

Primary Authority Partnership

Warwickshire County Council Trading Standards

Old Budbrooke Road, Warwick, CV35 7DP

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Propertymark

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The Property Ombudsman

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Primary Authority Advice Reference WTS/PM/TPO/19

This Primary Authority Advice has been produced by Warwickshire County Council Trading Standards Service, in partnership with The Property Ombudsman and Propertymark, for use by member businesses as an aid to complying with the law. If you follow this advice correctly, your local Trading Standards Service should respect this and not ask you to comply with the law in a different way. If you are contacted by a local authority enforcement body, please inform them that you are a member of the scheme.

Advice requested:

What requirements exist for property photographs used to market properties?

Legislation considered:

Consumer Protection from Unfair Trading Regulations 2008 (as amended) ("CPRs")

Other Material considered:

National Trading Standards Estate Agency Team Guidance on Property Sales, September 2015 ("NTS Guidance")

Assured Advice Issued:

Photographs are often used in marketing material both in print and on websites, but these can affect a consumer's transactional decision to view, visit or even purchase a property. Photographs should ideally be taken using a standard lens and portray the property and fixed surroundings fairly. Photograph captions should not mislead the consumer.

Agents should avoid taking photographs from certain angles to purposely cut out fixed features that will affect the property, or the view from the property, for example

removing a cooling tower from shot, if this would result in an unfair representation of the property.

Agents should also avoid adjusting the photograph using a software package to airbrush out / remove a fixed feature, if this would result in an unfair representation of the property.

If an agent needs to utilise a wide angle lens (for example a 14mm lens) to capture a smaller room, e.g. utility room, then it should be clear on the caption next to the photograph that a wide angle lens has been used to take the photograph. If the use of a wide angle lens would result in an unfair representation of the property, then it should not be used.

Date Advice is Effective from (issue date): 09 05 2016

Last Review Date: 17 04 2020

Next Review Date: 16 04 2021

Primary Authority: Warwickshire County Council Trading Standards Service

Co-ordinators: The Property Ombudsman and Propertymark

Supporting Regulator: Not applicable

For Publication on the Primary Authority Register: Yes

Geographic Applicability: This advice applies throughout the United Kingdom.

Scope: This advice is applicable to all member businesses.

How to obtain up to date copies of this advice: Current copies of this advice may be obtained via the member organisations' websites:

www.tpos.co.uk/members/assured-advice/assured-advice-information

and

www.propertymark.co.uk/working-in-the-industry/primary-authority-advice/.