

This qualification specification covers the following qualification:

Qualification Number	Qualification Title
603/5510/4	Gateway Qualifications Level 3 Certificate in Residential Letting and Property Management

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1.0 (October 2020)	n/a	n/a
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About this qualification specification

This qualification specification is intended for tutors, internal quality assurers, centre quality managers and other staff within Gateway Qualifications recognised centres and/or prospective centres.

It sets out what is required of the learner in order to achieve the qualification. It also contains information specific to managing and delivering the qualification including specific quality assurance requirements.

The guide should be read in conjunction with the Gateway Qualifications Centre Handbook and other publications available on the website which contain more detailed guidance on assessment and quality assurance practice.

In order to offer this qualification you must be a Gateway Qualifications recognised centre and be approved to offer the qualification

If your centre is not yet recognised, please contact our Development Team to discuss becoming a Gateway Qualifications Recognised Centre:

Telephone: 01206 911211

Email: enquiries@gatewayqualifications.org.uk

Website: www.gatewayqualifications.org.uk/recognition

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1. Qualification Information

1.1 About the qualification

The qualification has been approved by the Office of Qualifications and Examinations Regulation (Ofqual) that regulates qualifications, examinations and assessments in England and Qualifications Wales, the regulator of non-degree qualifications and the qualifications system in Wales.

The qualification has been developed in collaboration with Agency Pro a business within Countrywide Group PLC. It is intended to upskill staff working in Residential Lettings and Property Management and reflects the intention to require all staff to take qualifications that meet the requirements of the sector.

1.2 Purpose

Learners will develop knowledge and understanding about the legislation, regulation and other requirements relating to residential lettings and property management.

1.3 Funding

The qualification is not eligible for public funding.

1.4 Geographical coverage

This qualification is approved by Ofqual to be offered in England and by Qualification Wales to be delivered in Wales.

If a centre based outside England or Wales would like to offer this qualification, they should make an enquiry to Gateway Qualifications. The qualification is not available for delivery by centres based in Northern Ireland.

1.5 Progression opportunities

On completion of this qualification learners could progress to a higher level qualification in the same subject or a leadership and management qualification.

1.6 Equality, diversity and inclusion

It is Gateway Qualifications' aim that there shall be equal opportunities within this organisation and in all the services it provides and within its recognised centres and via the services they provide and so meet the organisation's legal responsibilities to prevent discrimination.

In particular it is the organisation's intention that there should be no discrimination on the grounds of a protected characteristic including age, disability, gender assignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation. It is acknowledged that this is not an exhaustive list.

2. Learner Entry Requirements

2.1 Key information

Qualification Titles	
Age	18+
Prior qualifications or units	N/A
Prior skills/knowledge/ understanding	There is no requirement for learners to have achieved prior qualifications or units prior to undertaking this/these qualifications There is no requirement for learners to have prior skills, knowledge or understanding
Restrictions	There are no restrictions to entry.
Initial Assessment	N/A
Additional requirements/guidance	There are no additional rules or guidance regarding learner entry requirements.

2.2 Access to qualifications for learners with disabilities or specific needs

- Gateway Qualifications and recognised centres have a responsibility to ensure that the process of assessment is robust and fair and allows the learner to show what they know and can do without compromising the assessment criteria.
- Gateway Qualification has a duty to permit a reasonable adjustment where an assessment arrangement would put a disabled person at a substantial disadvantage in comparison to someone who is not disabled. Please refer to [Section 4.6 Access Arrangement, Reasonable Adjustments and Special Considerations](#) for further details

2.3 Recruiting learners with integrity

Centres must recruit learners with integrity. They must ensure that learners have the correct information and advice on their selected qualification and that the qualification will meet their needs.

Centres must assess each potential learner and make justifiable and professional judgements about their potential to successfully complete the assessment and achieve the qualification. Such an assessment must identify, where appropriate, the support that will be made available to the learner to facilitate access to the qualification.

2.4 Verifying learner identity

Under no circumstances should a learner be allowed to sit an assessment without prior registration with Gateway Qualifications.

The learner's identity must be verified prior to taking the assessment.

Any attempt of impersonation or to deceive by use of fake identification by an individual will be deemed as malpractice and will be dealt with as detailed in the Malpractice and Maladministration policy, <https://www.gatewayqualifications.org.uk/wp-content/uploads/2017/10/Malpractice-and-Maladministration-Policy.pdf>.

Where this may prove culturally challenging, for example, learners who wear face veils then centres may require female staff to perform the identity check in a private space.

3 Qualification Details

3.1 Achievement methodology

The qualification will be awarded to learners who successfully achieve each of the four units. Each unit is assessed through an online multiple choice assessment set by the Centre and monitored through Gateway Qualifications quality assurance process. Achievement is therefore determined by successful completion of unit assessment with no further requirements for additional/summative assessment.

