

# Compliance Matters



E-learning

Compliance  
Helpline

Money  
Laundering  
Compliance  
Packs

Agency  
Agreement  
Updates

# FOR PROPERTY PROFESSIONALS

A COMPLETE RANGE OF TRAINING AND RELATED SERVICES  
THAT WILL KEEP YOUR AGENCY COMPLIANT AT ALL TIMES

[www.compliance-matters.co.uk](http://www.compliance-matters.co.uk)

# Company Profile

**We have been providing compliance advice and assistance to agents since 1994 and we are the only business in the UK that specialises solely on compliance for agents.**

David Beaumont our Managing Director spent 20 years working in Trading Standards before setting up Compliance Matters for estate agents in 1994.

The beauty with our system is that we can cater for everyone, as our client base ranges from the smaller independent agent through to larger corporate and franchise organisations, a selection of our clients are displayed on the next page.

From 1995 to 2015 we operated the NAEA/NFoPP Trading Standards Compliance Hotline where members could obtain advice and assistance on any compliance related matter and David provided the vast majority of that advice.

His years of experience on both sides of the compliance fence puts him in a unique position and he always ensures our services balance the need for compliance with commercial reality.

We have therefore worked very hard to improve our services and make compliance for our clients as simple as possible, whilst keeping fees to a minimum.

Compliance-Matters were the first business to provide online training courses to estate agents back in 2007. Now we are the only business to provide agents with –

- Comprehensive compliance services
- A full range of online training courses for due diligence purposes
- Estate agency focused Money Laundering Compliance Packages
- Monthly subscription services to ease the burden

# A Few of our Clients



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# Compliance Guard

We are now offering a new and unique service for 2017.

For one low monthly payment, you can subscribe to our Compliance-Guard Service that will provide you with everything you need to handle compliance matters professionally and with confidence.

It will provide you with compliant documents, due diligence, help in dealing with complaints and helps you meet your statutory obligations.

The features of Compliance-Guard:

- 1. Terms of Business Review**  
Initial compliancy review and then updates as obligations change.
- 2. Compliance Helpline Service**  
Got a compliance related question you can't find an answer to?  
Don't worry David is on hand, just give him a call on our compliance helpline.
- 3. Online Compliance Training**  
Your staff can undertake any of our 14 compliance courses covering estate agency and letting agency obligations. Updated in real time when legal changes take place.
- 4. Money Laundering Compliance Pack**  
We will provide you with the information and documentation you need to meet your obligations and ensure you have what you need if you get a HMRC inspection. Updated when required so it always stays current.
- 5. Customer Complaints**  
Advice on handling any complaint you may receive.

You will have access to all 5 services for just one low monthly payment.

Call us on **0161 727 0798** or email [admin@compliance-matters.co.uk](mailto:admin@compliance-matters.co.uk) for a no obligation quote.

# Online Compliance Training

Every month some kind of compliance change takes place. Whether its legal changes, new advice from the Ombudsman, or another Advertising Standards Authority upheld complaint.

Our Online Training system has been designed specifically to help you keep on track. It ensures all your staff know and understand the compliance and due diligence requirements, giving you a confident, competent & compliant work-force.

## **Cost Effective**

Our unique and innovative online compliance training system is the most cost effective way to train your staff. At a fraction of the cost of any other form of training, this system allows you and your staff access to numerous training courses, covering a wide range of legislation and obligations, but it also provides you with additional benefits not available elsewhere.

## **Courses**

You can select all the courses for everyone, or be more selective about which courses individuals are required to undertake. Everyone has their own unique login and can see which courses they must undertake. The courses are updated within days of major changes taking place, to ensure you always know you are up to date.

## **No Loss of Productivity**

You do not need to organise expensive training sessions and take staff out of the office, because our courses are available 24/7 for the entire year.

## **Confirming Knowledge**

There is a test within each course which everyone needs to pass and everyone gets Certificates of Compliance when they pass the course.

## **Manage Delegates Progress**

You can login and view delegates progress, manage delegates progress and produce management reports.

## **Try before you commit**

If you would like to try one of courses for free before you commit simply give us a call to arrange it.

Estate Agency Induction - Sales
Who Agents Work For
Agents Services
How Fees Are Earned
Clients Best Interests
The Conveyancing Process
The Basics of The Estate Agents Act
Insight Into The Consumer Protection Regs
The Basics Of EPC Obligations
Due Diligence

Estate Agents Act - Sales
Providing Information To Potential Clients
Fees
Statutory Definitions
Personal Interest Declarations
Obligations when Handling Offers
Deposits
Reservation Fees
Avoiding Bias
The Equality Act

CPR Valuers/Listers - Sales & Lettings
Background to the Regulations
Accurate Descriptions
OFT Sales Guidance
CMA Lettings Guidance
Establishing Material Information
Disclosing Material Information
Available Routes to Complaint Disclosure
Practical Due Diligence Steps
Record Keeping

