



## SCHEDULE 1

# Survey Report On

**Rothesay,  
9 Wellington Street,  
Kirkwall,  
Orkney,  
KW15 1AY.**

**Client:** Mr & Mrs Shaun Geddes.

**Client address:** Per Lows,  
5 Broad Street,  
Kirkwall,  
Orkney,  
KW15 1DH.

**Date of inspection:** 13<sup>th</sup> March 2014.

**Prepared by:** Christopher J Omand, BSc (Hons), M.R.I.C.S.,  
Chartered Valuation Surveyor,  
R.I.C.S. Registered Valuer.

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## 1. INFORMATION AND SCOPE OF INSPECTION

This section tells you about the type, accommodation, neighbourhood, age and construction of the property. It also tells you about the extent of the inspection and highlights anything that the surveyor could not inspect.

All references to visual inspection refer to an inspection from within the property without the need to move any obstructions and externally from ground level within the site and adjoining public areas. Any references to left or right are taken facing the front of the property.

The inspection is carried out without causing damage to the building or its contents and without endangering the occupiers or the surveyor. Heavy furniture, stored items and insulation are not moved. Unless identified in the report the surveyor will assume that no harmful or hazardous materials or techniques have been used in the construction. The presence or possible consequences of any site contamination will not be researched.

Services such as TV/cable connection, internet connection, swimming pools and other leisure facilities etc. were not inspected or reported on.

<b>Description</b>	Single storey detached house.
<b>Accommodation</b>	Entrance Hallway, Sitting Room (currently used as a bedroom), Dining Room (currently being used as a sitting room, Study (currently being used as the dining room), Kitchen, 2 Bedrooms and Bathroom.
<b>Gross external floor area (m<sup>2</sup>)</b>	96m <sup>2</sup> .
<b>Neighbourhood and location</b>	Situated in a predominantly residential area of Kirkwall within walking distance of the town centre.
<b>Age</b>	Circa 1940's
<b>Weather</b>	Dry and sunny.
<b>Chimney stacks</b>	<i>Visually inspected with the aid of binoculars where appropriate.</i>  Single chimney stack, plastered and pebble dashed, with concrete copings and 2no. pots. Leadwork around the base of the stack.

**Roofing including roof space**

*Sloping roofs were visually inspected with the aid of binoculars where appropriate.  
Flat roofs were visually inspected from vantage points within the property and where safe and reasonable to do so from a 3m ladder externally.  
Roof spaces were visually inspected and were entered where there was safe and reasonable access, normally defined as being from a 3m ladder within the property. If this is not possible, then physical access to the roof space may be taken by other means if the Surveyor deems it safe and reasonable to do so.*

Pitched and hipped roof clad asbestos slate on felt, sarking boards and timber rafters. There was no access to the roof space, due to pipes from the cold water storage tank crossing over the roof hatch.  
Flat felt roof over the kitchen.  
There was no access to the roof timbers of either roof constructions.  
Hipped roof clad asbestos slate over the bay window. There was no access to the roof timbers of the bay window.

**Rainwater fittings**

*Visually inspected with the aid of binoculars where appropriate.*  
P.V.C. gutters and downpipes.

**Main walls**

*Visually inspected with the aid of binoculars where appropriate. Foundations and concealed parts were not exposed or inspected.*  
Original house is an ex Second World War timber hut re-erected on site and subsequently surrounded with a concrete block or concrete outer skin, plastered and pebble dashed.  
The wall construction of the kitchen extension could not be determined.

**Windows, external doors and joinery**

*External doors were opened and closed where keys were available.  
Random windows were opened and closed where possible.  
Doors and windows were not forced open.*  
Windows are a mixture of double glazed u.P.V.C. and single glazed timber.  
Double glazed u.P.V.C. entrance doors.  
Timber fascia and gable boards.

**External decorations**

*Visually inspected.*  
Paint finish to the timber fascia and gable boards.