The qualification is graded as pass/fail.

3.2 Qualification size

Qualification Title	Total Qualification Time	Guided Learning	Credit Value
Gateway Qualifications Level 3 Certificate in Residential Letting and Property Management	172	42	17

Total Qualification Time is the number of notional hours which represents an estimate of the total amount of time that could be reasonably expected to be required for a Learner to achieve and demonstrate the achievement of the level of attainment necessary for the award of the qualification.

Total Qualification Time is comprised of the following two elements:

- the number of hours which an awarding organisation has assigned to a qualification for Guided Learning, and
- an estimate of the number of hours a Learner will reasonably be likely to spend in preparation, study or any other form of participation in education or training, including assessment, which takes place by – but, unlike Guided Learning, not under the Immediate Guidance or Supervision of – a lecturer, supervisor, tutor or other appropriate provider of education or training.

3.3 Qualification structure

The qualification requirements are provided below.

The knowledge, skills and understanding that will be assessed as part of the qualification are set out within unit specifications. Unit contents, including the learning outcomes and associated assessment criteria, are published on the Gateway Qualifications website and are also available to download from the qualification library in the online system Prism.

For information on Recognition of Prior Learning/Exempt and Equivalent units please see section **3.5 Recognition of Prior Learning (RPL)**

Gateway Qualifications Level 3 Certificate in Residential Letting and Property Management

Learners must achieve the 4 mandatory units.

Unit Number	Unit Title	Level	Credit Value	GLH
R/617/9657	Legislation and Regulation affecting Residential Lettings and Property Management	3	5	12
Y/617/9658	Legal Aspects of Letting and Management	3	4	10
D/617/9659	Residential Property Letting Practice	3	4	10
R/617/9660	Residential Property Management Practice	3	4	10

3.4 Grading

The qualification is awarded as Pass/Fail.

3.5 Recognition of prior learning

Recognition of prior learning is a process that considers if a learner can meet the specified assessment requirements through knowledge, understanding or skills that they already possess and that can contribute towards the attainment of a qualification for which they are undertaking.

The process of Recognition for Prior Learning is not applicable to this qualification.

3.6 Links to other qualifications

None.

4 Assessment

4.1 Assessment overview

Each unit will be assessed through a centre devised e-assessment. Each assessment contains 20 questions and the passmark is 70% for each unit.

Should a learner not achieve the required standard to pass an assessment, further teaching and learning should take place before attempting the assessment again.

4.2 Assessment format

E-Assessment – Multiple choice questions.

4.3 Assessment language

The qualifications are assessed in English only.

4.4 Assessment timing

The permitted time to complete each unit assessment is 30 minutes. The assessment is available on demand and online.

4.5 Assessment guidance

Learners should be given the opportunity to familiarise themselves with the online platform before taking the assessment.

4.6 Conduct of assessment

The Centre must ensure that learners are supervised whilst taking the online assessment.

Branch managers or suitably experienced staff can act as the supervisor.

The Centre must ensure that:

- all candidates are within direct sight of the supervisor throughout the assessment
- display materials which might provide assistance are removed or covered
- candidates do not have access to e-mail, mobile phones and internet access restricted to the assessment only
- candidates complete their work independently and that interaction with other candidates does not occur
- staff supervising the assessment are familiar with any specific instructions relating to the assessments
- candidates are not offered any advice or assistance other than accessing the assessment.

4.7 Assessment taking

Any room in which an assessment is held must provide learners with appropriate conditions for taking the assessment. The centre must pay attention to conditions such as heating, lighting, ventilation and the level of outside noise. The centre must ensure that the room is accessible and appropriate for learners with disabilities (in accordance with the Equalities Act 2010).

Display material which might be helpful to the learner must not be visible in the assessment room.

Persons present

Only candidates taking the assessment and authorised staff, i.e. the supervisor/s are allowed in the assessment room.

Gateway Qualifications reserves the right to visit centres during the assessment to inspect the arrangements made for the security of confidential assessment material and for the conduct of the assessments.

Seating arrangements

The seating arrangements must prevent candidates from overlooking (intentionally or otherwise) the work of others.

Before the assessment

Assessment conditions are deemed to be in progress from the time the candidates enter the room until all candidates have completed the assessment and left the room.

Before candidates are permitted to start work the supervisor must:

- inform the candidates that they are now subject to assessment conditions
- warn candidates that any unauthorised material must not be removed (this should also include any food or drinks, which may only be allowed at the discretion of the centre)
- remind candidates that they are forbidden to communicate in any way with, seek assistance from, or give assistance to, another candidate whilst they are in the assessment room.