Ancillary Legislation - Sales & Lettings
Provision of Information within Branches
Provision of Information on Documents
Displaying "For Sale" and "To Let" Boards
Deemed Consent for Boards
Fly Boarding
Obligations to hold an EPC
Advertising Obligations Concerning EPCs
Cancellation of Contracts Rights
Who has a Right to Cancel

Anti-Money Laundering - Sales
HMRC Registration For Money Laundering
Training Obligations
Money Laundering Reporting Officer
Customer Due Diligence
Dealing With Absent Clients
Business Clients Identification
The Money Laundering Process
Avoiding Exploitation
Reporting Suspicions

CPR Negotiators - Sales & Lettings
Link to the Misrepresentation Act
Handling Negotiations
Accurate Property Descriptions
Verbal Statements
Avoiding Assumptions
Requesting Information from Clients
Reducing the Risks
Practical Examples of Potential Problems
Failure to Disclose Material Information

Property Ombudsman - Sales
Canvassing
Market Appraisals
Terms of Business, Fees and Charges
Holding Keys
Handling Viewings
Handling Offers
Financial Evaluations
Dealing with Complaints
The Ombudsman's Complaint Procedure

Data Protection Act - Sales & Lettings
The Information Commissioner
What is Personal Information
Registration
Data Controllers
Holding Personal Information
Disclosing Personal Information
Leaving your Employment
Provision of Services Regulations
E-Commerce Regulations

Lettings Induction - Lettings
Who We Work For
Seeking New Business
Landlords Obligations
Types of Service
Marketing Properties
Types of Tenancy
Referencing
Fees
Handling Deposits

Landlord/Agent Relationship - Lettings
Clients Best Interests
Terms of Business
Personal Interest
Displaying Fees
Types of Landlord
Types of Services Offered
Types of Tenancy
Client Accounting
NRL Scheme for Agents

Property Management - Lettings
Client Accounting
Maintenance and Repairs
Breaches of Tenancy
Extending or Renewing Tenancies
Terminating Tenancies
Property Visits
Abandonment
Damage
Fair Wear and Tear

The Landlord's Obligations - Lettings
Obtaining Consents
Common Law Obligations
Safety Legislation
Right to Rent
Green Deal
Damp/Condensation
HMO
HHSRS
HMRC - NRL

The Tenancy - Lettings
Marketing and Receiving Offers
Fees and Referencing
Guarantors
Tenancy Agreements
Executing Agreements
Inventory and Schedule of Condition
Check-In Process
Deposits and Deposit Schemes
Rent Arrears

The Property Ombudsman - Lettings
Market Appraisals
Terms of Business, Fees and Charges
Marketing and Advertising
Viewings and Access
Handling Offers and Referencing
Deposits and Clients Money
The Tenancy Agreement
Rent Collection
Terminating Tenancies



# In-House Compliance Training

Our in-house training sessions are a cost-effective method of providing your staff with direct, personal & professional training to begin your due diligence route.

## **Benefits**

The sessions are tailored to suit your needs and can include any or all compliance obligations placed on your business. The sessions can be ½ day or full day (We can even provide the same ½ day course twice on the same day, allowing you to train all your staff on one day).

## **Expert Training**

The sessions provide your team with direct access to an agency compliance expert.

## **Certificates of Training/Compliance**

A Certificate of Training is provided at the conclusion of the session, or we can include an online knowledge test at the conclusion of the session, which will ensure delegates focus on the information provided and will mean we can provide you with a Certificate of Compliance at the end of the session.

# In-House Money Laundering Training

The course is a ½ day (2 ½ hour session) designed to ensure your staff have a clear understanding of your obligations as a regulated business. They will also understand their personal obligations under the Regulations.

The course will meet your statutory obligation under the regulations, which requires you to ensure your staff are regularly trained in all aspects of money laundering.

We can provide 2 sessions in one day which will allow you to train everyone on the same day.

## **Certificates of Training/Compliance**

A Certificate of Training is provided at the conclusion of the session, or we can include an online knowledge test at the conclusion of the session, which will ensure delegates focus on the information provided and will mean we can provide you with a Certificate of Compliance at the end of the session.

# Professional Compliance Health Check

We all need a Health Check periodically to ensure we are performing to the best of our ability, agents are no different. Meeting all your obligations and keeping your risks of a problem down to the absolute minimum is one of the factors that will ensure your business stays healthy.

The implications for breaching any requirement can be quite costly; therefore, being in control of compliance matters is crucial.

## LEGISLATION

- Consumer Protection from Unfair Trading Regulations 2008
- Estate Agents Act 1979 + Regulations
- Money Laundering Regulations 2017
- Consumer Contracts (Info, Cancellation and Additional Charges) Regs
- The Property Ombudsman Code of Practice
- Companies Act/Business Names Act 1985
- The Energy Performance of Buildings (Certificates and Inspections) Regs
- Data Protection Act 1998
- Electronic Commerce (EC Directive) Regulations 2002
- Town & Country Planning (Control of Advertising) Regulations
- Unfair Terms in Consumer Contracts Regulations 1999

## What's Included

We will spend the day with you evaluating all aspects of your business that impact on compliance matters, checking –

- Registrations
- Terms of Business
- Standard Letters & Documents
- In-house Procedures
- Websites
- Advertising
- Auditing property files

Throughout the day, we will provide you with feedback & advice on all your obligations. At the end of the day we will provide you with a comprehensive written report.