<b>Conservatories / porches</b>	<p><i>Visually inspected.</i></p> <p>None.</p>
<b>Communal areas</b>	<p><i>Visually inspected.</i></p> <p>None.</p>
<b>Garages and permanent outbuildings</b>	<p><i>Visually inspected.</i></p> <p>Single concrete block garage finished as for house, pitched roof clad corrugated asbestos. Concrete floor. Timber garage door and side entrance door.</p>
<b>Outside areas and boundaries</b>	<p><i>Visually inspected.</i></p> <p>Garden areas to the front and rear of the property with a gravelled driveway. Concrete block boundary walls.</p>
<b>Ceilings</b>	<p><i>Visually inspected from floor level.</i></p> <p>Ceilings are lined a mixture of timber boarding and plasterboard.</p>
<b>Internal walls</b>	<p><i>Visually inspected from floor level.</i> <i>Using a moisture meter, walls were randomly tested for dampness where considered appropriate.</i></p> <p>Internal walls and stud partitions are lined plasterboard with timber panelling to the kitchen walls.</p>
<b>Floors including sub floors</b>	<p><i>Surfaces of exposed floors were visually inspected. No carpets or floor coverings were lifted.</i> <i>Sub-floor areas were inspected only to the extent visible from a readily accessible and unfixed hatch by way of an inverted "head and shoulders" inspection at the access point.</i></p> <p>Suspended timber floors throughout the original house with a concrete floor to the kitchen.</p>
<b>Internal joinery and kitchen fittings</b>	<p><i>Built-in cupboards were looked into but no stored items were moved.</i> <i>Kitchen units were visually inspected excluding appliances.</i></p> <p>Timber panelled doors with timber facings and skirtings. Built-in kitchen units.</p>
<b>Chimney breasts and fireplaces</b>	<p><i>Visually inspected. No testing of the flues or fittings was carried out.</i></p> <p>Chimney breast is lined hardwall plaster. Open fire place with tiled hearth and surround.</p>

<b>Internal decorations</b>	<p><i>Visually inspected.</i></p> <p>Ceilings are finished a mixture of emulsion and varnish. Internal walls are finished emulsion. Internal joinery is finished a mixture of paint, varnish and woodstain</p>
<b>Cellars</b>	<p><i>Visually inspected.</i></p> <p>None.</p>
<b>Electricity</b>	<p><i>Accessible parts of the wiring were visually inspected without removing fittings. No tests whatsoever were carried out to the system or appliances. Visual inspection does not assess any services to make sure they work properly and efficiently and meet modern standards. If any services are turned off, the surveyor will state that in the report and will not turn them on.</i></p> <p>Mains electricity supply.</p>
<b>Gas</b>	<p><i>Visually inspected.</i></p> <p>No mains gas in Orkney. 1no. 47kg propane gas bottle.</p>
<b>Water, plumbing and bathroom fittings</b>	<p><i>Visual inspection of the accessible pipework, water tanks, cylinders and fittings without removing any insulation. No tests whatsoever were carried out to the system or appliances.</i></p> <p>Mains water supply. Cold water storage tank. Stainless steel kitchen sink. WC, wash hand basin &amp; pedestal and bath with electric shower over.</p>
<b>Heating and hot water</b>	<p><i>Accessible parts of the system were visually inspected apart from communal systems, which were not inspected. No tests whatsoever were carried out to the system or appliances.</i></p> <p>Open fire to sitting room and wood burning stove to room currently being used as a bedroom. Insulated hot water cylinder located in the corner of the study/dining room.</p>
<b>Drainage</b>	<p><i>Drainage covers etc were not lifted. Neither drains nor drainage systems were tested.</i></p> <p>Mains connection.</p>

**Fire, smoke and burglar alarms**

*Visually inspected.  
No tests whatsoever were carried out to the system or appliances.*

No smoke detectors noted.