Conduct of candidates during assessments

Candidates must be supervised throughout the progress of the assessment. Supervisor/s must give complete attention to this duty at all times, being vigilant and remaining aware of emerging situations, looking out for possible cheating, malpractice or candidates feeling unwell. Any irregularities must be recorded, please refer to the invigilator guidance. Supervisors are required to move around the assessment room quietly and at frequent intervals.

How should contact between the supervisor and the candidate be monitored and recorded?

The supervisor should keep a record of feedback and advice provided where this may affect the assessment outcome.

Misconduct

This type of assessments relies heavily on the integrity of the candidates. In those cases where misconduct occurs, or is thought to have occurred, this will be investigated by Gateway Qualifications and results may be withheld.

Candidates leaving the room

Candidates who are allowed to leave the assessment room temporarily must be accompanied by a member of staff. Those candidates may be allowed extra time at the discretion of the centre.

Evacuation procedures

Staff, supervisors and candidates must be aware of the evacuation procedure in case of an emergency, such as a fire alarm or bomb alert. The following action should be taken:

- stop the candidates by pausing the assessment online
- evacuate the assessment room
- candidates should leave the room in silence
- make sure the candidates are supervised as closely as possible while they are out of the assessment room to make sure there is no discussion about the assessment being sat
- make a note of the time of the interruption and how long it lasted
- allow the candidates the full working time for the assessment
- make a full report of the incident and of the action taken and send to the Customer Excellence Department at Gateway Qualifications.

4.8 Support materials and resources

In addition to this qualification specification, there are additional resources available on the Gateway Qualifications website including a Centre Handbook.

Learners have access to an online learner management system where they can access all learning materials, workbooks and mock assessments.

4.9 Access Arrangements, Reasonable Adjustments and Special Considerations

Gateway Qualifications and recognised centres have a responsibility to ensure that the process of assessment is robust and fair and allows the learner to show what they know and can do without compromising the assessment criteria. Gateway Qualifications understands its requirement as an awarding organisation to make reasonable adjustments where a learner, who is disabled within the meaning of the Equality Act 2010, would be at a substantial disadvantage in comparison to someone who is not disabled.

Gateway Qualifications has identified reasonable adjustments permissible as detailed below. A reasonable adjustment is unique to an individual and therefore may not be included in the list of available access arrangements.

Centres do not need to apply to Gateway Qualifications for approval of reasonable adjustments unless adaptation of externally set assessments is required.

Learners can have access to all forms of equipment, software and practical assistance, such as a reader or a scribe that reflect their normal way of working within the centre. However, such adjustments must not affect the reliability or validity of assessment outcomes or give the learner an assessment advantage over others undertaking the same assessment.

The table below indicates the permitted range of adjustments that might be considered.

Access Arrangement	Permitted
Additional time	Yes
Human reader	Yes
Computer/screen reader (assistive technology)	Yes
Oral Language Modifier	Yes
Sign Language Interpreter	Yes
Human scribe	Yes
Voice recognition technology (assistive technology)	Yes
Transcript	Yes
Practical assistant	Yes
Modified materials (including Braille)	Yes
Models, visual/tactile aids, speaking scales	Yes
External device to load personal settings	Yes

It is important to note that not all the adjustments (as above) will be reasonable, permissible or practical in particular situations. The learner may not need, nor be allowed the same adjustment for all assessments.

Learners should be fully involved in any decisions about adjustments/adaptations. This will ensure that individual needs can be met, whilst still bearing in mind the specified assessment criteria for a particular qualification.

All reasonable adjustments made by the centre must be recorded on the Gateway Qualifications' Reasonable Adjustments Form and should be made available to Gateway Qualifications upon request. Guidance on the process for applying for formal adjustments can be found on the Forms and Guidance page of Gateway Qualifications' website.

All adjustments to assessment/s must be authorised by the centre's named Quality Assurance nominee or a member of staff with delegated authority where a centre is permitted to make reasonable adjustments, i.e. for internally marked assessments.

Centres should keep records of adjustments they have permitted and those they have requested from Gateway Qualifications. These records should normally be kept for 3 years following the assessment to which they apply.

It is recommended that centres nominate members of staff to take responsibility for demonstrating the implementation and recording of adjustments to assessments for monitoring by Gateway Qualifications or the regulatory authorities.

Special Considerations

Requests for special consideration should be submitted as soon as possible. Please refer to the [Reasonable Adjustments and Special Consideration Policy](#).

5 Centre Recognition and Qualification Approval

5.1 Centre Recognition

Both centre recognition and qualification approval must be gained before centres are permitted to deliver these qualifications.

