

BUILDING SURVEYING PRACTICE

DILAPIDATIONS ASSIGNMENT

**CHRISTMAS DILAPIDATIONS
PRESENTATION**

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Executive Summary

The students were asked to form into groups of between four and six in number. They were given an initial assignment of choosing various buildings locally to survey and prepare Schedules of Conditions. From the selection of buildings they then chose one and were given various lease scenarios to consider relating to this property; for example a full repairing and insuring lease (FRI) with a put and keep clause, which has one year remaining of a 20 year lease.

They then had to provide a Schedule of Condition and comment on the purpose of this depending upon their scenario (whether a Schedule of Condition could be appended to the lease or not) and imagine what would happen if time was moved forward 10, 20 or 30 years depending upon the lease, and to prepare a Dilapidations Schedule. This scenario was used to form the basis of the student's dilapidations presentation.

The students were required within their presentation to identify three key learning outcomes, which could be developed to show their knowledge. This could range from anything from a Section 18 claim, to super session, to an example of a legal case.

The presentations required a minimum of 15 minutes presentation from each member of the group to a panel of expert markers, made up of academics and the surveying profession, with a question and answer session held at the end to the group generally and to specific students.

Dilapidations Presentation Assignment Brief

The oral presentation represented thirty per cent of the total marks available on the Building Surveying Practice Module.

Learning Outcome

The overall aim was to prepare an oral presentation to show understanding of dilapidations and the process, specifically identifying three key areas that can be inter related to the building you have chosen as part of your scenario.

The presentation will take place in the first week of December within a lecture theatre and will be filmed. Each participant will need to produce an oral presentation for a minimum of 15 minutes and a maximum of 20 minutes to a panel of Chartered Surveyors.

Preparation work

To choose an appropriate building from your original selection of three to five buildings, agree access to the building and prepare site notes and produce a Schedule of Condition.

Lease Agreement

Agree a type of lease and the various lease clauses under the headings of:

- Repair
- Redecoration
- Reinstatement
- Regulations

Consider the lease from both the landlord's position and the tenant's position.

Guidance and RICS Guidance Notes

Participate in a day with a Chartered Surveyor, looking at your property.

Scenario

Develop a scenario with your property over a 10, 20 or 30 year span (or more by agreement).

Key Learning Points

Identify three key learning points that can be built into your scenario for the presentation.

Presentation Preparation

To prepare material, including a PowerPoint presentation, with photos of your chosen building, drawings and schedules, to illustrate the property and its condition. Each group to submit one copy of a handout of the property and an electronic copy on the day of the same. There will be a question and answer session at the end of each presentation, which will be taken into consideration when considering the mark for the group.

Group Dynamics

We are aware that groups sometimes work and sometimes do not work. There will be an opportunity to allocate marks or remove a person from the group at the early part of the project.

One Page Executive Summary

A one page executive summary should be included for presentation to all the examiners, including photographs of the elevations of the property and a brief summary of the presentation. Also a self-marking scheme should be completed.

Exam Panel

The presentations were made in the first week of December within the Lecture Theatre, with each member of the group requiring to present for at least 15 minutes. Each group was between four and six people in size.

The marking panel consisted of:

Mark Hurst,
Anglia Ruskin University and Partner 1stAssociated.co.uk

John Goddard,
Partner, John Goddard Associates and RICS representative.

Tony Bains,
MSc South Bank University recent graduate

Dr Alan Coday,
Second Marker, Anglia Ruskin University

Marking Scheme

Date

Group Number	DILAPIDATIONS ORAL
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10 20 F 30 40 D 50 C 60 B 70 A 80 90 100

	10	20	F	30	40	D	50	C	60	B	70	A	80	90	100
<p>1 Quality and Clarity of Delivery 25 marks</p> <p>Is the presentation audible? Are the presenters directly addressing the markers, or talking to the screen/floor? Are the presenters adopting a professional attitude? Do they make the subject interesting? Has the property and its defects been described and recorded adequately and has a comprehensive overview of the property and its services been given? Quality of PowerPoint presentation</p>															
<p>2 Group Participation 10 marks</p> <p>The degree to which group members participated in the collection and collation of information and in delivery Schedule of Condition and Schedule of Dilapidations, Property Report</p>															
<p>3 Critical Analysis 40 marks</p> <p>Have the presenters adequately analysed the</p> <ul style="list-style-type: none"> • Condition/repair of the property? • Section 18 connotations? • Case Law? • Costs of the Work? • And suitability for the client? • Other relevant issues 															

Feed back Comments

Marking Scheme

4 Conclusions and Recommendations 25 marks Has the group come to definite conclusions as a result of their analysis of the facts? Suitability of recommendations made?									
TOTAL MARK out of 100									