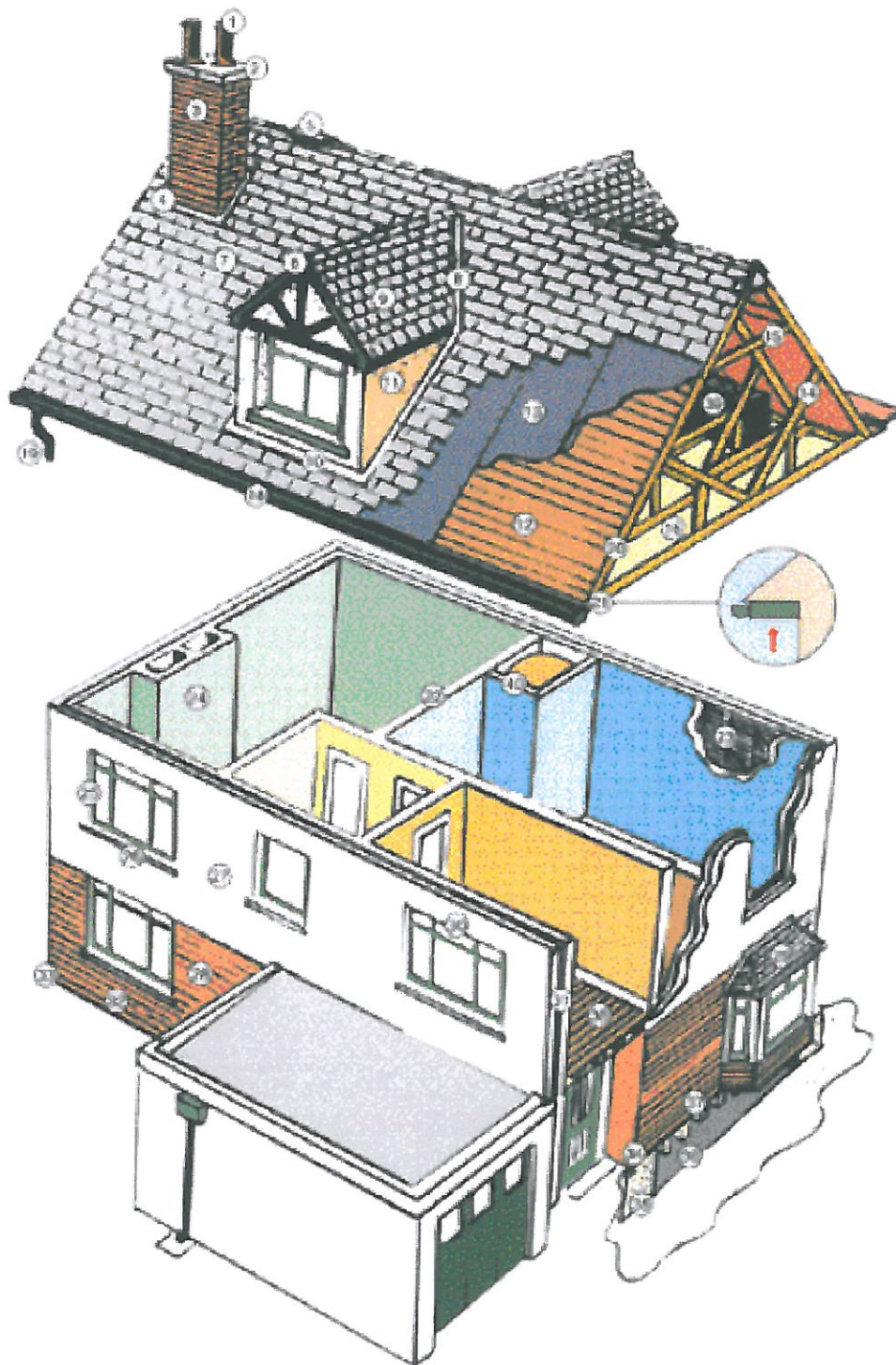
**Any additional limits to inspection:**

There was no access for inspection to the foundations, to the original timber side walls, to the wall construction or to behind linings of the kitchen or to the main floor construction. Fitted coverings prevented access to the floor surfaces. The property was fully furnished at the time of inspection, which prevented access for inspection to some areas. There was no access to the roof space over the original house or to the roof timbers of the extension and bay window. The efficiency of the heating and drainage systems cannot be commented upon.

Tests by the Health Protection Agency have identified some properties in this area as having natural levels of Radon Gas in excess of those normally considered acceptable. Further advice on this should be obtained from the Health Protection Agency. Telephone 01235 822745/876/737.

An inspection for Japanese Knotweed or other invasive plant species was not carried out and unless otherwise stated, for the purposes of this report, it is assumed that there is no Japanese Knotweed or other invasive plant species within the boundaries of the property or in neighbouring properties.

## Sectional diagram showing elements of a typical house







- ① Chimney pots
- ② Coping stone
- ③ Chimney head
- ④ Flashing
- ⑤ Ridge ventilation
- ⑥ Ridge board
- ⑦ Slates / tiles
- ⑧ Valley guttering
- ⑨ Dormer projection
- ⑩ Dormer flashing
- ⑪ Dormer cheeks
- ⑫ Sarking
- ⑬ Roof felt
- ⑭ Trusses
- ⑮ Collar
- ⑯ Insulation
- ⑰ Parapet gutter
- ⑱ Eaves guttering
- ⑲ Rainwater downpipe
- ⑳ Verge boards / skewes
- ㉑ Soffit boards
- ㉒ Partiton wall
- ㉓ Lath / plaster
- ㉔ Chimney breast
- ㉕ Window pointing
- ㉖ Window sills
- ㉗ Rendering
- ㉘ Brickwork / pointing
- ㉙ Bay window projection
- ㉚ Lintels
- ㉛ Cavity walls / wall ties
- ㉜ Subfloor ventilator
- ㉝ Damp proof course
- ㉞ Base course
- ㉟ Foundations
- ㊱ Solum
- ㊲ Floor joists
- ㊳ Floorboards
- ㊴ Water tank
- ㊵ Hot water tank

Reference may be made in this report to some or all of the above component parts of the property. This diagram may assist you in locating and understanding these terms.








## 2. CONDITION









This section identifies problems and tells you about the urgency of any repairs by using one of three categories.






