

ADVICE NOTE

ENERGY PERFORMANCE CERTIFICATES AND NON-DWELLINGS

Sellers and landlords of non-dwellings are required by law to provide an Energy Performance Certificate (EPC) for all buildings or parts of buildings when they are sold or rented. Those carrying out the construction of a new building will be required to provide an EPC to the owner.

An EPC must be made available, free of charge, by the seller or landlord to a prospective buyer or tenant and must be at the earliest opportunity and no later than:-

- ◆ when a viewing is conducted
- ◆ when written information is provided about the building
- ◆ in any event, before entering into a contract to sell or let it.

An EPC gives prospective buyers or tenants information on the energy efficiency and carbon emissions of a building. An EPC for a commercial building is valid for 10 years or until a newer EPC is prepared. During this period the EPC may be made available to buyers or new tenants.

The sale and let of commercial buildings can be complex with floors let to different tenants, and with a mixture of retail, office and residential accommodation. The EPC required for any space you offer for sale or let must reflect the energy performance of the accommodation on offer. The certificate is also required for a building that has been modified, on completion of the works.

There are penalties for failing to make an EPC available to any prospective buyer or tenant which could be substantial.

If you require further advice as to whether an EPC is required or generally please contact Caroline Walton on 01306 502215 or by email: c.walton@downslaw.co.uk.

Details of all our other legal services can found on our website at www.downslaw.co.uk

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