**Guidance Notes - Acknowledgement of Notice**

The phrase ‘**Schedule of Condition**’ refers to a report prepared by the Building Owner’s surveyor detailing the current condition of your home. It lists any existing defects and is a text report which describes the size & location of any cracks, damp, etc. Photo’s are also taken to accompany this report and are sent to you via a download link (unless a CD/DVD/USB is explicitly requested) along with the Schedule of Condition. If you have opted for an Award to be drawn up, this Schedule of Condition will be bound up together with the Award.

The term ‘**dispute**’ is used by the Party Wall Act and can be confusing as many people do not wish to dispute the works but would like the protections afforded by having an Award prepared by surveyors acting for both parties. Where the term ‘dispute’ is used, this indicates that you would like surveyors to be appointed and an Award negotiated and sent to both parties.

Please note: Should you opt for an Award, a Schedule of Condition is included as part of the standard process of preparing the Award.

**Option 1:**

You are content for the works to proceed and are NOT going into dispute AND DO NOT wish to have a Schedule of Condition prepared of your property.

Action:

* Complete & Return the ‘**Acknowledgement of Notice(s) (Option 1)**’ form.

**Option 2:**

You are content for the works to proceed and are NOT going into dispute AND DO wish to have a Schedule of Condition prepared of your property.

Action:

* Complete & Return the ‘**Acknowledgement of Notice(s) (Option 2)**’ form.

**Option 3:**

In some instances you may not wish to dispute the works but feel that agreeing to the works subject to only a Schedule of Condition is not quite enough to provide the peace of mind you would like. In this situation you may wish to consider a ‘**Conditional Consent**’. By using a conditional consent you are able to apply several conditions to your consent, which can be altered to address your particular concerns. Typical conditions are:

* A Schedule of Condition being carried out on your property.
* No foundations are to project across the boundary line onto your property.
* That the Building Owner(s) shall, at his/her/their own expense, make good all damage including structural, decorative, horticultural or other damage to your property.
* That the Building Owner(s) shall maintain or cause his/her/their contractor(s) to maintain adequate insurances and provide evidence of this to you upon request.
* No gutters are to project across the boundary line.
* Any fence panels requiring to be moved will be carefully stored and reinstated upon completion of works.
* Any scaffolding is to be securely netted/sheeted so as to prevent any tools, debris, etc from falling onto your property.

Action:

* Complete & Return the ‘**Acknowledgement of Notice(s) – Conditional Consent (Option 3)**’ form.

**NOTE:**

The conditions included in the enclosed Conditional Consent are typical for the type of works proposed insofar as they relate to your property as far as can be reasonably ascertained at this time. If you have any questions please don’t hesitate to ask. It is possible that additional conditions should be added that are unique to your situation & property.

**Option 4:**

You are NOT content for the works to proceed and ARE going into dispute. Most often people end up in dispute under the Party Wall Act, not because they want to, but because of a lack of understanding of what is involved, what your rights are, what specific details are covered, and what details can be negotiated. In most instances it is possible to agree these points without needing to go through the formal dispute process.

**NOTE:** It is important to note that surveyors are only appointed where a formal dispute has arisen.

If you would like to appoint your own surveyor to act for you.

Action:

* Complete & Return the ‘**Acknowledgement of Notice(s) (Option 4A)**’ form.

If you woul like to appoint Steve Whitehead as the agreed (shared) surveyor.

Action:

* Complete & Return the ‘**Acknowledgement of Notice(s) (Option 4B)**’ form.  
    
  **NOTE**: The enclosed Letter of Appointment is ONLY to be used if you opt to go into dispute (as in Option 4 above) AND wish to appoint Steve Whitehead to act on your behalf as an agreed (shared) surveyor. If you choose to agree to the works subject to a Schedule of Condition or Conditional Consent then surveyors do not need appointing as no dispute has arisen.

**NOTE:**

You must only **fill out and return one form**.

If you are unsure of anything please don’t hesitate to contact us directly. Our contact details are immediately below.