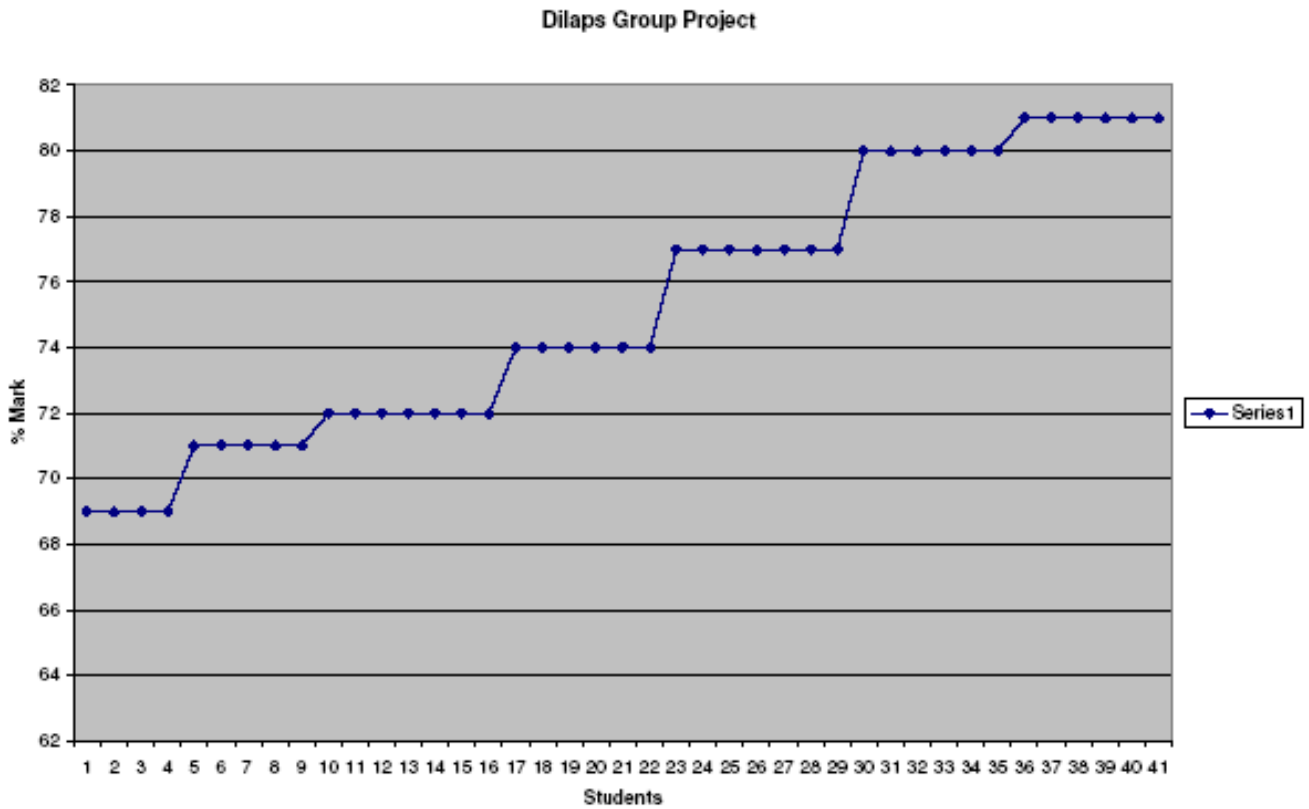
Notes/Comments

Final General Comment
Group Questions

Marker/Date

Dilapidations Exam Marks

The group marks are arranged as can be seen in the graph below and represent 30% of the student's total marks.



Feedback

The following sheets are summary sheets of the feedback given to the students.

Group A

Dilapidations

Acceptable to good technically.

Concept of Schedule of Condition

Reasonable understanding; possibly too much emphasis on the Schedule of Condition.

Concept of Dilapidations Schedule

Again, a reasonable understanding of the mechanics of dilapidations. We thought that perhaps a step back should be taken to look at an overview of the process to give best advice to clients.

Concept of Scott Schedule and/or Section 18 Valuation/Limitations legal cases

This was understood and commented upon within the presentation.

Presentations

Clearly presented, although a mechanical performance by some, which unfortunately did not grab the attention of the examiners. The dilapidations case, however, was in itself interesting and showed a level of dilapidations knowledge appropriate for this level of study.

Mark

74%

Group B

Dilapidations

Acceptable to good technically.

Concept of Schedule of Condition

This was understood and shown within the presentation.

Concept of Dilapidations Schedule

This was reasonably well understood and shown within the presentation.

Concept of Scott Schedule and/or Section 18 Valuation/Limitations legal cases

We feel that more information could have been given with regard to this area.

