



2013 Professional Series - Letters and Agreements

HLS Solutions Limited
The Astrolabe
Cheddar Business Park,
Cheddar, Somerset BS27 3EB

t: 0845 388 8635
e: info@hls-solutions.com
w: www.hls-solutions.com

.....
Specialists in software,
website and design solutions
for the holiday letting industry
.....

HLS Solutions Limited
Registered in England and Wales
No. 07104476

The provision of a set of standard letters, forms and agreements is intended to assist those working in the holiday letting sector with some basic documents to cover many of the day to day issues that are likely to affect them.

Important: Please ensure that you read and amend the documentation carefully prior to use, so as not to leave in any erroneous information.

Agreements*:

The pack contains two primary agreements:

- Holiday Letting Agency Agreement (**AGENCYAGREEMENT**)*
- Booking Terms and Conditions (**TERMSANDCONDITIONS**)*

Accompanying both these agreements are detailed guidance notes that will provide advice on their content and use.

Management Forms:

Your pack contains seven management forms (listed in alphabetical order of file name below):

- **Inspection report:** a standard form to send to owners following inspection (**IREPORT**)*
- **Owner enquiries log:** for tracking enquiries received from prospective owners (**OWNERENQ**)
- **Maintenance Details form:** to record maintenance details inc gas safety checks (**MAINTDET**)
- **Inspection/call-out:** providing a record of inspections/ call-outs for each property (**MFORM**)
- **Maintenance report log:** to track maintenance problems/ action taken (**MLOG**)
- **Maintenance report:** for keeping landlords informed of maintenance carried out (**MREPORT**)*
- **Property Details form:** to record details of client landlord's property (**PROPDET**)

Standard Letters*:

The pack contains 19 standard letters for use in situations that agents may encounter in the course of running a holiday letting business (see separate full list).

The letters will need to be personalised with your company details, i.e. in all letters and any asterixed (*) forms, change ABC information to your own company details. Individual letters will also require amendment, as appropriate, to suit your individual company needs and specific cases.

The provision of clear written instructions and confirmation letters is good management practice and can provide crucial evidence in any court proceedings.

Finally, all the letters need to be read in the context of the tenancy agreement or agency agreement within which legal framework they are being used. Regrettably no amount of letters will remedy flaws in these basic agreements. If you have sound basic documents and all oral instructions have been confirmed in writing, then these letters should provide a basic framework for a system that is both robust and flexible.

Additional information:

Accompanying the above documents is a comprehensive set of Safety Instructions. This document provides detailed information on the safety instructions for your Guest/Tenant. These include Gas Safety, Electrical Safety, Appliance Safety, Fire Safety, Furniture and Furnishings etc.

Copyright Position:

Customers are permitted to reproduce the forms within a single designated office for use by that office. Firms with multiple offices will need to purchase one pack per office. The forms may not be resold or otherwise supplied to third parties for business use elsewhere.

List of Supplied Documents:

Letter Name	Letter Description	Notes
AGENCYAGREEMENT	Holiday letting Agency Agreement	
AGENCYAGREEMENT-GUIDANCE	Guidance Notes for Holiday Letting Agency Agreement	
BOOKING-TC	Booking Terms and Conditions	
BOOKING-TC-GUIDANCE	Guidance Notes for Booking Terms and Conditions	
BANKDET	Letter to Owner requesting bank details	
BOUNCE	To guest. Cheque returned unpaid	
CONFPROP	Confirmation to Owner to take on property	
E-ACCESS	Letter following emergency access	
ESTIMATE.DOC	To Owner - estimate for works on property	
GASCHECK1	To gas Engineer. List of properties to check.	
GASCHECK2	To guests. Notification of date of gas check.	
GASCOWNER	To Owner Request to carry out check	
HOLIDAY	Confirmation of holiday letting	
HOLLETOWNER	To Owner. Confirmation of holiday letting	
INSRPT	Basic inspection report.	
IREPORT	Inspection Report	
OWNERENQ	Owner Enquiry Log	
OWNERELREM	Advice to Owner - issues following elec. check	2 pages (includes return form for completion by LL)
OWNERENQ	To Owner following first enquiry	
OWNERFFREGS	To Owner - Re non-compliant furniture	Includes optional clauses
MAINTDET	Maintenance Details	
MFORM	Inspection/ Call-out Details	
MLOG	Maintenance Report Log	
MREPORT	Maintenance Report	
NUISNCE1	To guests. Following nuisance/disturbance	
PROPDET	Property Details	
REPAIROWNER	Letter advising landlord of impending repairs	

REPAIROWNER2	Letter advising landlord of outcome of repair visit
REPAIRGUEST-KEYS	Letter advising guest of maintenance visit-keys held
REPAIRGUEST-NOKEYS	Letter advising guest of maintenance visit
SAFETYINSTRUCTIONS	General Safety instructions for guests/tenants

Agreements:

Holiday Letting Agency Agreement (AGENCYAGREEMENT)*

Background & Scope

The Letting Centre Agency Agreement for holiday lettings will assist in preparing a comprehensive agency or management agreement. The agency agreement should define the duties of the agent and the level of fees and charges that the agent may make to the owner in return for these services. It should also provide the agent with the formal authority to carry out the various additional tasks (e.g. maintenance).

A well-drafted agency agreement assists both parties; the scope of the service will be clear from the outset, and disputes relating to charges or respective responsibilities can be resolved in many cases by reference to the original agreement.

General Principles

It is important that the agent and owner enter into a formal contract before the agent undertakes the management work in order to define the authority of the agent, the scope of the responsibilities and the limitation to any liability carried.

Under contract law, the agreement will set out the main terms and conditions. By signing the agreement, the owner is accepting these terms thereby creating the contract between the parties. The contract also establishes an agency relationship giving the agent appropriate authority to act on behalf of the owner (the principal) to manage the property and take various actions which bind the principal. Accordingly, it is important that the agent's authority is accurately defined in order that the agent can perform their duties without becoming personally liable. Conversely, agents (and their staff) need to clearly understand the limits of each part of the agreement in order that they do not act in excess of their authority (and again become personally liable).

This comprehensive agreement covers 8 pages and some 3,000 words. It includes all clauses and detailed information that you can adapt to your business position. It also contains additional features such as "Right to Cancel" section to comply with the **Cancellation of Contacts Made in a Consumer's Home or Place of Work etc. Regs. 2008**.

Booking Terms and Conditions (TERMSANDCONDITIONS)*

The Booking Terms and Conditions are an essential part of any holiday letting business. This agreement forms the contract between the Owner of the property and the Guest that is staying for the holiday. It is a critical area to get right as even the slightest of any mistakes can be potentially very costly!

Our Booking Terms and Conditions contract covers some 6 pages and over 3,400 words and has been developed for you to adapt to your business situation. With sections covering:

Rental Terms
Booking Terms
Booking Changes and Cancellation

Complaints
Damage and Breakdowns
Cleaning
Children
Pets & Special Pet Conditions
Parking
Liability
Copyright
Data Protection

We are confident that you will find this one of the most comprehensive booking terms and conditions on the market, and will offer you the protection required to cover you and your guests!