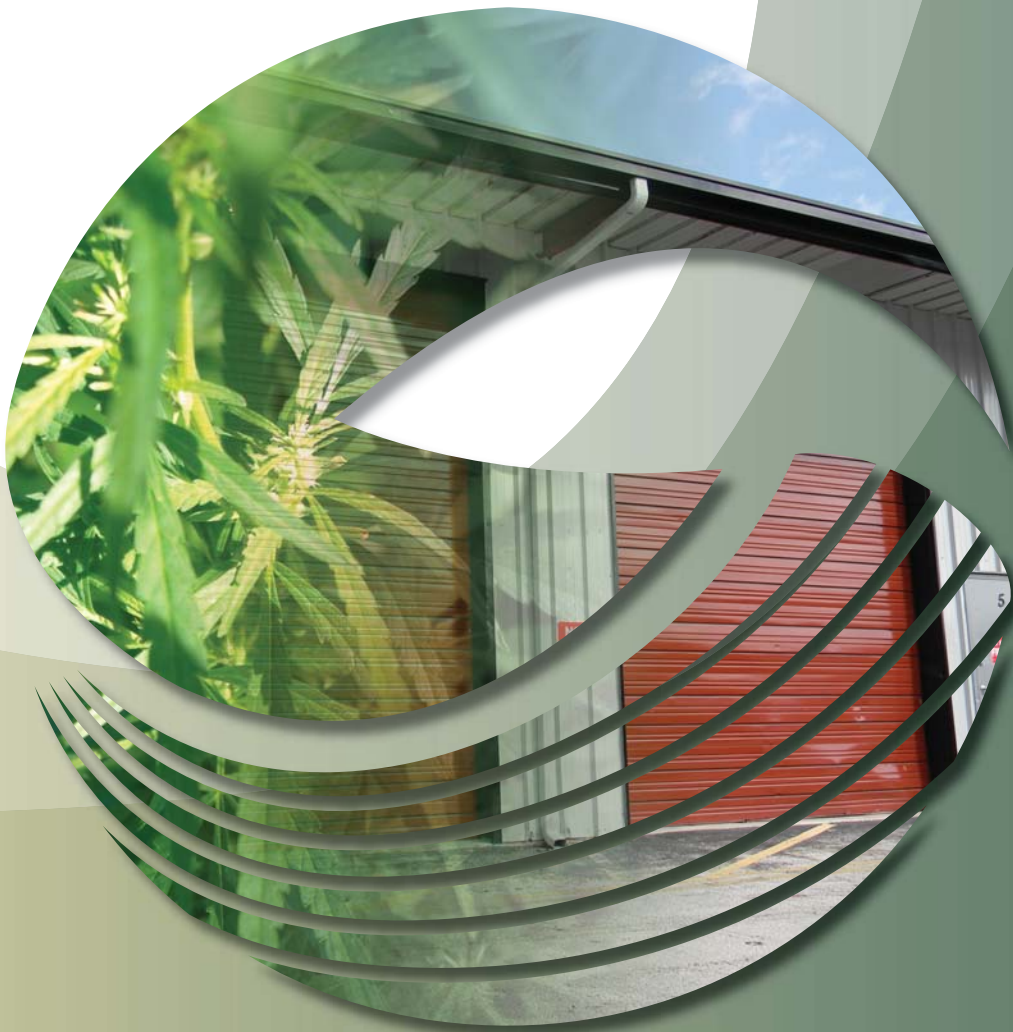


Illegal Use of Industrial Premises as “Grow Houses”

Guidance Note



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SCSI Guidance and Standards Document Definitions

Type of document	Definition	Status
Standard		
International Standard	An international high level principle based standard developed in collaboration with other relevant bodies	Mandatory
Practice Statement		
Practice statement	Document that provides members with mandatory requirements under Rule 4 of the Rules of Conduct for members	Mandatory
Guidance		
Code of Practice	Document approved by RICS, and endorsed by another professional body / stakeholder 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)
Guidance Note (GN)	Document that provides users with recommendations for accepted good practice as followed by competent and conscientious practitioners	Recommended good practice
Information Paper (IP)	Practice based information that provides users with the latest information and/or research	Information and/or

