

- Ask your client. In some circumstances, it may be sufficient for you to rely on what your client tells you, for example where it puts your mind at rest on a small concern or is fully consistent with other reliable information that you already hold. However, you should not simply rely on the client's information if it is incomplete or you suspect it may be wrong or it otherwise raises a doubt in your mind, for example because it does not fit with other information you hold.⁴⁶ If appropriate, probe further.
- Ask your client for supporting documentation. This may give you the reassurance you need. If it does not, further checks may be necessary.
- Consult official sources (for example Land Registry, Registers of Scotland or local authorities), where appropriate.

5.27 In addition, it may help you to:

- Explain to sellers at the outset the importance of them providing honest, accurate and truthful information: that giving misleading or incorrect information is likely to be uncovered later in the conveyancing process and, potentially, could endanger the sale and leave both you **and the seller** open to legal action.
- Obtain a commitment (preferably in writing) from clients to tell you if anything changes, for example so a seller keeps you updated if planning permission expires or they learn of a planning application by an adjoining landowner, or a property developer keeps you updated if the estimated level of the service charge goes up or the planned services, which will be covered by the charge, change.

⁴⁶ In Scotland, the Property Questionnaire in the Home Report is filled out by the seller. This will be widely understood and so you will not be expected to check and confirm every answer before you market the property. However, where you use information from the Property Questionnaire in your own marketing of the property, it may be appropriate for you to take steps to satisfy yourself that you are not making any misleading statements or omissions.