

Quick Guide

Material information – Guide for Property Agents

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Property Agents (estate and letting agents) should provide consumers with “material information” in property listings to ensure an informed decision whether to buy or rent a property can be made.

The National Trading Standards Estate and Letting Agency Team (NTSELAT) has produced [new guidance for property agents](#) to help you identify and disclose this information on residential property listings.

This guide is in relation to **residential** property sales and lettings.

The origin of ‘material information’?

Material information is not a new requirement that our guidance is introducing, it is found in Regulation 6 of the Consumer Protection from Unfair Trading Regulations 2008 (CPRs).

The CPRs made it a criminal offence for businesses (including estate and letting agents) to omit or hide “material information” that might change the transactional decision of an average consumer.

Any information provided in a residential property listing must be accurate and truthful, not hidden, and not misleading.

The “transactional decision” includes deciding to enquire further, to view, or to purchase/rent a property. The term “average consumer” refers to someone who is reasonably well informed, reasonably observant, and circumspect¹.

What is ‘material information’?

The fundamental basis of the guidance is that the average consumer should be given the information they need in order to make an informed decision when they buy or let a property. The guidance

provides a basic list of what NTSELAT, in collaboration with our industry steering group, considers to be the minimum list of material information required for buyers/renters and we would encourage providing as much relevant information as possible.

The guidance is not an exhaustive list of all potential material information, as this is specific to each property; it is an overview of what NTSELAT and the steering group stakeholders have considered to be the most common examples. The areas covered within the material information guidance can be seen below:

- Council Tax / Domestic Rates
- Asking price/rent
- Deposits (lettings) / Tenure (sales; including detail of any inescapable costs, such as service charges, ground rents, estate rent charges etc.)
- Physical characteristics - property type, materials used in construction/construction type and number of rooms
- Utilities - electricity supply, water supply, sewerage, heating, broadband and mobile phone signal/coverage

¹ Regulation 2, The Consumer Protection from Unfair Trading Regulations 2008.

- Parking availability
- Building safety issues
- Restrictions, rights, easements, and wayleaves
- Risks to property – flood risk, coastal erosion, and proximity to mining
- Planning Permission or developments in surrounding areas
- Property accessibility adaptations

How should material information be displayed?

Material information should be available to buyers and tenants at the earliest opportunity. In most instances this will be achieved by clearly displaying the information on a property listing through the property description (including the use of photographs and floor plans, where relevant) – such as on a property portal or an agent's own website.

Where a property agent does not have specific knowledge of an issue, they are expected to make reasonable enquires and signpost buyers and tenants to further information, where relevant.

The full guidance for material information in property listings can be found [here](#).

Summary table

Below is a condensed summary of the material information listed in this guidance document that generally should be established for property marketing.

Part A <i>Information that, regardless of outcome, is always considered material for all properties regardless of location.</i>	
Council Tax/Domestic Rates	
Rent/asking price	
Deposits/Tenure*	
Part B <i>Information that must be established for all properties.</i>	
Property type	
Property construction	
Number and types of room	
Electricity supply	
Water supply	
Sewerage	
Heating	
Broadband	
Mobile signal/coverage	
Parking	
Part C <i>Information that may or may not need to be established, depending on whether the property is affected or impacted by the issue in question.</i>	
Building safety	
Restrictions	
Rights and easements	
Flood risk	
Coastal erosion risk	
Planning permission	
Accessibility/adaptations	
Coalfield or Mining Area	

*Including detail of any inescapable costs, such as service charges, ground rents, estate rent charges etc.