<p><b>Category 3:</b> Urgent repairs or replacement are needed now. Failure to deal with them may cause problems to other parts of the property or cause a safety hazard. Estimates for repairs or replacement are needed now.</p>	<p><b>Category 2:</b> Repairs or replacement requiring future attention, but estimates are still advised.</p>	<p><b>Category 1:</b> No immediate action or repair is needed.</p>
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 <p style="text-align: center;"><b>Structural movement</b></p>	
Repair category:	3
Notes:	There are numerous cracks, both diagonal and horizontal, throughout the external skin and to the bay window concrete sill. It is recommended that a Chartered Structural Engineer's report is obtained.
 <p style="text-align: center;"><b>Dampness, rot and infestation</b></p>	
Repair category:	3
Notes:	<p>High moisture readings noted to the following areas:</p> <ul style="list-style-type: none"> <li>• To the ingos of the side entrance door in the kitchen.</li> <li>• To the wall linings next to the bath.</li> </ul> <p>There is wet rot to the fasciaboards around the flat roof and to the gable boards.</p> <p>No woodworm was noted where open to general inspection. There was no access to the roof timbers, so the presence of woodworm within the roof space could not be determined.</p>
 <p style="text-align: center;"><b>Chimney stacks</b></p>	
Repair category:	2
Notes:	There are cracks noted to the chimney pots.
 <p style="text-align: center;"><b>Roofing including roof space</b></p>	
Repair category:	3
Notes:	<p>The asbestos slate is weathered and the roof surface is uneven with notable dips throughout.</p> <p>The flat felt roof is weathered with cracking throughout.</p> <p>Loft hatch is damaged.</p> <p>There was no access to the roof timbers over the kitchen, bay window or to the main timbers over the original part of the house.</p>



 <b>Rainwater fittings</b>	
Repair category:	2
Notes:	<p>The gutters and downpipes are weathered in appearance and uneven throughout.</p> <p>The efficiency of the rainwater system cannot be commented upon as it was not raining at the time of inspection.</p>
 <b>Main walls</b>	
Repair category:	3
Notes:	<p>There are numerous cracks, both diagonal and horizontal, throughout the external skin and to the bay window concrete sill. It is recommended that a Chartered Structural Engineer's report is obtained.</p> <p>When re-erecting timber huts, in some cases, the side walls were erected off timber posts, rather than proper concrete foundations. Given the fact it is not possible to visually inspect the foundations of this property it is recommended that further investigation should be undertaken by the Engineer.</p>
 <b>Windows, external doors and joinery</b>	
Repair category:	3
Notes:	<p>Some of the double glazing units have failed.</p> <p>The u.P.V.C. door to the kitchen is damaged.</p> <p>There is no handle to the top opener of the bathroom window.</p> <p>There is wet rot to the fasciaboards around the flat roof and to the gable boards.</p>
 <b>External decorations</b>	
Repair category:	3
Notes:	The fascia and gable boards are weathered in appearance.
 <b>Conservatories / porches</b>	
Repair category:	N/A
Notes:	
 <b>Communal areas</b>	
Repair category:	N/A
Notes:	
 <b>Garages and permanent outbuildings</b>	
Repair category:	3
Notes:	There are large cracks to the rear gable. The timber doors require upgrading/replacement.

 <b>Outside areas and boundaries</b>	
Repair category:	1
Notes:	No notable defects.
 <b>Ceilings</b>	
Repair category:	1
Notes:	No notable defects.
 <b>Internal walls</b>	
Repair category:	2
Notes:	High moisture readings noted to the following areas: <ul style="list-style-type: none"> <li>To the ingos of the side entrance door in the kitchen.</li> <li>To the wall linings next to the bath.</li> </ul>
 <b>Floors including sub-floors</b>	
Repair category:	2
Notes:	There was a broken floorboard under the carpet, next to the main entrance door in hallway.
 <b>Internal joinery and kitchen fittings</b>	
Repair category:	2
Notes:	There are sections of missing facings and skirtings. A number of the doors to the kitchen units have damaged edges, as well as loose handles and hinges.
 <b>Chimney breasts and fireplaces</b>	
Repair category:	3
Notes:	The glass to the door of the woodburning stove requires cleaning. There are a number of broken tiles to the hearth and surround of the open fire place. The tiles require grouting. The efficiency of the flues cannot be commented upon.
 <b>Internal decorations</b>	
Repair category:	2
Notes:	The decoration to walls and ceilings is patchy. Some of the timber facings and skirting are undecorated. The splash back tiles behind the kitchen sink are not grouted.
 <b>Cellars</b>	
Repair category:	N/A
Notes:	

 <b>Electricity</b>	
Repair category:	3
Notes:	It is recommended that the electrics are regularly inspected by a qualified Electrician and any recommendations implemented. Confirm when last the electrics were inspected. The socket in the rear bedroom has been duct taped over. The central light fitting in the front bedroom is hanging loose.
 <b>Gas</b>	
Repair category:	1
Notes:	Confirm that the gas bottle was installed by a qualified Gas Safe Registered Engineer.
 <b>Water, plumbing and bathroom fittings</b>	
Repair category:	3
Notes:	The wash hand basin is blocked and full of water. The bath panel has been duct taped onto the bath.
 <b>Heating and hot water</b>	
Repair category:	1
Notes:	The efficiency of the flues cannot be commented upon. A new hot water cylinder was in the process of being installed.
 <b>Drainage</b>	
Repair category:	1
Notes:	The efficiency of the drainage system cannot be commented upon.