Presentations

It could be seen that the group had moved from learning about schedules of condition and schedules of dilapidations to understanding of the dilapidations negotiation to the presentation and that thought had been put into the presentation, although not to the taste/style of some of the examiners. The presenters could have been positioned better and obviously a lot of effort had been put into the technical work, the schedule of condition and the dilaps, if anything, could have been utilised better. The main overall comment was that the positioning of the presenters made the presentations one of the most difficult to understand, but an acceptable performance.

Mark

72%

Group C

Dilapidations

Acceptable to good technically.

Concept of Schedule of Condition

This was shown.

Concept of Dilapidations Schedule

This was shown.

Concept of Scott Schedule and/or Section 18 Valuation/Limitations legal cases

The Scott Schedule was shown to be understood; both Section 18 and the legal cases were appropriate. The roof issue/example that was presented was a good way of showing the group's knowledge of the subject area.

Presentations

The presenters showed a range of knowledge and interest in the subject and addressed questions at the end of the presentation appropriately. Where there were felt to be gaps within the group's knowledge this was duly discussed.

Mark

77%

Group E

Dilapidations

Acceptable to good technically.

Concept of Schedule of Condition

Detailed Schedule of Condition prepared. Slightly too much time spent on this if you look at the presentation as a whole. Also presented to the PowerPoint rather than the audience. In a presentation, as in a dilapidations case, you have to be careful that you don't focus on the wrong area, albeit that what's been done has been done well.

Concept of Dilapidations Schedule

This was understood and shown within the presentation.

Concept of Scott Schedule and/or Section 18 Valuation/Limitations legal cases

Generally technically good and good use of case law. Better presenting would have kept the audience's attention for longer.

Presentations

Key areas, reinstatement cost calculation and inherent defects. Generally presented clearly, if not slightly quickly, by some presenters. Good general introduction. A few of the presenters looked at their notes and spoke to their notes and there was some prolonged speaking towards the PowerPoint presentation rather than the audience. It would have perhaps benefitted from rehearsals prior to the real presentation.

Mark

71%

Group F

Dilapidations

Concept of Schedule of Condition

This was understood and shown within the presentation.

Concept of Dilapidations Schedule

Acceptable to good technically. A terminal dilapidations was served in this scenario. The dividing into landlord and tenants worked well, as did the reference to the handouts. The discussion on whether the roof formed part of the demised premises was an excellent way of showing level of knowledge. There was a good reference made to case law and equally good reference made that each case turns its own evidence.

Concept of Scott Schedule and/or Section 18 Valuation/Limitations legal cases

Legal cases were used well to demonstrate the roof demise scenario. Section 18 again used appropriate case law and highlighted how it only applies to the repair covenant, reference window as an example.

Presentations

Generally clear presentation, enhanced by good PowerPoint use. Some presenters were slightly quick. The presentation showed excellent knowledge of nursery clients. The key areas of demise, Section 18(1) and ADR presented well. Felt that the group made good use of the skills within the group.

The presentation sometimes directed at the PowerPoint slides, rather than the audience!

Mark

80%

Group G

Dilapidations

Acceptable to good technically.

Concept of Schedule of Condition

Good, but possibly presentation too focused on the schedule of condition.

Concept of Dilapidations Schedule

A basic understanding of this was shown.

Concept of Scott Schedule and/or Section 18 Valuation/Limitations legal cases

The Scott Schedule and Section 18 were shown within the presentation and there was good use of legal cases, however the focus was mainly on the Schedule of Condition.

Presentations

Time and thought had been put into the presentation, although the style of presentation did split the group of assessors. Answered technical questions to a good standard at the end of the session.

Mark

69%

Group H

Concept of Schedule of Condition

Explained well, including advising that there is no typical layout for a schedule of condition. Also giving a flavour of the building and the issues picked up was a very good way of presenting a schedule of condition, identifying bridged DPC, cracking to brickwork, rainwater goods, external joinery rotting and poor roof condition, to help build our picture and understanding of the scenario being presented.

Concept of Dilapidations Schedule

Acceptable to good technically. Presentation highlighted the limitations of your inspection; the cycle shop for example, the shelving stopped viewing of the plasterwork. The key issue of photographic records was well made, although the humour used of Malcolm Hollis and photograph manipulation was perhaps appreciated by all the examiners.

We were pleased to see that it was highlighted that a dilaps served before the end of the term didn't have to be costed and one after does have to be costed. Also, the surveyor's endorsement signing off of dilapidations was discussed. The PLA Protocol was also mentioned, as well as the RICS Guidance Notes.

Concept of Scott Schedule and/or Section 18 Valuation/Limitations legal cases

Section 18 was mentioned briefly, but appropriately.

Presentations

The presentation was clear, building from an introduction of the property and summary of construction, including limitations with regard to no roof access and highlights, and also having a client focus. Generally presented clearly with enthusiasm, although a mechanical performance by some! We particularly liked the focus on adapting a cycle store to an Internet café, which showed client understanding and creativity, as well as covering DDA and the Statutory Regulations.

Mark

81%