Guidance on the centre recognition and qualification approval processes is available on the website: <https://www.gatewayqualifications.org.uk/advice-guidance/help-admin-tasks/centre-recognition/>

5.2 Centre requirements

Centres must ensure that they have the appropriate learning resources in place when delivering this qualification and ensure the assessment taking requirements are in place, see section 4.3.

5.3 Qualification-specific staffing requirements

There are no additional internal/external quality assurance requirements for this qualification.

Tutor/Assessors must be fully qualified and experienced in the subject area in which they are delivering, details of which must be provided to Gateway Qualifications as part of the Qualification Approval application.

Internal Quality Assurers in addition to being Tutor/Assessors will have knowledge and experience of carrying out internal quality assurance/verification and will hold a recognised internal quality assurance/verification or be working towards one, examples as follows;

- D34 qualification
- V1 qualification
- Internal Verify Award
- Internal Verification of Credit Based Learning: Continuing Professional Development for Practitioners Award
- Level 4 Award in the Internal Quality Assurance of Assessment Processes and Practice
- Level 4 Certificate in Leading the Internal Quality Assurance of Assessment Processes and Practice
- L4 TAQA

6 Quality Assurance

Centres should refer to the Centre Handbook for further guidance.

The quality assurance process for this qualification is through risk-based external quality assurance monitoring through reviews of centres' internal quality assurance systems against key quality standards and sampling of assessment materials and internal quality assurance activity to ensure that qualification standards are maintained.

Centre monitoring is undertaken by an External Quality Assurer (EQA) allocated to the centre. The EQA plays a critical role in the Gateway Qualifications approach to centre assessment standards scrutiny as they are responsible for:

- carrying out an annual compliance visit
- validating the centre's procedures for delivery of qualifications and assessment
- completing reports for each visit with clear action points where needed
- conducting unannounced visits
- risk rating centres on the above.

The EQA carries out an initial risk assessment at the centre recognition stage and then annually on an on-going basis using Gateway Qualifications' risk assessment criteria, and gives a high/medium/low risk rating in each of the following categories:

- centre resourcing and arrangements: includes consideration of centre staffing, induction and training, policies and compliance with our centre agreement
- internal assessment and delivery: including reference to staff knowledge and skills, understanding of requirements, and appropriateness of delivery arrangements; also, delivery of external assessments including invigilation, conduct of assessments and confidentiality (where appropriate)
- internal quality assurance: covering IQA procedures, whether staff are appropriately trained, and question performance analysis and maintenance are in place
- learner experience: that embraces appropriateness of initial assessment and learners being on the correct programme, learner induction and course support.

EQAs arrange quality monitoring visits to all recognised centres. These visits:

- monitor the centre's compliance with the centre recognition terms and conditions by reviewing programme documentation and meeting managers and centre staff
- identify any staff development needs
- ensure that all procedures are being complied with, through an audit trail, and make sure that the award of certificates of completion to learners is secure.

EQAs contact the centre in advance of a visit, however Gateway Qualifications reserves the right to undertake unannounced visits including during assessment times.

EQAs will request information from the centre in advance of a planned visit to help inform the evidence to be reviewed during the visit. Centres are obliged to comply with any requests for access to premises, people and records for the purposes of the monitoring visit. If a centre fails to provide access, then Gateway Qualifications will take appropriate action.

Once a visit date has been agreed, the centre should ensure that the appropriate members of staff attend the meeting, all requested documentation is provided and access to qualification, learner and staff records is available.

If a centre cancels a pre-arranged monitoring visit at short notice the EQA must be satisfied that there was a legitimate reason for the cancellation. If this cannot be established,

Gateway Qualifications reserves the right to withhold certification claims until a monitoring visit is completed.

Following the visit, the EQA completes a monitoring report which will be sent to the centre for reference afterwards.

The frequency of the quality monitoring visits will be determined by the volume of learner registrations and the actions arising from previous monitoring activity.

Centres found in breach of these procedures may be subject to sanctions by Gateway Qualifications. Please refer to the Gateway Qualifications Sanctions Policy.

6.1 Internal Quality Assurance

As the assessments are multiple choice e-assessment auto-marked the centre must operate an internal quality assurance process to ensure that qualification standards are being maintained. This includes review and analysis of question performance, question bank maintenance and refresh monitoring the requirements of the qualification specification across all sites and ongoing compliance with Gateway Qualifications procedures.

The centre's internal quality assurance process is led by the appointed Internal Quality Assurer (IQA).

6.2 Quality assuring centre marking

An EQA will be allocated to a centre to carry out centre and quality assurance monitoring. This will include reviewing reports on learner and question performance. Outcomes of which informs the centre's risk rating and this information will be taken into account for future monitoring activity.

