

## NFoPP QCF Level 4 Certificate in Commercial Property Agency (England and Wales)

### Syllabus

The Level 4 Certificate is divided into 8 units which must be achieved in order to hold the full qualification. This is the syllabus document to support the qualification covering Subject Specific Units 3 – 6.

**Unit 1 (CPA1)** Health and Safety, Security and General Law relating Commercial Property Agency

**Unit 2 (CPA2)** Practice and Law relating to Commercial Property Agency

*Note Units 1 & 2 are taken from the Level 3 Technical Award in Commercial Property Agency which candidates must have achieved in order to be eligible to undertake this qualification and the unit syllabus content is not included within this document.*

### Subject Specific Units

**Unit 3 (LACPA)** Legal Aspects Relating to Residential Commercial Property Agency

**Unit 4 (PCPA)** Practice Relating to Commercial Property Agency

**Unit 5 (MAVCPA)** Market Appraisals, Valuation and Inspection Relating to Commercial Property Agency

**Unit 6 (BDDCPA)** Building Design & Defects relating to Commercial Property Agency (Level 5 Unit)

### (See separate Syllabus for the following two Management Units)

**Unit 7 (IOM)** Introduction to Office Management

**Unit 8 (AOM)** Advanced Office Management (Level 5 Unit)

If you have MOL study material and they do not match this syllabus please contact MOL directly via telephone 0161 203 2103 and discuss the changes with them.

Please remember this is a Level 4 regulated qualification, equivalent to HNC level standard, and therefore some self-study, research and application is required.

The full breakdown of units 3 – 6 is covered within the following pages and units 7 – 8 are covered on a separate document entitled management units.

**This syllabus illustrates the number of scenarios and questions per syllabus element you will be presented with during the examinations. You will still need to achieve the overall pass mark which is detailed below. This information has only been added to aid your research and study. Please be advised that all candidates should undertake thorough study for all syllabus elements in order to hold detailed subject knowledge.**

Effective date	June 2016
Replaces v.w2	

## Unit 3 Legal Aspects Relating to Commercial Property Agency (LACPA)

### Unit Overview

40 hours of study recommended

(70% pass mark)

This unit covers a range of legal issues that affect commercial property. It starts by considering the various legal estates and interests in land and property as well as the land registration system and the distinction between leases and licences. It then moves on to consider various aspects of business tenancy legislation, the structure of leases and the major covenants likely to be encountered when dealing with leases. It ends by considering aspects of planning law of particular interest to commercial property agents, especially use classes and changes of use, and the requirements of disability discrimination legislation and the way this affects the delivery of the commercial agency service or the effect it may have on the presentation of property for sale and to let.

**Examination Duration:** 1 hour 30 minutes

**Assessment Method:** Multiple Choice; 5 Scenarios (5 questions per scenario)

Unit 3 Syllabus Items (elements A – H)		Number of Scenarios
<b>Interests and Rights in Land</b>		
<b>A</b>	1. freehold 2. leasehold 3. commonhold 4. easements 5. covenants	<b>1</b>
<b>B</b>	1. registered and unregistered land	
<b>C</b>	1. the lease/licence distinction	
<b>Major Lease Clauses and Landlord's Consent</b>		
<b>D</b>	<b>The provisions of:</b> 1. Landlord and Tenant Act 1927 2. Landlord and Tenant Act 1954, Part II	<b>3</b>
<b>E</b>	<b>Major lease covenants including:</b> 1. user 2. alienation 3. rent and rent review 4. repair 5. break clauses and incentives 6. service charges	
<b>F</b>	<b>Practical application</b> 1. Landlord and Tenant Act 1988 2. Landlord and Tenant (Covenants) Act 1995 3. landlord's consent for alienation 4. landlord's consent for alterations and other changes	
<b>Other Legislation Impacting Commercial Property</b>		
<b>G</b>	1. planning including Use Classes Order 2. permitted development rights 3. changes of use	<b>1</b>
<b>H</b>	1. disability discrimination legislation	

## Unit 4 Practice Relating to Commercial Property Agency (PCPA)

### Unit Overview

40 hours of study recommended

(45% pass mark)

