



We would like to thank you for the opportunity to respond to the Tenant Farming Commissioner's Stakeholder Consultation on the Review of Agents.

In general, we are in agreement with the findings as the result of the surveys though we do believe that it is worthwhile emphasising that the requirement for such an investigation has been called for by a very small minority. The sector at large operates in a professional amicable manner.

The first point we would like to raise relates to the people representing clients that are not part of a professional body and as such we have concern that they are not bound by the standards of The Central Association of Agricultural Valuers (CAAV) or Royal Institute of Chartered Surveyors (RICS), who each have professional standards for their members to follow. Lawyers too would be expected to adhere to such standards and as such must be included in any codes of practice.

There is no doubt that communication between parties avoids many disputes and indeed promotes a good useful platform with which to discuss the subjects. As ever face to face contact is always beneficial and it enables both parties to have a true understanding of the other party's thought process. There will always be a level of dissatisfaction and therefore some who feel strongly enough to complain.

In general the results have shown that employing an agent enables discussions to be carried out in a professional manner hopefully having a true understanding of the position of each party in the negotiation and a better understanding of the legal requirements/legislation. Agents perform a valuable function in assisting their principals in just what their position is, and avoids them holding out for something that is not achievable based on poor advice from friends/collages/family etc – a point worth noting.

The element of cost appears to be a reason for tenants to question as to whether they employ an agent. As ever, a little bit of knowledge is dangerous, in that the potential cost of uninformed decisions may be greater than the potential cost of employing a professional. This of course is the client's choice.

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Unfortunately, there will always be certain individuals whether landlords, factors or tenants who are not going to get on with the other party. Sometimes these instances may have gone on for generations. Whatever the guidance, this situation may not improve but at least there is a clear path to follow when periodic discussions have to take place.

SAAVA will do everything possible to encourage our members to communicate and engage early when faced with a discussion between two parties. The Code of Practice produced by The Tenant Farming Commissioner will be a useful aide memoire for all parties.

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