

- 5.39 You should use your professional judgement to assess new information, for example how credible it is, whether it needs exploring or whether it needs further corroboration. You should take proportionate and reasonable steps to check the information (see the framework at paragraph 5.26):
- If there is not yet enough evidence to satisfy you there is material information, but it nonetheless raises questions, then you should not ignore this, but should take steps to establish the facts.
 - Where the evidence, or your further steps, clearly shows there is no material information, you will have satisfied yourself there is no new material information and would not therefore need to take any further action.
 - Where there is strong enough evidence to satisfy you there is material information, you need to disclose the material information as a matter of course.
- 5.40 Being thorough in the checks you take will help you to determine whether there is material information to be disclosed. It will also help you to demonstrate that you took all reasonable steps to avoid committing a breach.
- 5.41 If your checks establish that there is advice to clients to revise, marketing information to amend, and/or material information to disclose, then act promptly to avoid misleading actions or omissions.

When you negotiate and make sales

Keeping the client informed and treating them fairly

- 5.42 Ensure that you keep clients informed about offers that are made, unless they have instructed you in writing not to do so. It is good practice to keep a written record of all offers made and your related actions, in case there is a dispute later on about whether you passed on an offer (and how much it was) or not.
- 5.43 Ask the prospective buyer how they would fund the purchase of your client's property, for example whether by a cash payment, by a cash