This unit looks at the practical day-to-day activities of the commercial property agent and starts by looking at the practical issues relating to the legislation that commercial property agents have to follow linked to the estate agency service and related activities such as describing properties, advising on financial matters and some marketing activities such as the use of for sale and letting boards. It continues by considering how commercial property agency is organised and the type of instructions commonly received as well as the methods of disposing of or letting commercial property. It then moves on to the practical day-to-day activities following the agency process from instruction through to exchange of contracts including dealing with common problems. It ends by looking at specialised areas such as the licensing of premises and the variety of local and national taxes that affect the sale and letting of commercial property including stamp duty land tax and rating. *Candidates must be aware that the Consumer Protection Regulations (2008) affect all of the elements in this unit and questions may appear in more than one element.*

Examination Duration:

2 hours

Assessment Method:

Short Essay; 5 Scenarios (2 questions per scenario)

Unit 4 Syllabus Items (elements A – N)		Number of Scenarios
<b>Statutory Provision Relating to Commercial Property Agency</b>		
<b>A</b>	1. Estate Agents Act 1979 and subordinate legislation	<b>1</b>
<b>B</b>	1. Business Protection from Misleading Marketing Regulations 2008 2. Consumer Protection from Unfair Trading Regulations 2008	
<b>C</b>	1. provision of financial services 2. authorisation and supervision of organisations providing such services	
<b>Marketing and Regulatory Controls</b>		
<b>D</b>	1. regulations governing marketing boards	<b>1</b>
<b>E</b>	1. the marketing process including landlord's consent in respect of assignment or subletting	
<b>F</b>	1. preparing property particulars including marketing strategy 2. advertising and marketing particulars/boards 3. drawing up heads of terms and sale confirmation letters	
<b>Methods of Disposal and Agency Instructions</b>		
<b>G</b>	1. alternative methods of sale and letting and advice thereon	<b>1</b>
<b>H</b>	1. terms of agency instructions including sole agency, sole selling rights and ready willing and able purchaser	
<b>Handling Commercial Property Sale, Lettings and Acquisition</b>		
<b>I</b>	1. progressing sales, lettings and acquisitions including dealing with common problems 2. surveys/schedules of condition 3. financing 4. ascertaining covenant strength including referencing etc.	<b>1</b>
<b>J</b>	1. Code for Leasing Business Premises in England and Wales 2007	

<b>Property Management Issues</b>		
<b>K</b>	1. service charges 2. fire risk assessment	<b>1</b>
<b>L</b>	1. licensing of premises	
<b>M</b>	Capital and income taxes affecting property 1. Income Tax 2. Corporation Tax 3. VAT, CGT, IHT 4. Stamp Duty Land Tax 5. Business rates	

## Unit 5 Market Appraisal and Valuation and Inspection Relating to Commercial Property Agency (MAVCPA)

### Unit Overview

40 hours of study recommended

(70% pass mark)

This unit mainly concentrates on valuation theory and practice but also considers property inspections and reports usually undertaken for buyers/tenants and various statutory controls that affect commercial property. It starts by considering supply and demand theory and looks at the valuation bases, the factors affecting commercial property value and various statutory controls, before applying the theory to a range of methods of valuation, some of which are specific to commercial property, such as the valuation of trading property and valuation issues linked to leasehold property. The unit ends by looking at the range of property inspections and reports undertaken on behalf of buyers or tenants that can then feed back into the value of commercial property. *Candidates must be aware that the Consumer Protection Regulations (2008) affect all of the elements in this unit and questions may appear in more than one element.*

Examination Duration:

2 hours

Assessment Method:

Short Essay; 5 Scenarios (2 questions per scenario)

Unit 5 Syllabus Items (elements A – M)		Number of Scenarios
<b>Property Appraisal and Valuation</b>		
<b>A</b>	1. the effect on property values of supply and demand	<b>2</b>
<b>B</b>	1. capital and rental valuation bases 2. regulatory valuation standards (The Red Book)	
<b>C</b>	1. factors affecting property values	
<b>D</b>	1. methods of valuation and when each should be used	
<b>E</b>	1. valuation of trading property including interpretation of accounts 2. goodwill 3. fixtures, fittings and plant and machinery 4. franchising	
<b>F</b>	1. concept of zoning in relation to retail premises	
<b>Inspection and Measurement</b>		
<b>G</b>	1. industry accepted best practice in relation to measurement 2. how to measure a property 3. bases of measurement practice	<b>1</b>
<b>H</b>	1. property inspection and reports including preparation for the inspection 2. physical inspection 3. reporting to client	
<b>Statutory Control &amp; Environmental Matters</b>		
<b>I</b>	<b>Statutory controls:</b> 1. disability discrimination legislation 2. fire risk assessments 3. asbestos registers and licensing	<b>1</b>
<b>J</b>	<b>Environmental matters:</b> 1. sustainability 2. contamination 3. pollution 4. flooding 5. hazardous/deleterious materials 6. invasive plant species	
<b>Leasehold &amp; Rental Valuations</b>		

