

a public highway).²⁴

- Making broad statements about the condition of property (for example 'immaculate condition', 'recently decorated') or its features (for example 'double glazing', 'central heating') when the description only applies to parts of the property, not the whole.
- Giving misleading information about service charges or maintenance payments that must be paid to property managers (in Scotland, factors) or facilities management companies.

When you
negotiate and
make sales

- In relation to a seller who is your client:
 - giving them a false impression of the interest in their property, for example by inventing or exaggerating feedback from viewings
 - telling them a potential buyer will be able to buy without needing a mortgage when you do not have evidence that this is the case (in order to induce the seller to accept the offer)
 - creating false offers or
 - misrepresenting the detail of an offer (for example whether the offer is conditional on something else, such as obtaining finance).²⁵
- Quoting false high offers to induce a potential buyer to put in their own offer at a higher price (to outbid

²⁴ Such statements would be misleading because information has not been given in a full and balanced way. Breaches of this type might also involve misleading omissions.

²⁵ Some of these examples are also likely to contravene the provisions of the Estate Agents Act 1979 and subordinate legislation.