

- Failing to inform your seller client of services that you have been asked to provide to the buyer or referral fees that you will earn (for example for introducing the buyer to a mortgage lender, surveyor or conveyancer).

When you deal with complaints

- Failing to inform clients of your internal complaints system or provide full information on how it operates.
- Failing to inform your clients about your membership of an officially approved redress scheme and how they can contact the scheme provider.

Acting aggressively

4.16 It is a breach of the CPRs for businesses to adopt commercial practices that intimidate or exploit consumers, restricting (or likely to restrict) how they act or their ability to make free or informed choices, and which cause or are likely to cause the average consumer to take a different transactional decision. These are known as aggressive practices (regulation 7).

4.17 In determining whether the practice is aggressive, various factors would be taken into account, for example:

- when, where, how and how persistently the business is carrying out the practice
- whether the business is exploiting a specific misfortune or circumstance of a consumer, which is likely to impair their judgement
- whether the business is exploiting a position of power in relation to the consumer, in order to exert pressure on them, in a way that significantly impairs the consumer's ability to take an informed decision
- whether the business has placed excessive barriers on the consumer exercising their rights