



# Housing Act 2004

## 2004 CHAPTER 34

### PART 5

#### HOME INFORMATION PACKS

##### *Contents of home information packs*

#### **164 Home condition reports**

- (1) Regulations under section 163 may make the provision mentioned in this section in relation to any description of document dealing with matters mentioned in section 163(5)(d) or (e) (reports on physical condition or energy efficiency) which is to be included in the home information pack.
- (2) In this section “home condition report” means a document of that description.
- (3) The regulations may require a home condition report to be made by an individual who is a member of an approved certification scheme following an inspection carried out by him in accordance with the provisions of the scheme.
- (4) The regulations shall, if the provision mentioned in subsection (3) is made, make provision for the approval by the Secretary of State of one or more suitable certification schemes (and for the withdrawal by him of any such approval).
- (5) The regulations shall require the Secretary of State to be satisfied, before approving a certification scheme, that the scheme contains appropriate provision—
  - (a) for ensuring that members of the scheme are fit and proper persons who are qualified (by their education, training and experience) to produce home condition reports;
  - (b) for ensuring that members of the scheme have in force suitable indemnity insurance;
  - (c) for facilitating the resolution of complaints against members of the scheme;
  - (d) for requiring home condition reports made by members of the scheme to be entered on the register mentioned in section 165;

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*Status: This is the original version (as it was originally enacted).*

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- (e) for the keeping of a public register of the members of the scheme; and
  - (f) for such other purposes as may be specified in the regulations.
- (6) Subsection (5)(d) only applies where provision for a register of home condition reports is made under section 165.
- (7) The regulations may require or authorise an approved certification scheme to contain provision about any matter relating to the home condition reports with which the scheme is concerned (including the terms on which members of the scheme may undertake to produce a home condition report).
- (8) Nothing in this section limits the power under section 163 to make provision about home condition reports in the regulations.