

Sellers 'run the risk of being sued for errors in HIPs'

By Harry Wallop
Consumer Affairs Editor

THE Home Information Pack (HIP) scheme could lead to house sellers being sued by potential buyers, according to a property law firm.

A revamped and strengthened version of the controversial packs comes into force next week. One of the features of the new HIP involves house sellers filling in a detailed questionnaire about their property. Lawyers fear that sellers will leave themselves open to be sued, as a result.

The Property Information Questionnaire involves the seller answering about 30 questions about their home,

the property. The concern is that if the information turns out to be incorrect, the seller could be sued by the buyer, in my opinion, for any out-of-pocket costs."

He said it eroded the buyer's responsibility to check what they were purchasing. In practice most buyers would be reluctant to sue, he added, but if they were interested in buying the property they would use the incorrect information to bargain down the price.

The original HIPs were introduced two years ago by the Government in an effort to simplify the complexities of selling a house. The theory was that by forcing the seller, rather than the buyer, to compile key documents before the house hit the market, it would stop lengthy delays.

A pack, which costs a home seller £350 on average, contains a home's title deeds, local searches and an energy performance certificate - which rates the property's energy efficiency on an A to G scale.

A spokesman for the Department for Communities and Local Government said that Mr Seaton was scaremongering, and that sellers could fill in "don't know" to any of the questions.

The spokesman added: "It is always been the case that a buyer could sue a seller for providing false information, and the questionnaire will make no difference to this."

However, Trevor Kent, the former president of the National Association of Estate Agents, said: "I really don't think this is scaremongering. We have been told as estate agents that if we help the vendor fill in the form we are liable under the Property Misdescriptions Act."

On the bench Fiona Bruce considers career as magistrate after television



The BBC presenter, 44, said she was planning for the time when her face would no longer fit

Fiona Bruce is planning to become a magistrate after her experiences as a presenter of the BBC's *Crimewatch* programme. The BBC newsreader said she had mapped out future career options in preparation for the day when BBC bosses dispense with her services.

"There will come a time when my face won't fit any more, for whatever reason... I never take anything for granted," Miss Bruce said.

"There are lots of things I would love to do - I'd love to train to become a magistrate, for example. Well, I presented *Crimewatch* for eight years, so I guess that's not very surprising."

Miss Bruce, 44, hosted the BBC One show from 2000-2008 before moving to *Antiques Roadshow*, where she is credited with increasing viewing figures.

In an interview with *Good Housekeeping* magazine, the presenter said she had contemplated going under the knife to hold back the ageing process: "I can't deny there are days when I look in the mirror and think, 'Urgh, a bit tighter here would be great.' But I think I would be too frightened. You see people who are A-list celebrities who have gone to the best surgeons, and even then some of them get it wrong. So what's the hope that someone like me would get it right?"

Anita Singh

£350

Current average cost to the seller of compiling a House Information Pack

such as: "Are you aware of any flooding at your property since you have owned it or before?" and "Is your property a listed building or contained in a listed building?"

The completed document will be included as part of the HIP and given to any buyer interested in putting in an offer. The information questionnaire, which was not part of the original HIP, is designed to give the buyer as much information about the property as possible.

However, Simon Seaton, a co-founder of Fridays, a property law firm, said: "By introducing this questionnaire a seller is giving representations which the buyer will rely upon in order to place an offer on



Half Price
£449
Was £499. Save £450.

The Adrienne 3 seater sofa, in a choice of colours at no extra cost. Matching large and small 2 seater sofas, chair, choice of sofa beds and footstools all half price too.

Half Price
£899
Was £1798. Save £899.

Veteran
fights for

InBrief