

Producing sales particulars and other marketing information

5.28 Ensure that the information you use in your property particulars and other marketing is true, accurate and unlikely to mislead. For example:

- Before you market the property, ask your client to read your documentation and sign it, confirming that the particulars and other marketing materials are correct. Give them the opportunity to advise you of any errors.
- Take care that you present information fairly and fully, and include the material information that the average viewer would need.
- Wherever possible, provide accurate measurements (and, where it is not possible, make clear that the measurements are estimates).
- Bear in mind that, while you are not responsible for the content of information supplied by other professionals (for example energy assessors and surveyors), you are responsible for the way you use this information in marketing and the overall presentation of the property particulars and marketing material.
- Take care with qualifying statements. Those that clarify may be helpful (for example 'boarded loft area' or 'room with potential as bedroom - planning permission required' when the seller cannot evidence that a loft conversion has the necessary approval or consent for use as a bedroom). However, using a qualifying statement to try to limit liability such as 'all details provided by the vendor' will not help you if, given your type of business, it was appropriate for you to check the information yourself.
- Take particular care to verify any feature that you advertise as a particular selling point of a property – for example parking rights, the number of years remaining on a lease, planning permissions and surrounding amenities and views. As a rule of thumb, the more prominently you stress a particular feature, the more likely it is to influence the average consumer's decision making.
- While the property is on the market, keep particulars and other marketing materials up-to-date. One way to do this would be to