

Institute of Residential Property Management Syllabus for the Member (formerly Part II) Examination (Scotland)

This syllabus covers the requirements for the Member (formerly Part II) Examination (Scotland) for the Institute of Residential Property Management.

Setting up management contracts.

Candidates should be competent to identify the key elements of the management contract including the role and responsibility of the parties and the services provided by those named in the agreement and by third parties. They should also be aware of the legal implications of the contract that underpin the agreement, the standard heads of agreement and the legal and financial implications and common issues which may impact on service delivery.

Setting up and carrying out management services

Candidates should be clearly aware of the requirements of the residential property management service as set out in the deeds or management contract, the law (legislation and case law), codes of practice and other appropriate regulation. They should be able to refer to best practice so that the services are delivered with due regard to quality assurance, risk management, health and safety and the due competence of service providers.

They should be able to show that services can be delivered with the appropriate involvement and agreement of the interested parties and demonstrate awareness of who should be kept informed of the actions and decisions taken.

Managing common charges and associated finances for property management

Candidates should be competent to set up and maintain effective and systematic financial records for the financial control of services including creating common charge accounts, estimating costs and apportioning common charges to individual properties. Evidence will be required of how records should be kept so that appropriate auditing and audit trails exist.

Candidates should be able to show how common charge details should be communicated to owners and management companies, in compliance with the terms of the deed of condition or management contract, legal requirements, agreed timetables and formats. This will include showing evidence of how to ensure the recovery of debts and the management of cash flow. Candidates will also be expected to provide evidence of their knowledge of maintaining and reviewing insurance cover and how to report on incidents and make claims as appropriate in compliance with the customers and insurers requirements.

The Legal context of property management in Scotland

Candidates should be able to demonstrate a thorough understanding of the legal framework by which owners of common property in Scotland are governed. Candidates should have an understanding of the historical background to land tenure in Scotland as well in depth knowledge of the legal situation since the introduction of:

- a) The Abolition of Feudal Tenure etc. (Scotland) Act 2000,
- b) The Title Conditions (Scotland) Act 2003,
- c) The Tenements (Scotland) Act 2004 and
- d) Housing (Scotland) Act 2006

Candidates will also be expected to demonstrate knowledge of the requirements of wider legislation which impact upon the management of property, for instance; Employment Law, Disability Discrimination, European Law and the requirements of the Financial Services Authority.

Facilitate the maintenance of managed properties

Candidates should be aware of the roles and responsibilities for maintenance of the various parties involved in residential property management. They should be able to demonstrate how to identify and record a repair, arrange for technical specialists to inspect and specify works, get authorisation and contract for works as necessary, provide advice to all parties and third parties such as insurers, ensure full compliance with maintenance regulations such as the Construction Design and Management Regulations. Evidence will also be required of effective project management for maintenance programmes and one-off repairs.

Manage service providers

Candidates should be able to provide evidence that they are aware of the legal and quality considerations of managing service providers. This includes the specification and tendering of work, assessment of contractor competence and capabilities, awarding of the contract, contractual and other legal implications and the management of performance. Service Providers may also be part of the residential property management company and so the selection of personnel is included and it is expected the Residential Property Manager will be able to address topics covering the identification of job requirements, personnel specifications, job descriptions, selection methods, interviewing, employment law and appraisal.

Implement and monitor Health and Safety controls for managed properties

Candidates will be required to show evidence that they can assess and manage the health and safety risks in residential property under Health and Safety legislation and identify ways the risks can be reduced and monitored. This should include reference to legislative arrangements and best practice as well as local policies and procedures likely to be used by Residential Property Managers. Candidates should also be aware of what

information is required to be communicated to their customers and clients.

Manage effective relationships with customers and other parties

Candidates should be able to demonstrate effective management of relationships with customers and other parties through an understanding of the customers' needs and behaviours. They should be able to show how to build rapport, confidence and trust with others.

Manage effective use of information and communication links

Candidates should be able to provide evidence of the optimum methods of communicating with individuals and groups through a variety of media including oral and written methods, face-to-face and electronic formats, and the use of formal and informal meetings.

It will be also be important to demonstrate the requirements for obtaining information, processing it and providing information to interested parties.

Manage and respond to problems relating to managed properties

Candidates should be able to analyse problems associated with Residential Property Management and present constructive solutions to customers, clients and third parties including handling and resolving disputes between the property manager and their customers and disputing third parties. An appreciation of the respective roles of the Courts and other dispute resolution mechanisms will also need to be demonstrated.

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