Grey & Associates

4th Floor

26-28 Hammersmith Grove

Hammersmith

W6 7BA

T: 020 8150 3762

E: info@greyandassociates.co.uk

W: www.greyandassociates.co.uk

**Acknowledgement of Notice(s) - (Option 1)**

{{bo\_letter\_names}}

{{bo\_correspond\_add\_vert}}

**The Party Wall etc. Act 1996 Acknowledgment of Notice(s)**

As {{ao\_plural}} ({{ao\_fhlh}}) under the Party Wall etc. Act 1996 of **{{ao\_property\_add\_horz}}** which is adjacent to the premises at **{{bo\_property\_add\_horz}}** and having received notice(s) dated {{notice\_date}} in respect of proposed works at **{{bo\_property\_add\_horz}}** and without prejudice to any of {{ao\_my\_our}} rights under the Act, (Guidance notes to fill out this form are included. Please read them carefully and fill out this form as appropriate.)

1. {{ao\_I\_We}} {{ao\_am\_are}} content for the works set out in your notice to go ahead as proposed and {{ao\_am\_are}} therefore not going into dispute.
2. {{ao\_I\_We}} {{ao\_am\_are}} happy for the works to proceed at an earlier date than that indicated in the notice received providing all appropriate planning, building control and regulatory permissions are in place.

Yours sincerely,

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tel: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tel: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Please note all joint owners should sign.

Please also print your name/s and date the letter.

**Acknowledgement of Notice(s) - (Option 2)**

{{bo\_letter\_names}}

{{bo\_correspond\_add\_vert}}

**The Party Wall etc. Act 1996 Acknowledgment of Notice(s)**

As {{ao\_plural}} ({{ao\_fhlh}}) under the Party Wall etc. Act 1996 of **{{ao\_property\_add\_horz}}** which is adjacent to the premises at **{{bo\_property\_add\_horz}}** and having received notice(s) dated {{notice\_date}} in respect of proposed works at **{{bo\_property\_add\_horz}}** and without prejudice to any of {{ao\_my\_our}} rights under the Act, (Guidance notes to fill out this form are included. Please read them carefully and fill out this form as appropriate.)

1. {{ao\_I\_We}} {{ao\_am\_are}} content for the works set out in your notice to go ahead as proposed and {{ao\_am\_are}} therefore not going into dispute.
2. {{ao\_I\_We}} {{ao\_am\_are}} content for the works set out in your notice to go ahead as proposed subject to a Schedule of Condition being carried out on {{ao\_my\_our}} property, on the understanding that such agreement does not void the obligation to repair damage caused by the proposed works. The Schedule of Condition (including all photographs taken) will be distributed to all parties in order that there can be no dispute about the condition of {{ao\_my\_our}} property prior to the commencement of works.
3. {{ao\_I\_We}} {{ao\_am\_are}} happy for the works to proceed at an earlier date than that indicated in the notice received providing all appropriate planning, building control and regulatory permissions are in place.

Yours sincerely,

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tel: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tel: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Please note all joint owners should sign.

Please also print your name/s and date the letter.

**Acknowledgement of Notice(s)**

**Conditional Consent - (Option 3)**

{{bo\_letter\_names}}

{{bo\_correspond\_add\_vert}}

**The Party Wall etc. Act 1996 Acknowledgment of Notice(s)**

As {{ao\_plural}} ({{ao\_fhlh}}) under the Party Wall etc. Act 1996 of **{{ao\_property\_add\_horz}}** which is adjacent to the premises at **{{bo\_property\_add\_horz}}** and having received notice(s) dated {{notice\_date}} in respect of proposed works at **{{bo\_property\_add\_horz}}** and without prejudice to any of {{ao\_my\_our}} rights under the Act, (Guidance notes to fill out this form are included. Please read them carefully and fill out this form as appropriate if applicable.)