Set out below is a summary of the condition of the property which is provided for reference only. You should refer to the comments above for detailed information.

<b>Structural movement</b>	<b>1</b>	<b>Repair Categories</b>  <b>Category 3:</b> Urgent Repairs or replacement are needed now. Failure to deal with them may cause problems to other parts of the property or cause a safety hazard. Estimates for repairs or replacement are needed now.  <b>Category 2:</b> Repairs or replacement requiring future attention, but estimates are still advised.  <b>Category 1:</b> No immediate action or repair is needed.
<b>Dampness, rot and infestation</b>	<b>3</b>	
<b>Chimney stacks</b>	<b>2</b>	
<b>Roofing including roof space</b>	<b>3</b>	
<b>Rainwater fittings</b>	<b>2</b>	
<b>Main walls</b>	<b>3</b>	
<b>Windows, external doors and joinery</b>	<b>3</b>	
<b>External decorations</b>	<b>3</b>	
<b>Conservatories / porches</b>	<b>N/A</b>	
<b>Communal areas</b>	<b>N/A</b>	
<b>Garages and permanent outbuildings</b>	<b>3</b>	
<b>Outside areas and boundaries</b>	<b>1</b>	
<b>Ceilings</b>	<b>1</b>	
<b>Internal walls</b>	<b>2</b>	
<b>Floors including sub-floors</b>	<b>2</b>	
<b>Internal joinery and kitchen fittings</b>	<b>2</b>	
<b>Chimney breasts and fireplaces</b>	<b>3</b>	
<b>Internal decorations</b>	<b>2</b>	
<b>Cellars</b>	<b>N/A</b>	
<b>Electricity</b>	<b>3</b>	
<b>Gas</b>	<b>1</b>	
<b>Water, plumbing and bathroom fittings</b>	<b>3</b>	
<b>Heating and hot water</b>	<b>1</b>	
<b>Drainage</b>	<b>1</b>	

#### Remember

The cost of repairs may influence the amount someone is prepared to pay for the property. We recommend that relevant estimates and reports are obtained in your own name.

#### Warning

If left unattended, even for a relatively short period, Category 2 repairs can rapidly develop into more serious Category 3 repairs. The existence of Category 2 or Category 3 repairs may have an adverse effect on marketability, value and the sale price ultimately achieved for the property. This is particularly true during slow market conditions where the effect can be considerable.

### 3. ACCESSIBILITY INFORMATION

#### Guidance Notes on Accessibility Information

**Three steps or fewer to a main entrance door of the property:** In flatted developments the 'main entrance' would be the flat's own entrance door, not the external door to the communal stair. The 'three steps or fewer' are counted from external ground level to the flat's entrance door. Where a lift is present, the count is based on the number of steps climbed when using the lift.

**Unrestricted parking within 25 metres:** For this purpose, 'Unrestricted parking' includes parking available by means of a parking permit. Restricted parking includes: Parking that is subject to parking restrictions, as indicated by the presence of solid yellow, red or white lines at the edge of the road or by a parking control sign, parking meters or other coin-operated machines.

1. Which floor(s) is the living accommodation on?	Ground
2. Are there three steps or fewer to a main entrance door of the property?	Yes
3. Is there a lift to the main entrance door of the property?	No
4. Are all door openings greater than 750mm?	Yes
5. Is there a toilet on the same level as the living room and kitchen?	Yes
6. Is there a toilet on the same level as a bedroom?	Yes
7. Are all rooms on the same level with no internal steps or stairs?	Yes
8. Is there unrestricted parking within 25 metres of an entrance door to the building?	Yes

#### 4. VALUATION AND CONVEYANCER ISSUES

This section highlights information that should be checked with a solicitor or licensed conveyancer. It also gives an opinion of market value and an estimated re-instatement cost for insurance purposes.

##### **Matters for a solicitor or licensed conveyancer**

A Chartered Structural Engineer's report should be obtained on all cracks. Further investigation should be carried out to ascertain the type of foundations.

##### **Estimated re-instatement cost for insurance purposes**

£132,000.

##### **Valuation and market comments**

Sixty Five Thousand Pounds, £65,000.

**Report author:** Christopher J Omand, BSc (Hons), M.R.I.C.S.,  
Chartered Valuation Surveyor,  
R.I.C.S. Registered Valuer

**Address:** 14 Victoria Street,  
Kirkwall,  
KW15 1DN.

**Signed:**   
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**Date of report:** 18<sup>th</sup> March 2014.

# SINGLE SURVEY TERMS AND CONDITIONS (WITH MVR)

## PART 1 - GENERAL

### 1.1 THE SURVEYORS

The Seller has engaged the Surveyors to provide the Single Survey Report and a generic Mortgage Valuation Report for Lending Purposes. The Seller has also engaged the Surveyors to provide an Energy Report in the format prescribed by the accredited Energy Company.