The report will provide you with advice and recommendations for improvement, allowing you to manage the risks & manage your business with confidence.

# DIY Compliance Health Check

This is a simple and cheap method of reviewing your compliance situation.

We will supply you with documentation including instructions, information and check sheets to conduct your own health check to ensure you are compliant in all areas.

Simply follow the process through, which takes around 2 hours and then make any required changes to resolve problems and fill any gaps.

## **LEGISLATION**

- Consumer Protection from Unfair Trading Regulations 2008
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- Money Laundering Regulations 2017
- Consumer Contracts (Info, Cancellation and Additional Charges) Regs
- The Property Ombudsman Code of Practice
- Companies Act/Business Names Act 1985
- The Energy Performance of Buildings (Certificates and Inspections) Regs
- Data Protection Act 1998
- Electronic Commerce (EC Directive) Regulations 2002
- Town & Country Planning (Control of Advertising) Regulations
- Unfair Terms in Consumer Contracts Regulations 1999

# Money Laundering Compliance Pack

We now have new Money Laundering Regulations which place even more burden and responsibility on agents. The implications for breaching your legal obligations and failing to meet the requirements HMRC require can result in large penalties.

Most agents do want to comply; however, compliance is not simple. It can be a complicated process to ensure all the HMRC requirements are met.

Producing a policy and procedures document needs some expertise in the legislation and obligations and it can be a time consuming process.

The statutory training requirement under the new Regulations is another difficult obligation that agents often miss, but we have it covered.

Our Compliance Pack provides online compliance training for ALL your staff.

In fact, our Compliance Pack it gives you everything you will need to meet your obligations, including advice on the steps required to ensure you comply with your customer due diligence obligations.

We also give you support by answering your compliance questions.

## **What is in the Pack**

Regardless of the size of your business, the pack provides everything you will need –

- Online money laundering training for all staff to meet your obligations
- AML Policy Document to meet HMRC requirements
- AML Procedure Document to assist all staff and meet HMRC requirements
- Advice for colleagues on meeting customer due diligence obligations for a wide range of different types of client
- Free trial of online client ID verification checks
- A Business Risk Assessment Form
- NCA Registration details
- Full Instruction on how to implement and use the pack

# Compliance Helpline Service

Regardless of how large your business is you will always require advice, even if it is just to give you confidence in the action you are taking.

Our compliance helpline service means you can contact us over the phone or through email at any time to obtain advice on any compliance matter. Generally, we will provide an answer or opinion immediately, but we guarantee a reply within 24 hours.

You will also get copies of the advice leaflets we produce when any compliance matter changes.

If you subscribe to Compliance-Guard you receive this service free of charge.

## COMPLAINT HANDLING SERVICE

All these agencies can investigate complaints –

- Your Ombudsman Service
- Her Majesty's Revenue & Customs (Money Laundering Section)
- National Trading Standards Estate Agency Team
- Competition and Markets Authority
- Trading Standards Officers
- Advertising Standards Authority
- Environmental Health Officers
- Housing Officers

## Complaints to your Ombudsman

Given our compensation culture, consumers will complain at any opportunity. Handling complaints incorrectly can result in compensation awards. We can help you respond correctly.

## Complaints to Enforcement Agencies

These complaints can be the most difficult to handle and the most damaging. Contact us at this point and we will then handle the situation on your behalf and lead you through the steps required to ensure that you respond in the right way to avoid penalties or fines. We can also attend any interview with you to ensure all appropriate information is put forward.

# Terms of Business Review

**Ensuring your sales and lettings terms are compliant is very important.**

Terms of Business that breach certain requirements of the Estate Agents Act can mean that enforcing the contract and obtaining your fee is impossible!

Consumer clients do not need to pay you if your contract does not contain the statutory wording about their cancellation rights!

If your contract terms are wrong there are criminal offences with possible fines of up to £5,000!

Contract terms that do not completely meet the requirements can trigger action by the National Trading Standards Estate Agents Team against you.

We can conduct a review of your current terms & update them quickly, easily & at a fraction of the cost other legal advisors would charge and it is normally completed within 1 week.

We will tailor the terms to your needs, whilst ensuring they are compliant.

# Compliance Manual

There is an ever-increasing list of compliance obligations and so leaving it all to chance is a risky business strategy.

More and more agents are now looking to protect their position by not only making sure their teams are professionally trained, but also ensuring they provide adequate instructions to ensure their team knows –

- What to do;
- How to do it;
- When to do it.

To do this correctly, professionally and provide the required due diligence audit trail, agents need written instructions and this is best done by means of a Compliance Manual.

These manuals also help your team grow in confidence, because by following the instructions they know they are doing the right thing; they know they are compliant; the risks for your business are reduced.

# Compliance Matters



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