SCSI Guidance Note

This is a guidance note. It provides advice to SCSI members on aspects of their work. Where procedures are recommended for specific professional tasks, these are intended to represent ‘best practice’, i.e. procedures which in the opinion of SCSI meet a high standard of professional competence. Members are not required to follow the advice and recommendations contained in the note. They should, however, note the following points. When an allegation of professional negligence is made against a surveyor, a court or tribunal is likely to take account of the contents of any relevant guidance notes published by SCSI in deciding whether or not the surveyor had acted with reasonable competence. In the opinion of SCSI, a member conforming to the practices recommended in this note should have at least a partial defence to an allegation of negligence if they have followed those practices. However, members have the responsibility of deciding when it is inappropriate to follow

the guidance. Alternatively, it does not follow that members will be found negligent if they have not followed the practices recommended in this note. It is for each surveyor to decide on the appropriate procedure to follow in any professional task. However, where members do not comply with the practice recommended in this note, they should do so only for a good reason. In the event of a legal dispute, a court or tribunal may require them to explain why they decided not to adopt the recommended practice. Also, if members have not followed this Guidance, and their actions are questioned in an SCSI disciplinary case, they will be asked to explain the actions they did take and this may be taken into account by the Panel. In addition, guidance notes are relevant to professional competence in that each surveyor should be up-to-date and should have knowledge of guidance notes within a reasonable time of their coming into effect.

Introduction

Members have reported an increase in the risks associated with becoming unsuspecting targets for criminal activity when letting out property to third parties. In some cases even the most thorough and diligent property letting agent can fall victim to a situation of un-authorised and illicit uses being carried out in a landlord’s property without consent from the owner.

With the ever increasing number of border crossing checks and international surveillance on the transportation of illegal drugs into this country, it has become more financially viable and safer

to grow the contraband within Ireland under an artificial and controlled climate. This artificial climate inflicts substantial damage to properties in terms of dampness and rot to the structure and fabric of the buildings. The costs of remedying the damage can run into thousands of euros.

This Guidance Note has been prepared to provide information and advice to practitioners on the methods adopted by criminals to successfully secure the lease tenure of accommodation.



Illegal Use of Industrial Premises as “Grow Houses”



Representatives of the Garda National Drug Unit recently brought to the attention of the Society the upsurge in the use of industrial units as “grow houses” for cannabis and have asked the Society to draw the attention of members to the issue.

The Drugs Unit have advised that members should be aware that criminal gangs of various nationalities use a “front couple”, or sometimes a “front man”, to pose as the prospective tenant who is then replaced by members of the gang who then proceed to convert the property for drug production or cultivation. In most cases members will be able to identify if a prospective tenant is genuine or not, but it is possible to be taken in by a seemingly plausible front. If a member is suspicious of the true nature of the intended use this should be conveyed to the landlord who can then decide on the next step.

Members should be aware that an agent, or property management agent, can become the subject of a Garda investigation under the Misuse of Drugs Act 1977 whereby “a person who is the occupier or is in control or is concerned in the management of any land, vehicle or vessel and who knowingly permits or suffers any of the following to take place on the land, vehicle or vessel”.

Members are reminded to be diligent in carrying out their normal stringent checks on prospective lessees including references, credit checks, in the case of a company the background of the business and where appropriate, the

company accounts for the previous trading year together with any additional checks that it is deemed necessary. It would be prudent, where possible, to carry out the additional checks, recommended by the Garda Drugs Unit, below:-

Use a form of photo identification of potential tenants

Ensure identification has not been altered or is not fake

Watch for telephone accounts in different names

Check for water, gas and electricity accounts in different names

Require more than one type of identification for joint tenants

Check prospective tenant’s current address

Check prospective tenant’s rental history

Obtain any mobile phone number of prospective tenants

Obtain car registration numbers

Where a member is retained by a landlord as a property manager and has not been involved in the letting, it is advisable to ascertain from the letting agent the stated intended use of the property by the tenant. In the course of carrying out inspection visits, if the property is being used for a different purpose this should be reported to the landlord and, as appropriate, the relevant authority before embarking on any further course of action. For further information, the Garda National Drugs Unit can be contacted, in confidence, at 01 6669900.



Dating back to 1895, the Society of Chartered Surveyors www.scsi.ie Ireland is the independent professional body for Chartered Surveyors working and practicing in Ireland.

Working in partnership with RICS, the pre-eminent Chartered professional body for the construction, land and property sectors around the world, the Society and RICS act in the public interest: setting and maintaining the highest standards of competence and integrity among the profession; and providing impartial, authoritative advice on key issues for business, society and governments worldwide.

Advancing standards in construction, land and property, the Chartered Surveyor professional qualification is the world's leading qualification when it comes to professional standards. In a world where more and more people, governments, banks and commercial organisations demand greater certainty of professional standards and ethics, attaining the Chartered Surveyor qualification is the recognised mark of property professionalism.

Members of the profession are typically employed in the construction, land and property markets through private practice, in central and local government, in state agencies, in academic institutions, in business organisations and in non-governmental organisations.

Members' services are diverse and can include offering strategic advice on the economics, valuation, law, technology, finance and management in all aspects of the construction, land and property industry.

All aspects of the profession, from education through to qualification and the continuing maintenance of the highest professional standards are regulated and overseen through the partnership of the Society of Chartered Surveyors Ireland and RICS, in the public interest.

This valuable partnership with RICS enables access to a worldwide network of research, experience and advice.

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