The Surveyors are authorised to provide a transcript or retype of the generic Mortgage Valuation Report on to Lender specific pro-forma. Transcript reports are commonly requested by Brokers and Lenders. The transcript report will be in the format required by the Lender but will contain the same information, inspection date and valuation figure as the generic Mortgage Valuation Report and the Single Survey. The Surveyors will decline any transcript request which requires the provision of information additional to the information in the Report and the generic Mortgage Valuation Report until the Seller has conditionally accepted an offer to purchase made in writing.

Once the Seller has conditionally accepted an offer to purchase made in writing, the Purchaser's lender or conveyancer may request that the Surveyors provide general comment on standard appropriate supplementary documentation. In the event of a significant amount of documentation being provided to the Surveyors, an additional fee may be incurred by the Purchaser. Any additional fee will be agreed in writing.

If information is provided to the Surveyors during the conveyancing process which materially affects the valuation stated in the Report and generic Mortgage Valuation Report, the Surveyors reserve the right to reconsider the valuation. Where the Surveyors require to amend the valuation in consequence of such information, they will issue an amended Report and generic Mortgage Valuation Report to the Seller. It is the responsibility of the Seller to ensure that the amended Report and generic Mortgage Valuation Report are transmitted to every prospective Purchaser.

The individual Surveyor will be a member of the Royal Institution of Chartered Surveyors who is competent to survey, value and report upon Residential Property. <sup>1</sup>

If the Surveyors have had a previous business relationship within the past two years with the Seller or Seller's Agent or relative to the property, they will be obliged to indicate this by ticking the adjacent box.



The Surveyors have a written complaints handling procedure. This is available from the offices of the Surveyors at the address stated.

### 1.2 THE REPORT

The Surveyors will not provide an amended Report on the Property, except to correct factual inaccuracies.

The Report will identify the nature and source of information relied upon in its preparation

The Surveyor shall provide a Market Value of the Property, unless the condition of the Property is such that it would be inappropriate to do so. A final decision on whether a loan will be granted rests with the Lender who may impose retentions in line with their lending criteria. The date of condition and value of the property will be the date of inspection.

<sup>1</sup> Which shall be in accordance with the current RICS Valuation Standards (the Red Book) and RICS Codes of Conduct

Prior to 1 December 2008, Purchasers have normally obtained their own report from their chosen Surveyor. By contrast, a Single Survey is instructed by the Seller and made available to all potential Purchasers in expectation that the successful Purchaser will have relied upon it. The Royal Institution of Chartered Surveyors rules require disclosure of any potential conflict of interest when acting for the Seller and the Purchaser in the same transaction. The Single Survey may give rise to a conflict of interest and if this is of concern to any party they are advised to seek their own independent advice.

The Report and any expressions or assessments in it are not intended as advice to the Seller or Purchaser or any other person in relation to an asking price or any other sales or marketing decisions.

The Report is based solely on the Property and is not to be relied upon in any manner whatsoever when considering the valuation or condition of any other property.

If certain minor matters are mentioned in the Report it should not be assumed that the Property is free of other minor defects.

Neither the whole nor any part of the Report may be published in any way, reproduced or distributed by any party other than the Seller, prospective purchasers and the Purchaser and their respective professional advisers without the prior written consent of the Surveyors.

### **1.3 LIABILITY**

The Report is prepared with the skill and care reasonably to be expected of a competent residential surveyor who is a member of the Royal Institution of Chartered Surveyors.

The Report is addressed to the Seller and was prepared in the expectation that it (or a complete copy) along with these Terms and Conditions (or a complete copy) would (or, as the case might be, would have been) be disclosed and delivered to

- the Seller;
- any person(s) noting an interest in purchasing the Property from the Seller;
- any person(s) who make(s) (or on whose behalf is made) an offer to purchase the Property, whether or not that offer is accepted by the Seller;
- the Purchaser; and
- the professional advisers of any of these.

The Surveyors acknowledge that their duty of skill and care in relation to the Report is owed to the Seller and to the Purchaser. The Surveyors accept no responsibility or liability whatsoever in relation to the Report to persons other than the Seller and the Purchaser. The Seller and Purchaser should be aware that if a Lender seeks to rely on this Report they do so at their own risk. In particular, the Surveyors accept no responsibility or liability whatsoever to any Lender in relation to the Report. Any such Lender relies upon the Report entirely at their own risk.



