



PROPERTY 2021 HANDBOOK

GUIDANCE FOR THE CHARTERED PROFESSIONAL

CONTENTS

Standards and guidance	٧	Improvement certificate	3.5
		Claim for improvements	3.5
Welcome from the CEO	vi	Compensation for disturbance	3.5
		Commercial building surveys/technical due diligence)	3.6
CHAPTER 1 - PROPERTY SALES PROCEDURES	1.1	Important building survey sections	3.6
Introduction	1.3	Additional inspections/reports	3.6
Sales procedure	1.3	Dilapidations and landlord/tenant services	3.7
Methods of sale	1.3	Dilapidations	3.7
Minimum standards for property service providers	1.5	Commercial leases	3.7
Efficient sales process	1.6	Introduction	3.7
Deposits and receipts	1.6	Lease layout	3.7
Client money	1.6	Important clauses	3.7
Anti-money laundering	1.7		
Property Services Regulatory Authority Letters of	1.8	CHAPTER 4 - RENT REVIEWS	4.1
Engagement		Arbitrations and the rent review process	4.1
Scope of practice for licensed and non-licensed staff	1.8	Commencement of proceedings	4.3
Suggested checklist for inclusion on PSP sales files	1.8	Appointment of arbitrator	4.3
		Preliminary meeting	4.3
CHAPTER 2 - RESIDENTIAL	2.1	Order for directions	4.3
Residential lettings	2.3	Proceeding 'ex parte'	4.3
Residential management (multi-unit developments)	2.3	Oral hearing or written submissions	4.3
Residential building surveys	2.5	Oral hearing	4.4
Types of survey/reports	2.5	Evidence	4.4
Defects list and finishing schedule	2.6	Written submissions	4.4
Planning search	2.6	Property inspections by arbitrator	4.5
Reinstatement cost assessments (RCAs) for insurance	2.6	Point of law	4.5
		The award	4.5
CHAPTER 3 - COMMERCIAL	3.1	Parties' costs	4.5
Landlord and tenant legislation	3.3	Offers of settlement (Calderbank offers)	4.5
Landlord and Tenant (Amendment) Act 1980	3.3	Review of the award	4.6
Definition of business	3.3	Settlement (Article 30)	4.6
Restrictions of right to a new tenancy	3.3	Order of termination (Article 31)	4.6
Fixing of terms of new tenancy by the court under	3.4	The Chartered Surveyor as independent expert in the	4.6
the 1980 Act		rent review process	
Changes under Landlord and Tenant (Amendment) Act 1994	3.4		
Changes under the Civil Law (Miscellaneous	3.4	CHAPTER 5 - MACHINERY AND BUSINESS ASSETS	5.1
Provisions) Act 2008		(MBA)	
Entitlement to compensation	3.4	Asset inventory	5.3
Measure of compensation	3.4	Valuations and basis	5.3
Improvement notices	3.5	Desktop valuations	5.4
Restrictions on right to compensation	3.5	Sector experts	5.4

Project management	5.4	Forestry compensation	11.5
Interfacing with property surveyors	5.4	Woodland taxation	11.6
		Sale and transfer of woodlands	11.6
CHAPTER 6 - PROPERTY MEASUREMENT	6.1	Marts	11.6
		The SCSI Land Reference Index	11.7
CHAPTER 7 – AGENCY AND AUCTION TECHNOLOGY	7.1	SCSI agricultural land sales and rental	11.8
Beagel Bid	7.3	historical data	
Offr	7.3		
IAM Sold property auctions	7.4	CHAPTER 12 - PART V NEGOTIATIONS	12.1
LSL Auctions	7.4	Introduction	12.3
		Legislative background	12.3
CHAPTER 8 – SUSTAINABILITY AND THE	8.1	Role of valuer	12.3
BUILT ENVIRONMENT		Stage 1: Pre-planning stage	12.3
Sustainability certification	8.4	Stage 2: Planning application stage	12.3
		Stage 3: Planning permission granted with Part V	12.3
CHAPTER 9 - INSURANCE AND STATUTORY	9.1	condition attached	
COMPLIANCE OF BUILDINGS		Stage 4: Dispute	12.4
Plan and building condition surveys	9.3	Stage 5: Part V agreement	12.4
Certificates of compliance	9.3	Valuation matters	12.4
Planning search	9.3	Establishing existing use value	12.4
Planning applications	9.3	Development value	12.4
Building control	9.3	Role of the quantity surveyor	12.5
Building energy rating (BER) surveys	9.3	Final stages	12.6
Title mapping and registration	9.4	Further reading	12.8
Boundary disputes	9.4	Legislation	12.8
CHAPTER 10 - VALUATIONS	10.1	CHAPTER 13 - COMPULSORY PURCHASE ORDERS	13.1
Red Book standards	10.3	Background to compulsory purchase	13.3
The valuation of a life interest	10.3	Land acquisition principle	13.3
The valuation of a life interest other than for tax purposes	10.3	Legislation	13.3
The valuation of the tenant's life interest for tax purposes $% \left(1\right) =\left(1\right) \left(1\right)$	10.4	The statutory basis of assessment	13.4
		Compensation rules	13.4
CHAPTER 11 - AGRICULTURAL SECTOR	11.1	Precedent	13.4
An introduction to the Common Agricultural policy	11.3	Valuation date	13.6
CAP Pillar 1	11.3	Who is entitled to compensation?	13.6
CAP Pillar 2	11.3	Determination of compensation	13.6
Forestry	11.3	Initial procedure	13.6
Background	11.3	The structure/nature of the claim	13.6
Forest definition	11.3	Arbitration	13.8
Ireland's forestry profile	11.3	Award	13.8
Organisations and stakeholders in Irish forestry	11.4		
Afforestation and forest expansion in Ireland	11.4	CHAPTER 14 - FLOOD RELIEF WORKS	14.1
Forestry and the law	11.4	Background – compulsory interference for drainage	14.3
Forestry Act 2014	11.5	scheme (flood works)	
Planning and Development Act 2000	11.5	Primary legislation	14.3
EIA (Agriculture) regulations	11.5	Drainage scheme preparation (flood works)	14.3
	11.5	Compensation	14.3