6.3 Malpractice

Malpractice is any deliberate activity, neglect, default or other practice that compromises the integrity of the assessment process, and/or the validity of certificates. It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise:

- the assessment process
- the integrity of a regulated qualification
- the validity of a result or certificate
- the reputation and credibility of Gateway Qualifications
- the qualification to the public at large.

Centre staff should be familiar with the contents of Gateway Qualifications Malpractice and Maladministration Policy, <https://www.gatewayqualifications.org.uk/advice-guidance/delivering-our-qualifications/centre-handbook/quality-compliance/>

6.4 Additional quality assurance requirements

There are no additional internal/external quality assurance requirements for this/these qualification/s.

7 Learner Registration and Results

7.1 Registration

AgencyPro will register and claim for learner certification when the learner has successfully achieved their learning programme.

7.2 Resitting an assessment

Where learners do not achieve a unit assessment, they are permitted to take a resit. Learners may take the resit after 14 calendar days as they should be given adequate opportunity to improve their knowledge before re-sitting the assessment.

Resit patterns will be monitored by Gateway Qualifications.

7.3 Awarding

The qualifications will be awarded as Pass or Fail. Learners must pass each assessment to be awarded an overall Pass.

7.4 Issuing results

Results for learners who do not reach the minimum standard for a pass will be notified to the learner by the centre.

7.5 Appeals

Centres must have internal appeal arrangements which learners can access if they wish to appeal against a decision taken by Centres, which will include a named contact at the Centre. These arrangements have to be transparent and accessible in order that appeals from learners can be received, considered and resolved fairly.

Please refer to the Gateway Qualifications' Appeals policy:
<https://www.gatewayqualifications.org.uk/wp-content/uploads/2017/09/Appeals-Policy.pdf>

7.6 Enquiries

Enquiries about assessment decisions should be made once the centre has followed its internal enquiries and appeal procedures.

Contact details are available on our website:
<https://www.gatewayqualifications.org.uk/contact-us/>

8 What to do next

For existing centres please contact your named Development Manager.

Tel: 01206 911211

Email: enquiries@gatewayqualifications.org.uk

9 Gateway Qualifications

Gateway Qualifications, a not for profit registered charity, is an Awarding Organisation based in Colchester.

We work with learning providers and industry experts to design and develop qualifications that benefit the learner and the employer.

We support flexible, responsive and quality assured learning opportunities whether it's in the classroom, at work, in the community or through distance learning.

We are recognised by Ofqual, to design, develop and submit qualifications to the Regulated Qualifications Framework (RQF) and Qualification Wales to offer regulated qualifications in Wales.

10 Appendices

10.1 Appendix 1 – Unit Details

Legislation and Regulation affecting Residential Lettings and Property Management

Level: 3

Credit Value: 5

GLH: 12

Unit Number: R/617/9657

Unit Aim: This unit is about understanding the general concepts of law relevant to a property professional.

This unit has 10 learning outcomes.

LEARNING OUTCOMES	ASSESSMENT CRITERIA - PASS
The learner will:	The learner can:
1 Understand health and safety at work legislation and its application in and out of the workplace.	1.1 Explain the duties of employers and employees. 1.2 Select correct procedures for carrying out a risk assessment for appointments and visits. 1.3 Explain how to ensure personal safety away from the office.
2 Know how to keep properties secure.	2.1 Select appropriate procedures when securing property. 2.2 Describe the procedures for dealing with keys.
3 Understand the general legal concepts relating to the provision of property services.	3.1 Describe the different divisions of the law. 3.2 Distinguish between common law and equity. 3.3 Identify the remedies available under the law.
4 Understand the common law duties of agents and agents' authority.	4.1 Identify the common law duties owed to clients. 4.2 Identify the duties that apply to customers. 4.3 Differentiate between the different types of authority to act and the relevant obligations.

LEARNING OUTCOMES	ASSESSMENT CRITERIA - PASS
The learner will:	The learner can:
5 Understand the principle elements of the law of contract.	5.1 Identify the elements needed for a contract to exist. 5.2 Interpret situations where a contract will come to an end. 5.3 Select appropriate remedies where there is a breach of contract. 5.4 Identify the special requirements relating to land and property contracts.
6 Know about liability outside the law of contract	6.1 Identify the elements needed for liability to be proved 6.2 Recognise situations where vicarious liability may apply. 6.3 Identify situations where occupiers' liability may be relevant.
7 Understand key concepts of land law	7.1 Distinguish between different rights to occupy. 7.2 Identify the distinguishing feature of rights over the land belonging to another person. 7.3 Recognise situations where such a right may exist. 7.4 Interpret when those rights will pass with property.
8 Understand discrimination legislation and its application	8.1 Identify what are protected characteristics, 8.2 Analyse the circumstances when discrimination may or may not occur. 8.3 Select the appropriate remedies where discrimination has occurred.
9 Understand the requirements of the data protection legislation	9.1 Explain the data protection principles laid down in the legislation. 9.2 Assess situations to determine compliance with data protection principles. 9.3 Describe circumstances when protected data can be released.
10 Understand the requirements of the legislation relating to money laundering	10.1 Analyse situations that may be deemed suspicious and identify actions required. 10.2 Identify the procedures needed to comply with the legislation.

