

Case in Point

Practical guides for the busy
property professional

As a professional chartered surveyor it is essential that you have an up-to-date understanding of the latest case law in your field of practice. The Case in Point series provides you with exactly that, giving you a rapid insight into relevant areas of law.

These two new titles are suitable for all chartered surveyors acting as agents working in **commercial and residential** property sale and management.

Case in Point - Service Charges

by Peter Forrester



Service charges are notorious for generating friction between landlord and tenant. This book draws upon the ample body of case law in this area to provide you with answers to key questions on all aspects of service charges.

The questions include general points such as *Can all costs be recovered via the service charge?* as well as highly specific issues, such as *What is the distinction between 'repairs' and 'improvements' and The apportionment of the service charge?* These and many more queries that you face in your day-to-day handling of service charges will be answered.

This book will ensure that you are up-to-date and properly informed of the legal position on service charges when providing professional advice to landlords and tenants.

The author, Peter Forrester is an Associate Director at FPD Savills and has drawn upon his 25 years' experience in property management to provide you with a clear explanation of the key areas that give rise to uncertainty and contention.

Contents

- General principles
- Recoverable costs
- Services
- Repairs, renewals, replacements and improvements
- Sinking funds, reserve funds and depreciation
- Fees and associated costs
- Funding and interest on borrowed funds

- Apportionment of the service charge
- Certification of service charge accounts

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Case in Point – Estate Agency

by Richard Smith

The law of estate agency for both residential and commercial sectors is almost entirely to be found in cases. Fundamental issues such as the scope of the agents authority, duties and responsibilities to the client, potential liability to third parties, not to mention entitlement to commission can only be understood through case law.

For example, the decision in *John D Wood & Co (Residential and Agricultural) v Knatchbull (2003)* has a fundamental impact on the advice an agent is expected to give to a client. There are over 100 other cases referred to throughout this book with clear and concise commentary throughout to ensure that you can understand how these decisions affect your responsibilities and your business.

The author Richard Smith teaches law on surveying courses at Sheffield Hallam University and his legal expertise is much in demand at RICS CPD events both nationally and locally.

Contents

- Authority of an estate agent
- Duties of the estate agent
- Misrepresentations, misdescriptions and negligent misstatements
- Remuneration of the agent
- Consumer protection and related laws

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- Written in plain English, so easy to understand
- Practical guides, so you can apply in your day-to-day work
- Up-to-date, so you know the very latest decisions and commentary on them
- Written with the chartered surveyor in mind, so has direct relevance to what you do
- Written by expert contributors and recommended by the RICS, so you know it is from an authoritative source
- Clear and concise, so you won't have to spend long reading to understand what your obligations are.

The Case in Point series researches vast quantities of judicial decisions that will effect your profession and provides you with concise guidance on what you need to know and understand.

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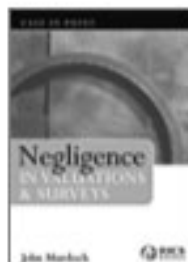
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This book will provide you with a quick understanding of the law, and will highlight key cases, so you can learn from the mistakes of others. Jargon-free and focusing on practical examples, Negligence is one book you cannot afford to be without.

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