45.4		
15.1	Death	15.7
15.3	Calculation of gain or loss	15.7
15.3	Acquisition or disposal not at arm's length	15.7
15.3	Debt release	15.8
15.3	Rates of tax	15.8
15.3	Development land	15.8
	Main exemptions and reliefs	15.8
15.3	CGT reliefs	15.9
15.3	Meaning of qualifying assets	15.10
15.3	Disposal within the family of a business or farm	15.11
15.3	Returns, appeals and payment – self-assessment	15.13
15.4	Qualifying conditions for an inheritance on or after	15.16
15.4	December 25, 2016	
	Qualifying conditions for a gift on or after December	15.16
15.5	25, 2016	
15.6	Qualifying conditions for an inheritance or gift on or	15.16
15.6	after December 25, 2016	
15.6	Withdrawal or clawback of the exemption	15.17
15.6	VAT on property	15.17
15.6	Rights of residence, support and maintenance	15.24
15.6	Valuation of a life interest in a property	15.24
15.7		
15.7	Appendix 1	
15.7	Appendix 2	
	15.3 15.3 15.3 15.3 15.3 15.3 15.3 15.4 15.4 15.6 15.6 15.6 15.6 15.6 15.6 15.7	15.3 Calculation of gain or loss 15.3 Acquisition or disposal not at arm's length 15.3 Debt release 15.3 Rates of tax 15.3 Development land Main exemptions and reliefs 15.3 CGT reliefs 15.3 Meaning of qualifying assets 15.3 Disposal within the family of a business or farm 15.3 Returns, appeals and payment – self-assessment 15.4 Qualifying conditions for an inheritance on or after 15.4 December 25, 2016 Qualifying conditions for a gift on or after December 15.5 25, 2016 15.6 Qualifying conditions for an inheritance or gift on or 15.6 after December 25, 2016 15.6 Withdrawal or clawback of the exemption 15.6 VAT on property 15.6 Rights of residence, support and maintenance 15.6 Valuation of a life interest in a property

STANDARDS AND GUIDANCE

Type of document	Definition	Status
SCSI/RICS practice statement	Document that provides members with mandatory requirements	Mandatory
SCSI/RICS code of practice	Standard approved by SCSI, and endorsed by another professional body that provides users with recommendations for accepted good practice as followed by conscientious practitioners	Mandatory or recommended good practice (will be confirmed in the document itself)
SCSI/RICS guidance note	Document that provides users with recommendations for accepted good practice as followed by competent and conscientious practitioners	Recommended good practice. Members must act within their area of competence and at no time should interpret this Handbook as a step-by-step guide to providing a particular service. It is merely a useful reference document for seeking out more information, or referring to an appropriately qualified and competent professional/surveyor
SCSI/RICS information paper	Practice-based information that provides users with the latest information and/or research	Information and/or explanatory commentary

Welcome from the CEO

The delivery of professional services within the property sector has evolved significantly in recent years, with all professionals having to respond to the changing needs of clients.

This guidance note is intended to support the high standards to which SCSI members work, including those working within the property sales, rental, acquisition, and management sub-sectors, and to assist with adherence to best practice guidance in the delivery of services to clients.

As the professional body representing 12 professional disciplines across property, land and construction, the SCSI has utilised the expertise of all of our surveying members to benefit those working within the property sector. The ultimate purpose of this guidance is to provide relevant, up-to-date information to our members as new guidance, regulation and legislation come into force.

A step change in real estate

Since the introduction of the Property Services (Regulation) Act in 2011, regulation and licensing procedures have had a significant impact on all those who work in the sector. While this change has meant that property professionals have had to alter the co-ordination of their business affairs, it has helped to further professionalise the sector, and assisted in educating clients and consumers on the existence and importance of engaging licensed practitioners. Further changes to how surveyors interact with customers and clients are inevitable, especially with the increased use of technology now becoming a

Surveying and specialist advice

greater feature in service provision.

The SCSI is proud of the maintenance of high standards in the delivery of property services by our members. While this guidance seeks to support members, it is important that it is used as a reference document, rather than a how-to manual, and members should refer client queries that are outside of the scope of their competence to other property or construction surveying professionals to ensure that all clients are provided with best practice advice.

We hope that you as a member of the SCSI find this guidance useful. Please feel free to contact us if you have any feedback on this current edition.

Yours sincerely,

Shirley Coulter CEO

February 2021

CHAPTER 1

PROPERTY SALES PROCEDURES