

## **TECHNICAL DIAGNOSIS FILE**

### **"French Building Code, Article L271-4 I.**

I.-In the event of the sale of all or part of a built property, a technical diagnostic file, supplied by the seller, is appended to the promise of sale or, in the absence of a promise, to the deed of sale. In the case of a public sale, the technical diagnostic file is appended to the specifications.

The technical inspection file includes the following documents, under the conditions defined by the provisions governing them:

- 1° The lead exposure risk report provided for in Articles L. 1334-5 and L. 1334-6 of the French Public Health Code;
- 2° A statement mentioning the presence or absence of materials or products containing asbestos, as provided for in Article L. 1334-13 of the same Code;
- 3° A report on the presence of termites in the building, as provided for in Article L. 126-24 of this Code;
- 4° A report on the internal gas installation, as provided for in Article L. 134-9 of this Code;
- 5° In the zones referred to in I of Article L. 125-5 of the Environment Code, the risk report referred to in I of the same article;
- 6° The energy performance diagnosis and, where applicable, the energy audit provided for in Articles L. 126-26 and L. 126-28-1 of this Code;
- 7° A statement of the internal electricity installation, as provided for in Article L. 134-7;
- 8° The document drawn up following the inspection of non-public sanitation facilities referred to in Article L. 1331-11-1 of the Public Health Code or, in areas where wastewater and rainwater discharges have an impact on water quality for Olympic freestyle swimming and triathlon events on the Seine, the document drawn up following the inspection of connection to the public wastewater collection system referred to in II of Article L. 2224-8 of the General Local Authorities Code;
- 9° In the areas covered by Article L. 131-3 of this Code, information on the presence of a risk of merula;
- 10° If the property is located in one of the noise zones defined by an aerodrome noise exposure plan provided for in Article L. 112-6 of the French Town Planning Code, a document clearly and precisely indicating this zone, as well as the other information provided for in I of Article L. 112-11 of the same code.
- 11° If the property is located within the perimeter of an atmospheric protection plan provided for in Article L. 222-4 of the French Environmental Code, a certificate attesting to the compliance of the wood-burning appliance with the installation and emission rules laid down by the representative of the State in the French Department.

The documents mentioned in 1°, 4° and 7° of this Section I are only required for buildings or parts of buildings used for residential purposes.

The document mentioned in 10° is only required for buildings or parts of buildings for residential use or for professional and residential use.

The documents referred to in 6° are not required in the case of the sale of a building to be constructed as referred to in Article L. 261-1.

When the premises being sold are subject to the provisions of French law no. 65-557 of 10 July 1965 establishing the status of co-ownership of built-up properties, or are owned by persons with real property rights in the premises, or by holders of shares that may or may not give entitlement to the allocation or enjoyment of ownership of the premises, the document referred to in 1° relates exclusively to the private part of the building used for housing, and the documents referred to in 3°, 4° and 7° relate to the private part of the unit.

The energy audit referred to in 6° of this Section I is given to the potential purchaser by the seller or the seller's representative during the first visit to the building or part of the building that is the subject of the energy audit. It may be provided by any means, including electronically.

II.-In the absence of one of the documents mentioned in 1°, 2°, 3°, 4°, 7° and 8° of Section I being valid at the time of signing the deed of sale, the seller may not exempt themselves from the corresponding guarantee against hidden defects.

In the absence of the document referred to in 5° of I when the deed of sale is signed, the purchaser may rescind the contract or ask the court to reduce the price.

If the on-site sanitation system is not compliant at the time of the signing of the deed of sale, the purchaser must have the necessary work carried out within one year of the date of the deed of sale.

The purchaser may not take advantage of the recommendations contained in the energy performance diagnosis or the document relating to the location of the property in an area defined by a noise exposure plan for airfields, which are for information purposes only."

The PURCHASER's attention is drawn to the fact that:

- From 1 January 2022, if the primary energy consumption of the PROPERTY is greater than 330 kilowatt-hours per square metre per year (label F), the deed of sale or tenancy agreement must stipulate that work must be carried out to reduce this primary energy consumption to less than or equal to 330 kilowatt-hours per square metre per year before 1 January 2028;
- Then, from 1 January 2028, these same documents will mention any failure by the seller or lessor to comply with the obligation to carry out this work;

- That from 1 January 2023, if the primary energy consumption of the PROPERTY is greater than 450 kilowatt hours per square metre per year (label G), the PROPERTY shall be prohibited from being let;
- From 1 January 2028, if the primary energy consumption of the PROPERTY is greater than 330 kilowatt-hours per square metre per year (label F), the PROPERTY shall be prohibited from being let.

- Losses for which compensation has been paid: when a built property has suffered a loss for which compensation has been paid under Article L. 125-2 or Article L. 128-2 of the French Insurance Code, the seller of the property must inform the purchaser in writing of any damage that occurred during the period in which the seller owned the property, or of which the seller was informed in accordance with these provisions. This information is included in the notarised deed of sale.
- Statement of the internal gas installation: since 1.11.07, the seller of all or part of a property for residential use with an internal gas installation more than 15 years old must provide a statement of this installation.
- Electricity: the seller of all or part of a property for residential use with an internal electricity installation more than 15 years old must provide a statement of this installation.
- **The obligation to install smoke detectors in all residential premises:** The draftsman informs that, since 8 March 2015, all owners of residential premises have been obliged to install standardised smoke detectors.