Indicative Content: Legislation and Regulation affecting Residential Lettings and Property Management

Learning Outcome 1: Learners in England and Wales should be familiar with the Health and Safety at Work etc. Act 1974.

Learning Outcome 4: Learners in England and Wales should be familiar with express authority, ratification, estoppel, agent of necessity.

Learning Outcome 5: Learners in England and Wales should be familiar with: the formation of a contract (offer, acceptance, consideration); discharge of a contract (agreement and breach); Remedies (damages, specific performance, injunctions, rectification); and specific rules relating to contracts for the sale of land.

Learning Outcome 6: Learners in England and Wales should be familiar with negligence, occupiers' liability and vicarious liability.

Learning Outcome 7: Learners in England and Wales should be familiar with the ways in which land can be held (freehold, commonhold, leasehold and licences) and be able to distinguish between agreements for more than three years from those of three years or less; rights over the land of others (easements and freehold covenants).

Learning Outcome 8: Learners in England and Wales should be familiar with the current legislation Equality Act 2010.

Learning Outcome 9: Candidates in England and Wales should be familiar with current data protection legislation.

Learning Outcome 10: Learners in England and Wales should be familiar with the current legislation such as The Proceeds of Crime Act 2002 and Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017.

Legal Aspects of Letting and Management

Level: 3

Credit Value: 4

GLH: 10

Unit Number: Y/617/9658

Unit Aim: This unit concerns the law that is specific to carrying out the letting and management of residential property.

This unit has 10 learning outcomes.

LEARNING OUTCOMES	ASSESSMENT CRITERIA - PASS
The learner will:	The learner can:
1 Understand the different types of agreement relating to the occupation of residential properties.	1.1 Identify the different types of agreement for occupying residential property in the private rented sector. 1.2 Explain the difference between market rents and controlled rents. 1.3 Explain the criteria for creating an assured short hold tenancy.
2 Understand the requirements for regaining possession of let property and the protection available to the occupier.	2.1 Apply the common law rules for regaining possession. 2.2 Apply the rules for regaining possession under statute. 2.3 Explain the protections given to occupiers.
3 Understand the statutory regulations that apply to landlords and agents.	3.1 Explain the key information that must be provided to a tenant. 3.2 Explain the processes and procedures required to ensure landlords and agents comply with statutory regulations.
4 Understand the legislation and requirements for a residential property to be deemed fit for letting.	4.1 Explain the legislation and requirements for a residential property to be deemed fit for letting. 4.2 Apply the legislation to determine a landlord's responsibilities for repairs. 4.3 Apply legislation and common law to determine remedies available to landlords and occupiers for disrepair.
5 Understand the safety requirements for rental property.	5.1 Identify the areas that are covered by the safety legislation and other guidance. 5.2 Apply the relevant legislation to specific circumstances.

LEARNING OUTCOMES		ASSESSMENT CRITERIA - PASS	
The learner will:		The learner can:	
6	Understand the legislation relating to Houses in Multiple Occupation (HMOs) and property licensing.	6.1	Apply the legislative tests to determine if a property is a HMO.
		6.2	Identify when a license is required, and what type.
		6.3	Explain the consequences of failing to secure an appropriate license.
7	Understand the legal requirements relating to tenancy deposits.	7.1	Explain the difference between common law and statutory requirements relating to the handling and protection of tenancy deposits.
8	Understand consumer protection legislation applicable to residential letting.	8.1	Apply the requirements of consumer protection legislation to defined scenarios.
		8.2	Apply the requirements of distance selling regulations.
		8.3	Apply the laws to determine what is and what is not an unfair term.
9	Understand the key requirements of transactional tax relating to rental property.	9.1	Explain the regulations for transactional tax relating to rental property.
10	Understand the role of the agent in the provision of insurance for a rental property.	10.1	Explain the regulations relating to the introduction of insurance products for a rental property

Indicative Content: Legal Aspects of Letting Management

Learning Outcome 1: Candidates in England and Wales should be familiar with Housing Act 1988 and Housing Act 1996, Rent Act 1977 and non-Housing Act 1988 tenancies and the different types of occupancy rights such as under or over 3 years and fair rents.

