

you can see there is a loft conversion but you do not know that the work has the necessary approvals and consents. When you do this, you may find it is satisfactory or that it supports what your own checks disclosed and you may decide no further checks are therefore required.

- Where your client or third parties provide you with information that you know is wrong, or have reason to believe may be wrong, you should follow up with questions, ask for documented proof and/or make your own enquiries in order to satisfy yourself what is correct. For example, if your client says there are 160 years left on the lease, but you have marketed other apartments in the same block recently that only had 75 year leases, you should ask your client for proof that the apartment has as long a lease as they claim.
- Where the response from your client or third parties 'rings alarm bells', you will need to probe further or challenge what you have been told. For example, if your client makes particular claims about a property, for example length of remaining lease, but cannot or will not supply written evidence to back up such claims, you should take further action to satisfy yourself of the correct position.
- You must then provide any material information you have identified or that has come to your attention.
- Finally, the requirement not to mislead by omission applies throughout the marketing and sale of the property. This means that if you become aware of material information later on, you must still disclose it. An example of this would be where you learn of a serious problem with the seller's title over the property as a result of a failed sale. The duty not to mislead by omission would require you to disclose this to subsequent prospective buyers.
- You may receive information from a variety of sources and some of these sources will be less reliable than others. When considering information, you should use your professional judgement in assessing its credibility and whether it needs further corroboration before you decide whether to disclose it.