sections 9, 10 and 11 refer*). If the surveyor makes a comment in the report in relation to any of these items, it is provided for limited information only and should not be deemed conclusive. (*Sections 8 – 11 refer*).

m) Internal roof structures will be inspected where safe access exists via a loft hatch not more than 3 metres above the adjacent floor or ground. Where no reasonable safe access is available, the roof spaces will not be inspected. If there is limited or unsafe room for the



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surveyor to manoeuvre within the roof spaces, the roof spaces implicated will not be inspected. (*Section 7 refers*).

n) Ladders will be used for external inspections up to a maximum of 3 metres in height and where it is safe to do so. The surveyor will not climb onto or walk on any roof surfaces. External roofs over 3 metres from ground level will be inspected using binoculars from ground level, but will be excluded from the survey if they cannot be viewed by this means. (*Section 7 refers*).

o) The survey of the property is carried out from within the grounds of the property and from public areas adjacent to the property. We cannot trespass on to other people's private property to get better views. (*Section 7 refers*).

3. Apartment, Duplex and Maisonette Surveys

a) The apartment survey is an inspection of the individual apartment/duplex/maisonette unit and includes a general overview of the common areas of the apartment/duplex/maisonette block where there is safe accessible access at the time of inspection, e.g. roofs, underground parking spaces, fire precautions and means of escape. It is therefore important and essential to contact the management company and check for the existence of any known issues or defects to the apartment/duplex/maisonette block.

4. Boundary Checks (*when carried out at the same time as the Building Survey Report*)

a) If you require the boundaries of the property you are buying to be compared against the relevant Land Registry Folio Map / Ordnance Survey Map, the map or maps must be provided by email to info@energyefficiencyexperts.ie prior to the survey being booked in.

b) The comparison is for sites up to circa one acre in area; larger sites will be quoted for on an individual basis.

c) The boundary check involves examining the physical boundaries of the site and making a reasonable comparison with the folio / ordnance map provided at the time of inspection. Where parts of the site are inaccessible or covered certain assumptions / interpolations may have to be made.

d) Any return visits / re-checks of the site will incur an additional fee.

5. Matters for legal advisers' attention

a) A dedicated section is provided within the pre-purchase building survey report to assist your legal adviser, e.g. based on a visual inspection the surveyor may note additional



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extensions, changes to the property that may be exempt or would require planning permission, interior alterations, rights of way, over sailing, encroachment issues and physical boundary issues. In this section the surveyor makes comments and observations based on the visual survey of the property only. The surveyor's comments will be limited as they do not include an examination / search for any existing files or documents relating to the property. The section is provided to assist the client and his/her legal adviser when requesting certain certificates or consents from the vendor as part of the property conveyance.

b) The building survey report does not include the inspection of planning documents and/or making inquiries with statutory agencies or local Planning Authorities. For maximum cost efficiency, we recommend that our services are used in a staged sequence. If your solicitor has queries after reviewing "the legal matters" section, familiarity of the property will enable us to assist your solicitor in better understanding what further information may be required, and better understand which additional services may be required to provide this information. (These services are available if required under separate instruction from the client and will be quoted for on an individual basis).

6. Property contents and occupancy

a) Contents in a building restrict or deny visual and/or physical access to some areas e.g. personal belongings in hot press, attic space packed with boxes, personal possessions in rooms etc. To point out the obvious, the Surveyor cannot see through walls, carpets, heavy furniture, fixed kitchen units, closets and personal belongings, and will have therefore made their best assumptions in these areas.

b) No moving of furniture or personal belongings will be carried out during the inspection.

c) The survey reports on structural defects visible on the day of the survey. A considerable time can sometimes elapse between the survey date and taking ownership of the property. We therefore advise, without any exception, that before closing the sale and taking possession of the property, that clients take a final pre-close walk through of the property and grounds with the estate agent, following the removal of the vendors' personal possessions. This walk through will determine that no previously hidden or covered issues have been revealed, and that no subsequent water leaks, fire, smoke or other damage have occurred since the survey was performed. Your legal adviser can provide advice on this action.

d) Should any issues be discovered during the pre-close walk through, clients should take photographic evidence and forward this by email immediately to our office. If re-inspection is required, an additional fee will be quoted for and charged accordingly.

7. Accessibility, Voids and Concealed Areas



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a) The inspection can take no account of works covered up, inaccessible or otherwise obscured from view e.g. furniture, fittings, clothing, personal belongings, etc. No moving of furniture or personal belongings will be carried out during the inspection.

b) Where areas of the main structural components are unexposed, covered or inaccessible, no definitive opinion can be given, for example, if there is no hatch access to roof spaces or areas under floors then the surveyors comments cannot be conclusive; opening up would be required before a more accurate assessment can be made by the surveyor. It must therefore be appreciated that defects such as woodworm or dry rot may be present without our knowledge. If subsequent re-inspection is required, an additional fee will be quoted for and charged accordingly.