Learning Outcome 2: Learners in England and Wales should be familiar with Protection from Eviction Act 1977; Housing Act 1988, Rent Act 1977.

Learning Outcome 3: Learners in England and Wales should be familiar with Codes of Practice; Landlord and Tenant Act 1985 s1; Landlord and Tenant Act 1987 s47 and s48.

Learning Outcome 4: Learners in England and Wales should be familiar with Housing Act 2004 Chapters 1, 2, 3 relating to Housing, Health and Safety Rating System (HHSRS) and local authority enforcement procedures.

Learning Outcome 5: Learners in England and Wales should be familiar with safety in properties: fire regulations; gas safety regulations; electrical regulations; furniture and furnishing regulations; legionella and deleterious materials and be aware of the differences between landlord and agent responsibilities.

Learning Outcome 6: Learners in England and Wales should be familiar with Housing Act 2004 (HMOs) Part 2,3,4,7 and in England local authorities licensing requirements.

Learning Outcome 7: Learners in England and Wales should be familiar with Housing Act 2004 Part 2 and tenancy deposit scheme legislation.

Learning Outcome 8: Learners in England and Wales should be familiar with Consumer Protection from Unfair Trading Regulations 2008 and Business Protection from Misleading Marketing Regulations 2008, Accommodation Agencies Act 1953; Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013; Consumer Rights Act 2015 Part 2.

Learning Outcome 9: Learners in England and Wales should be familiar with the Stamp Duty Land Tax and Annual Tax on Enveloped Dwellings (ATED).

Learning Outcome 10: Learners in England and Wales should be familiar with Consumer Credit Act 1974 and Financial Services and Markets Act 2000 and dealing with claims.

Residential Property Letting Practice

Level: 3

Credit Value: 4

GLH: 10

Unit Number: D/617/9659

Unit Aim: This unit deals with how letting agents should conduct themselves when carrying out the letting of residential property in order to comply with all relevant statutes, common law and principles of best practice.

This unit has 8 learning outcomes.

LEARNING OUTCOMES	ASSESSMENT CRITERIA - PASS
The learner will:	The learner can:
<p>1 Understand a letting agency's services and terms and the agent's authority.</p>	<p>1.1 Explain standard letting services for introduction only, let and rent processing or a full management service.</p> <p>1.2 Distinguish between standard letting services and services requiring additional fees.</p> <p>1.3 Explain the legislation relating to letting boards.</p>
<p>2 Understand the main factors affecting property rental value and the market appraisal process.</p>	<p>2.1 Explain the factors affecting property rental value.</p> <p>2.2 Identify the information required about the property and the landlord in preparation for market appraisal</p> <p>2.3 Detail the advice to landlords regarding insurance.</p> <p>2.4 Explain finance, costs and tax in relation to renting out a property.</p>
<p>3 Understand the requirements for energy performance certificates (EPCs) for rental property.</p>	<p>3.1 Explain the rules for the provision of EPCs for a property to let.</p> <p>3.2 Explain the circumstances under which a property may be exempt from an EPC.</p>
<p>4 Understand the agents' responsibilities to the landlord and applicants</p>	<p>4.1 Explain the responsibilities of the agent to the landlord and the applicant in relation to common duties, codes of practice and legislation.</p>

LEARNING OUTCOMES	ASSESSMENT CRITERIA - PASS
The learner will:	The learner can:
<p>5 Understand the requirements for dealing with offers and the referencing of applicants and guarantors.</p>	<p>5.1 Explain the process for dealing with offers. 5.2 Identify any special requirements an applicant may have. 5.3 Explain the responsibilities of guarantors.</p>
<p>6 Understand the process of preparing tenancy documentation.</p>	<p>6.1 Identify the documents that are required when creating a tenancy agreement. 6.2 Explain the clauses that are required to protect the landlords' and tenants' interests and to comply with common law legislation. 6.3 Explain the information to be contained in inventories and schedules of condition. 6.4 Identify the information that must be given to an occupier.</p>
<p>7 Understand the requirements of the housing benefit system and local housing allowance.</p>	<p>7.1 Apply the entitlement criteria to defined scenarios relating to housing benefit or local housing allowance. 7.2 Determine when housing benefit or local housing allowance can be clawed back and when it cannot.</p>
<p>8 Understand the procedures to be followed when handing over a property to a new tenant.</p>	<p>8.1 Explain the various information and documentation that should be given to relevant parties at the start of the tenancy. 8.2 Explain the process for passing management of property to another agent following disinstruction.</p>

Indicative Content: Residential Property Letting Practice

Learning Outcome 1: Learners in England and Wales should be familiar with the legislation relating to 'To Let' boards. Also to be able to identify circumstances within their role where expressed appointment, ratification, estoppel and agency of necessity would apply.