#### **1.4 GENERIC MORTGAGE VALUATION REPORT**

The Surveyors undertake to the Seller that they will prepare a generic Mortgage Valuation Report, which will be issued along with the Single Survey. It is the responsibility of the Seller to ensure that the generic Mortgage Valuation Report is provided to every potential Purchaser.

#### **1.5 TRANSCRIPT MORTGAGE VALUATION FOR LENDING PURPOSES**

The Surveyors undertake that on being asked to do so by a prospective purchaser, or his/her professional advisor or Lender, they will prepare a Transcript Mortgage Valuation Report for Lending Purposes on terms and conditions to be agreed between the Surveyors and Lender and solely for the use of the Lender and upon which the Lender may rely. The decision as to whether finance will be provided is entirely a matter for the Lender. The Transcript Mortgage Valuation Report will be prepared from information contained in the Report and the generic Mortgage Valuation Report. 2

#### **1.6 INTELLECTUAL PROPERTY**

All intellectual property rights whatsoever (including copyright) in and to the Report, excluding the headings and rubrics, are the exclusive property of the Surveyors and shall remain their exclusive property unless they assign the same to any other party in writing.

#### **1.7 PAYMENT**

The Surveyors are entitled to refrain from delivering the Report to anyone until the fee and other charges for it notified to the Seller have been paid.  
Additional fees will be charged for subsequent inspections and Reports.

#### **1.8 CANCELLATION**

The Seller will be entitled to cancel the inspection by notifying the Surveyor's office at any time before the day of the inspection.

The Surveyor will be entitled not to proceed with the inspection (and will so report promptly to the Seller) if after arriving at the property, the Surveyor concludes that it is of a type of construction of which the Surveyor has insufficient specialist knowledge to be able to provide the inspection satisfactorily. The Surveyor will also be entitled not to proceed if after arriving at the property, the Surveyor concludes that the property is exempt under Part 3 of The Housing (Scotland) Act 2006 as detailed in the (Prescribed Documents) Regulations 2008. If there is a potential threat to their health or personal safety, the inspection may be postponed or cancelled, at the Surveyor's discretion.

In the case of cancellation or the inspection not proceeding, the Surveyor will refund any fees paid by the Seller for the inspection and Report, except for expenses reasonably incurred and any fee due in light of the final paragraph of this section.

In the case of cancellation by the Seller, for whatever reason, after the inspection has taken place but before a written report is issued, the Surveyor will be entitled to raise an invoice equivalent to 80% of the agreed fee.

#### **1.9 PRECEDENCE**

If there is any incompatibility between these Terms and Conditions and the Report, these Terms and Conditions take precedence.

#### **1.10 DEFINITIONS**

- the "Lender" is the party who has provided or intends or proposes to provide financial assistance to the Purchaser towards the purchase of the Property and in whose favour a standard security will be granted over the Property;

- the "Transcript Mortgage Valuation Report for Lending Purposes" means a separate report, prepared by the Surveyor, prepared from information in the Report and the generic Mortgage Valuation Report, but in a style and format required by the Lender. The Transcript Mortgage Valuation Report for Lending Purposes will be prepared with the skill and care reasonably to be expected from a surveyor who is a member of the Royal Institution of Chartered Surveyors and who is competent to survey, value and report on the Property;
- the "Generic Mortgage Valuation Report" means a separate report, prepared by the Surveyor from information in the Report but in the Surveyor's own format.
- the "Market Value" is *The estimated amount for which a property should exchange on the date of valuation between a willing buyer and a willing seller in an arm's-length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion*
- the "Property" is the property which forms the subject of the Report;
- the "Purchaser" is the person (or persons) who enters into a contract to buy the Property from the Seller;
- a "prospective Purchaser" is anyone considering buying the Property.
- the "Report" is the report, of the kind described in Part 2 of these Terms and Conditions and in the form set out in part 1 of Schedule 1 of the Housing (Scotland) Act 2006 (Prescribed Documents) Regulations 2008;
- the "Seller" is/are the proprietor(s) of the Property;
- the "Surveyor" is the author of the Report on the Property; and
- the "Surveyors" are the firm or company of which the Surveyor is an employee, director, member or partner (unless the Surveyor is not an employee, director, member or partner, when the "Surveyors" means the Surveyor) whose details are set out at the head of the Report.
- the "Energy Report" is the advice given by the accredited Energy Company, based on information collected by the Surveyor during the Inspection, and also includes an Energy Performance Certificate, in a Government approved format.

## **PART 2 – DESCRIPTION OF THE REPORT**

### **2.1 THE SERVICE**

The Single Survey is a Report by an independent Surveyor, prepared in an objective way regarding the condition and value of the Property on the day of the inspection, and who is a member of the Royal Institution of Chartered Surveyors. It includes an Energy Report as required by Statute and this is in the format of the accredited Energy Company. In addition, the Surveyor has agreed to supply a generic Mortgage Valuation Report.

