

Company Advantage Business Templates Terms and Conditions

TERMS AND CONDITIONS
UPDATED: 19 MARCH 2025

1. Introduction

1.1 These Terms of Business govern the use of Propertymark's Terms and Conditions of Business templates ('Templates') by Propertymark Company Advantage Premium and Elite subscribers ('CAP&E Subscribers') for their sales and lettings businesses.

1.2 By using the Templates, CAP&E Subscribers agree to abide by these Terms of Business in full.

2. Purpose and Scope of the Templates

2.1 The Templates are provided as a resource to assist CAP&E Subscribers in setting out the terms under which they conduct their sales and lettings activities.

2.2 The Templates are designed to reflect commonly accepted industry practices and legal principles; however, they are not tailored to individual business circumstances.

3. Editing, Alterations, and Amendments

3.1 The Templates are provided in an editable format to allow CAP&E Subscribers to tailor them to their specific business needs.

3.2 If a member introduces any alterations, inclusions, or amendments to the Templates, Propertymark makes no guarantee that such modifications will be fair, legally enforceable, or compliant with relevant laws and regulations.

3.3 CAP&E Subscribers acknowledge that any changes made to the Templates may affect their validity, enforceability, and fairness under UK law.

3.3 Company Advantage Elite subscribers only will have access to an optional bespoke revision service for their Terms of Business once per year carried out by a Propertymark legal advisor.

To book a bespoke revision slot please email elitetobservice@propertymark.co.uk including your Company Advantage subscription number and our legal advisors will respond with their availability on a first come first served basis.

4. Legal Responsibility and Due Diligence

4.1 Propertymark does not provide legal advice and does not guarantee that the Templates, whether used as provided or self-modified, will be legally compliant in any given jurisdiction.

4.2 CAP&E Subscribers are solely responsible for ensuring that any modifications they make to the Templates comply with applicable laws and regulations.

4.3 **Before implementing any altered version of the Templates, CAP&E Subscribers must seek independent legal advice to confirm that their modifications result in fair and legally binding terms.**

5. Liability Disclaimer

5.1 Propertymark shall not be liable for any claims, losses, or disputes arising from a Company Advantage subscriber or Member's use of the Templates, whether in their original form or as modified.

5.2 CAP&E Subscribers use the Templates at their own risk and acknowledge that Propertymark does not provide any warranties as to their suitability, legality, or effectiveness after modification.

6. Compliance with Industry Regulations

6.1 CAP&E Subscribers must ensure that any version of the Templates they use, whether in original or modified form, complies with relevant industry regulations, including but not limited to:

- The Consumer Rights Act 2015
- The Estate Agents Act 1979
- The Tenant Fees Act 2019
- Any other applicable UK legislation or regulatory guidance

7. Intellectual Property Rights

7.1 The Templates remain the intellectual property of Propertymark and are provided to CAP&E Subscribers for use within their own businesses only.

7.2 CAP&E Subscribers or individual Members are not permitted to distribute, sell, or sublicense the Templates, whether in their original or modified form, without the express written consent of Propertymark.

8. Review and Updates

8.1 Propertymark reserves the right to update, amend, or withdraw the Templates at any time without prior notice.

8.2 CAP&E Subscribers are responsible for ensuring they are using the most up-to-date version of the Templates as provided by Propertymark.

9. Acceptance of Terms

By using the Templates, CAP&E Subscribers acknowledge that they have read, understood, and agreed to abide by these Terms of Business.