Learning Outcome 2: Learners in England and Wales should be familiar with supply and demand; energy performance certificate guidance; the effect of location, property type and condition has on value; planning and building regulations; occupancy restrictions on value; comparable transactions; changes to the state of the market or time of sale and the requirements of the landlord.

Learning Outcome 3: Learners in England and Wales should be familiar with current energy performance certificate guidance.

Learning Outcome 4: Learners in England and Wales should be familiar with consents; codes of practice and personal interests and connected persons.

Learning Outcome 5: Learners in England and Wales should be familiar with the information that can and cannot be given to landlords.

Learning Outcome 6: Learners in England and Wales should be familiar with the common terms in tenancy agreements; terms in other documents relating to the letting; Consumer Rights Act 2015 Part 2; discrimination legislation; reasonable adjustments and the different types of tenancy agreements.

Residential Property Management Practice

Level: 3

Credit Value: 4

GLH: 10

Unit Number: R/617/9660

Unit Aim: This unit deals with how letting agents should conduct themselves when carrying out the management of residential property in order to comply with all relevant statutes, common law and principles of best practice.

This unit has 8 learning outcomes.

LEARNING OUTCOMES	ASSESSMENT CRITERIA - PASS
The learner will:	The learner can:
1 Understand client accounting procedures.	1.1 Apply common law, codes of practice and contractual requirements to the processing of client monies. 1.2 Explain practices and procedures for dealing with non-residential landlord monies. 1.3 Explain best practice procedures for dealing with arrears. 1.4 Explain the options available for client money protection.
2 Understand the issues surrounding the management of repairs and maintenance of let property.	2.1 Distinguish between the landlord's and the tenant's responsibilities in respect of repair to let property. 2.2 Review contractual documents and warranties to determine responsibility for undertaking and paying for repairs and maintenance. 2.3 Explain best practice when qualifying and instructing contractors. 2.4 Explain best practice relating to periodic visits to let property.
3 Understand the need for statutory consents relating to material changes that will affect the property.	3.1 Apply correct criteria to determine if a particular consent is required. 3.2 Apply the legislation relating to enforcement to defined circumstances.
4 Understand matters relating to breaches of tenancy agreements.	4.1 Explain contractual and statutory procedures in order for action to be taken where a landlord or tenant is in breach of agreement.

LEARNING OUTCOMES	ASSESSMENT CRITERIA - PASS
The learner will:	The learner can:
<p>5 Understand the procedures to be followed to extend, renew or terminate a tenancy agreement.</p>	<p>5.1 Explain the options available to a landlord when a tenancy agreement is coming to an end. 5.2 Explain the legal process required to bring statutory and contractual tenancies to an end. 5.3 Explain contractual and legislative procedures relating to initiating and concluding rent reviews.</p>
<p>6 Understand the legal provisions relating to damages at the end of a tenancy.</p>	<p>6.1 Apply best practice with regard to inventory, check-in and check-out procedures. 6.2 Explain the common law provisions relating to fair, wear and tear and damage claims. 6.3 Explain legislation and best practice relating to tenants' abandoned goods.</p>
<p>7 Understand the legislation relating to statutory nuisance.</p>	<p>7.1 Explain legislative procedures to seek remedies relating to nuisance as it applies to rental accommodation.</p>
<p>8 Understand best practice guidelines relating to dispute resolution.</p>	<p>8.1 Distinguish between statutory and voluntary dispute resolution procedures. 8.2 Describe the powers and procedures of redress schemes.</p>

Indicative Content: Residential Property Management Practice

Learning Outcome 1: Learners in England and Wales should be familiar with Finance Act 1995; common law and statutory requirements in the handling and protecting tenancy deposits and tax implications.

Learning Outcome 3: Learners in England and Wales should be familiar with Town and Country Planning Act 1990; The Party Wall etc. Act 1996; Town and Country Planning (Control of Advertising) Regulations 2007 and restrictions relating to conservation areas and listed buildings.

Learning Outcome 4: Learners in England and Wales should be familiar with First Tier Tribunals.

Learning Outcome 5: Learners in England and Wales should be familiar with the procedures to obtain possession at the end of a fixed term or during a periodic tenancy; protected or statutory tenancies; notice requirements for landlords and those for tenants; common law rules relating to date of service when issuing notices; conduct; possession procedure available to landlords.

Learning Outcome 7: Learners in England and Wales should be familiar with the Noise Act 1996; Noise and Statutory Nuisance act 1993 and the Environmental Protection Act 1990.

Learning Outcome 8: Learners in England and Wales should be familiar with the rules regarding hearings and appeals.



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