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<sup>2</sup> Which shall be in accordance with the current RICS Valuation Standards (the Red Book) and RICS Rules of Conduct.

## 2.2 THE INSPECTION

The Inspection is a general surface examination of those parts of the Property which are accessible: in other words, *visible and readily available for examination from ground and floor levels, without risk of causing damage to the Property or injury to the Surveyor.*

All references to visual inspection refer to an inspection from within the property at floor level and from ground level within the site and adjoining public areas, without the need to move any obstructions. Any references to left or right are taken facing the front of the property.

The Inspection is carried out with the Seller's permission, without causing damage to the building or contents. Furniture, stored items and insulation are not moved.

Unless identified in the report the Surveyor will assume that no harmful or hazardous materials have been used in the construction. The presence or possible consequences of any site contamination will not be researched.

The Surveyor will not carry out an asbestos inspection, and will not be acting as an asbestos inspector in completing a Single Survey of properties that may fall within the Control of Asbestos in the Workplace Regulations. In the case of flats it will be assumed that there is a duty holder, as defined in the Regulations and that a Register of Asbestos and effective Management Plan is in place, which does not require any expenditure, or pose a significant risk to health. No enquiry of the duty holder will be made.

## 2.3 THE REPORT

The Report will be prepared by the Surveyor who carried out the property inspection and will describe various aspects of the property as defined by the headings of the Single Survey report with the comments being general and unbiased. The report on the location, style and condition of the property, will be concise and will be restricted to matters that could have a material effect upon value and will omit items that, in the Surveyor's opinion, are not significant. If certain minor matters are mentioned, it should not be interpreted that the property is free of any other minor defects.

Throughout the Report, the following repair categories will be used to give an overall opinion of the state of repair and condition of the property.

2.3.1 Category 3: Urgent repairs or replacement are needed now. Failure to deal with them may cause problems to other parts of the property or cause a safety hazard. Estimates for repairs or replacement are needed now.

2.3.2 Category 2: Repairs or replacement requiring future attention, but estimates are still advised.

2.3.3 Category 1: No immediate action or repair is needed.

**WARNING:** If left unattended, even for a relatively short period, Category 2 repairs can rapidly develop into more serious Category 3 repairs. The existence of Category 2 or Category 3 repairs may have an adverse effect on marketability, value and the sale price ultimately achieved for the property. This is particularly true during slow market conditions when the effect can be considerable.

Parts of the property, which cannot be seen or accessed, will not be reported upon and this will be stated. If the Surveyor suspects that a defect may exist within an unexposed area and which could have a material effect upon the value, he may recommend further investigation by specialist contractors.

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## 2.4 SERVICES

Surveyors are not equipped or qualified to test the services and therefore no comment can be interpreted as implying that the design, installation and function of the services are in accordance/compliance with regulations, safety and efficiency expectations. However, comment is made where there is cause to suspect significant defects or shortcomings with the installations. No tests are made of any services or appliances.

## 2.5 ACCESSIBILITY

A section is included to help identify the basic information interested parties need to know to decide whether to view a property.

## 2.6 ENERGY REPORT

A section is included that makes provision for an Energy Report, relative to the property. The Surveyor will collect physical data from the property and provide such data in a format required by an accredited Energy Company. The Surveyor cannot of course accept liability for any advice given by the Energy Company.

## 2.7 VALUATION AND CONVEYANCER ISSUES

The last section of the Report contains matters considered relevant to the Conveyancer (Solicitor). It also contains the Surveyor's opinion both of the market value of the property and of the re-instatement cost, as defined below.

*"Market Value"* The estimated amount for which a property should exchange on the date of valuation between a willing buyer and a willing seller in an arm's-length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion. In arriving at the opinion of the Market Value the Surveyor also makes various standard assumptions covering, for example, vacant possession; tenure and other legal considerations; contamination and hazardous materials; the condition of un-inspected parts; the right to use mains services; and the exclusion of curtains, carpets etc. from the valuation. In the case of flats, the following further assumptions are made that:

- There are rights of access and exit over all communal roadways, corridors, stairways etc. and to use communal grounds, parking areas, and other facilities;
- There are no particularly troublesome or unusual legal restrictions;
- There is no current dispute between the occupiers of the flats or any outstanding claims or losses; and the costs of repairs to the building are shared among the co-proprietors on an equitable basis.

Any additional assumption, or any found not to apply, is reported.

*"Re-instatement cost"* is an estimate for insurance purposes of the current cost of rebuilding the Property in its present form unless otherwise stated. This includes the cost of rebuilding the garage and permanent outbuildings, site clearance and professional fees, but excludes VAT (except on the fees).

Sellers or prospective Purchasers may consider it prudent to instruct a reinspection and revaluation after a period of 12 weeks (or sooner if appropriate) to reflect changing circumstances in the market and/or in the physical condition of the Property