

In all advertising, and web pages in particular, estate agents should refer to maintenance of the common areas on the estate being paid for through a service charge, which is currently set at £245 per household. This applies to both freehold and leasehold properties. The latter should also include details of the lease, ie the lease term which is 999 years from 1988, and ground rent which is nil.

We consider it is a breach of the CPR Regulations if they do not refer to the charge. The regulations are as follows:-

#### **Published Material and Information about a Property**

*You must by law comply with the Consumer Protection from Unfair Trading Regulations 2008. The Consumer Protection from Unfair Trading 2008 require you to disclose any information of which you are aware or should be aware of in relation to the property in a clear, intelligible and timely fashion and to take all reasonable steps that all statements that you make about a property whether oral, pictorial or written, are accurate and are not misleading. All material information must be disclosed and there must be no material omissions, which may impact on the average consumer's transactional decision, and where information is given to potential buyers or their representatives, it must be accurate and not misleading.*

*2. The written details of a property (sales particulars) must be agreed with the seller to confirm that the details are accurate.*

*3. In regard to leasehold properties, you should include basic key information such as service charges, ground rent; the length of years remaining on the lease; any known special conditions, and advise sellers and prospective property purchasers that there may be additional fees that could be incurred for items such as leasehold packs.*

We refer to Item 3 in particular. Although most of the properties on the estate are freehold we consider that the same or similar rules should apply.

We understand that there is a reluctance to include any information that is not considered essential as it might be in contravention of the Property Misdescriptions Act 1991. **However this act has been repealed and replaced by CPR Regulations.** More information is on the RICS website:

<https://www.rics.org/uk/upholding-professional-standards/regulation/regulatory-support/consumer-and-business-protection-regulations/>