<b>K</b>	<b>Leasehold valuations:</b> 1. premiums 2. profit rents 3. depreciation	<b>1</b>
<b>L</b>	1. concept of headline rents and net effective rents	
<b>M</b>	1. the impact of the actual and hypothetical lease terms on rental values in determining rent under a rent review clause 2. methods of dispute resolution for rental determination	

## Unit 6 Building Design and Defects Relating to Commercial Property Agency (BDDCPA) (Level 5 Unit)

<b>Amendments to syllabus</b>		
<b>Unit/element</b>	<b>Previously</b>	<b>Effective from 1<sup>st</sup> June 2016</b>
Unit 6 element B2	Not applicable, new addition	Expanded to include <i>information and communication technologies</i>

### Unit Overview

**50 hours of study recommended**

**(70% pass mark)**

This unit follows the construction process of commercial property as a background to considering the defects that commonly arise and need to be dealt with by the commercial property agent. The unit starts by considering the style and design of commercial property to aid recognition of a building's age and moves on to consider the construction process through the various components of a building from foundations through to the roof and the services associated with the property. The unit then moves on to consider how to recognise common defects, their causes and their possible remedies. It also deals with thermal and sound insulation in buildings along with fire resistance and means of escape and considers the issues surrounding energy efficiency including wider sustainability issues and the growth of renewable energy. It finishes by considering a range of environmental issues and statutory matters surrounding planning legislation, building regulations and other legislative requirements when dealing with commercial property.

**Examination Duration:**

**1 hour 30 minutes**

**Assessment Method:**

**Multiple Choice: 5 Scenarios (5 questions per scenario)**

<b>Syllabus Content (elements A - G)</b>		<b>Number of Scenarios</b>
<b>Property Types, Construction and Services</b>		
<b>A</b>	<ol style="list-style-type: none"> <li>1. understanding and recognition of architectural styles and building age</li> <li>2. construction method</li> <li>3. style and design: including foundations, floors, walls, roofs, windows, internal and external joinery, finishes and decorations</li> </ol>	<b>2</b> (questions to be asked 1 from A and 1 from B)
<b>B</b>	<ol style="list-style-type: none"> <li>1. understanding of the design of building services</li> <li>2. construction of services including:                             <ol style="list-style-type: none"> <li>a. above and below ground drainage</li> <li>b. hot and cold water supplies</li> <li>c. heating systems</li> <li>d. gas and electricity supplies and distribution</li> <li>e. information and communication technologies</li> </ol> </li> </ol>	
<b>Building Pathology</b>		
<b>C</b>	<ol style="list-style-type: none"> <li>1. recognition, causes and remedies of common defects in property and services</li> <li>2. common structural problems above and below ground</li> <li>3. timber defects: dry rot, wet rot and woodworm</li> <li>4. dampness: rising, penetrating, condensation</li> <li>5. common defects in services</li> </ol>	<b>1</b>
<b>Building Control and Planning Matters</b>		
<b>D</b>	<ol style="list-style-type: none"> <li>1. the effect of design and materials in thermal and sound insulation performance</li> <li>2. fire resistance and means of escape in buildings</li> </ol>	<b>1</b>
<b>E</b>	<b>Planning legislation and building regulations</b> <ol style="list-style-type: none"> <li>1. planning and changes of use</li> <li>2. the implications of alterations/extensions to a property</li> <li>3. listed building and conservation areas</li> <li>4. fire regulations and risk management</li> <li>5. Party Wall etc. Act 1996</li> </ol>	

<b>Environmental Aspects</b>	
<b>F</b>	1. sustainability 2. BREEAM ratings 3. energy efficiency in buildings
<b>G</b>	<b>Environmental legislation</b> Issues including: 1. contamination 2. pollution 3. flooding 4. hazardous/deleterious materials

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