c) Access points will not be used if they are locked, nailed, glued, sealed or screwed in place, damaged or unlikely to close properly after opening. It must therefore be appreciated that defects such as woodworm or dry rot may be present without our knowledge. If subsequent re-inspection is required, an additional fee will be quoted for and charged accordingly.

d) Internal roof structures will be inspected where safe access exists via a loft hatch not more than 3 metres above the adjacent floor or ground. Where no reasonable safe access is available, the roof spaces will not be inspected.

e) Roof spaces that are limited in height, dangerous or unsafe to manoeuvre in, will not be inspected. It must therefore be appreciated that defects such as woodworm or dry rot may be present without our knowledge.

f) Ladders will be used for external inspections where it is safe to do so, up to a maximum of 3 metres in height. The surveyor will not climb onto or walk on any roof surfaces. External roofs over 3 metres from ground level will be inspected using binoculars from ground level, but will be excluded from the survey if they cannot be viewed by either of these means.

g) The survey of the property is carried out from within the grounds of the property and from public areas adjacent to the property. We cannot trespass on to other people's private property to get better views.

8. Mechanical, Electrical and Heating Services – plumbing, heating, drainage, ventilation and air conditioning systems, electrics or ICT

a) Surveyors / engineers are NOT qualified plumbers, heating technicians or electricians and do not carry out any tests on these services. Following a cursory view of the heating, electrical and plumbing utilities, the surveyor will however make comments on the general



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condition of these services and whether they were operating or not at the time of inspection. These comments are for limited information purposes only and should not, under any circumstances, be deemed conclusive.

b) Our survey is limited to a cursory view of services only. Before purchasing the property, it is essential and recommended that you commission a competent qualified plumber, mechanical or electrical engineer to perform tests and provide you with a report on the design, installation, current condition, efficiency and the likelihood of potential failure/s of these systems.

c) Mechanical, plumbing, electrical, heating services, specialist facilities and equipment are not included in the survey e.g., air conditioning units, geothermal systems, security alarms, solar panels and any appliances.

d) For the avoidance of any doubt this survey report does not cover the condition, design or effectiveness of any of the services within the property, except for a limited cursory view of the plumbing, heating and electrical services.

9. Deleterious and Hazardous Materials

a) This survey report is not an inspection on the presence of any deleterious and hazardous materials within the property, neither will we undertake or commission inspections or laboratory tests to determine or confirm the presence, extent or precise nature of any deleterious and hazardous materials e.g. alkaline cement, lead, asbestos and pyrite.

b) If the surveyor makes a comment in the report on deleterious and hazardous materials it is provided for limited information purposes only and should not, under any circumstances, be deemed conclusive.

c) To determine the existence / non-existence or extent of any deleterious and hazardous materials within the property it is essential and recommended that you commission a relevant specialist to carry out tests and provide you with a report before closing.

10. Tree / Vegetation Proximity and Invasive Plantations

a) This survey report is not an inspection on the presence of invasive plantations within the property, neither will we undertake or commission inspections or tests to confirm any presence or extent of invasive plantations e.g. Japanese knotweed.



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b) If the surveyor makes a comment in the report on invasive plantations, tree or vegetation proximity, it is provided for limited information purposes only and should not, under any circumstances, be deemed conclusive.

c) To determine the existence / non-existence, impact or extent of any invasive plantations or tree or vegetation proximity within the property it is essential and recommended that you commission a relevant specialist to carry out tests and provide you with a report before closing.

11. Land Contamination

a) We will not make any investigations into the potential contamination of the site or of neighbouring land e.g. oil spillages, chemical leaks, dumped materials, etc.

b) If the surveyor makes a comment in the report on land contamination e.g. dumped waste, it is provided for limited information purposes only and should not, under any circumstances, be deemed conclusive.

c) To determine the existence / non-existence, extent or impact of any land contamination within the property or neighbouring land it is essential and recommended that you commission a relevant specialist to carry out tests and provide you with a report before closing.

12. Price and Payment

a) Valid quotations are provided in writing only and are valid for thirty days from the date of issue. The quotation is a net figure and is subject to VAT at the current rate of 23%.

b) Payment can be made by cash/cheque or Electronic Funds Transfer (EFT). Full payment is required on the day of inspection.

13. Issuing of the report

a) Reports are issued via PDF format in colour. If a hard copy of the report is requested an additional postage fee may apply and the report will be issued in black and white.

14. Liability, Confidentiality and Ownership

a) Ownership of the report passes to the client upon receipt by Energy Efficiency Experts Limited of full payment. The report is issued to the person to whom it is addressed for their and their legal advisers use, and is not intended or authorized to be used by a third party. If a third party chooses to use this inspection report, they do so without Energy Efficiency Experts Limited's permission or authorisation, and they do so at their own risk. No communications will be entered into with any third party re the report.



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b) The client will be provided with access to a secure site containing the report by Energy Efficiency Experts Limited relating to the property inspected.

15. Termination

a) The Client may terminate an Agreement but must give a minimum of two working days' notice. If a cancellation or a postponement takes place within two working days of the inspection, then 25% of the quotation total fee will be charged.