1. {{ao\_I\_We}} {{ao\_am\_are}} content for the works set out in your notice to go ahead as proposed and {{ao\_am\_are}} therefore not going into dispute subject to the following conditions, on the understanding that such agreement does not void the obligation to repair damage caused by the proposed works:-
   1. A Schedule of Condition being carried out on {{ao\_my\_our}} property. The Schedule of Condition (including all photographs taken) will be distributed to all parties in order that there can be no dispute about the condition of {{ao\_my\_our}} property prior to the commencement of works.
   2. That the {{bo\_plural}} shall, at {{bo\_his\_her}} own expense, make good all damage including structural, decorative, horticultural or other damage to {{ao\_my\_our}} property.
   3. That the {{bo\_plural}} shall maintain or cause {{bo\_his\_her}} contractor(s) to maintain adequate insurances and provide evidence of this to {{ao\_me\_us}} upon request.
   4. {{cc1}}
   5. {{cc2}}
   6. {{cc3}}
   7. {{cc4}}
   8. {{cc5}}
   9. {{cc6}}
   10. {{cc7}}
   11. {{cc8}}
   12. {{cc9}}
   13. {{cc10}}
   14. {{cc11}}
   15. {{cc12}}
   16. {{cc13}}
   17. {{cc14}}
   18. {{cc15}}
2. {{ao\_I\_We}} hereby confirm that {{ao\_i\_we}} {{ao\_am\_are}} not therefore going into dispute.
3. {{ao\_I\_We}} {{ao\_am\_are}} content for the works to proceed at an earlier date than that indicated in the notice received by {{ao\_myself\_ourselves}} providing all appropriate planning, building control and regulatory permissions are in place.

PLEASE CONTACT US TO DISCUSS ADDITIONAL CONDITIONS

Yours sincerely,

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tel: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tel: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Please note all joint owners should sign.

Please also print your name/s and date the letter.

**Acknowledgement of Notice(s) - (Option 4A)**

{{bo\_letter\_names}}

{{bo\_correspond\_add\_vert}}

**The Party Wall etc. Act 1996 Acknowledgment of Notice(s)**

As {{ao\_plural}} ({{ao\_fhlh}}) under the Party Wall etc. Act 1996 of **{{ao\_property\_add\_horz}}** which is adjacent to the premises at **{{bo\_property\_add\_horz}}** and having received notice(s) dated {{notice\_date}} in respect of proposed works at **{{bo\_property\_add\_horz}}** and without prejudice to any of {{ao\_my\_our}} rights under the Act, (Guidance notes to fill out this form are included. Please read them carefully and fill out this form as appropriate.)

1. {{ao\_I\_We}} {{ao\_am\_are}} not content for the works set out in your notice to go ahead as proposed and {{ao\_am\_are}} therefore going into dispute.

Yours sincerely,

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tel: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tel: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Please note all joint owners should sign.

Please also print your name/s and date the letter.

The surveyor who {{ao\_i\_we}} shall appoint is:

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Company: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Letter of Appointment - (Option 4B)**

{{ao\_letter\_names}}

{{ao\_correspond\_add\_vert}}

Grey & Associates

4th Floor

26-28 Hammersmith Grove

Hammersmith

W6 7BA

Dear Steve Whitehead,

**Re: Appointment of** **Steve Whitehead** **as Party Wall Surveyor on Behalf of {{ao\_property\_add\_horz}} - The Party Wall etc. Act 1996.**

As {{ao\_plural}} ({{ao\_fhlh}}) of **{{ao\_property\_add\_horz}}** {{ao\_i\_we}} hereby appoint you, Steve Whitehead, as {{ao\_my\_our}} surveyor, in connection with the works proposed at **{{bo\_property\_add\_horz}}** in accordance with Section 10 of the above Act and authorise you to receive any notices in connection with the proposed works on {{ao\_my\_our}} behalf.

As {{ao\_plural}} ({{ao\_fhlh}}) of **{{ao\_property\_add\_horz}}** {{ao\_i\_we}} hereby declare that {{ao\_i\_we}} {{ao\_am\_are}} willing to receive any notices, Awards, or any other documents by means of electronic communication in accordance with The Party Wall etc. Act 1996 (Electronic Communications) Order 2016 to the email address/addresses listed below. If no email address is listed below then {{ao\_i\_we}} agree to the use of the email address/addresses used as primary means of contact with {{ao\_me\_us}} during the course of this project.

Yours sincerely,

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tel: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tel: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Please note all joint owners should sign.  
Please also print your name/s and date the letter.

Notes:

* This letter is a formal letter of appointment of a surveyor under the Party Wall etc Act 1996.
* This letter is only to be used where a formal dispute has occurred or it is intended to enter into dispute.
* This letter can only be signed by the owner of the property, not an agent acting on his behalf.
* If the owner is a company, a competent director must sign.
* If husband and wife are joint owners, both must sign.