

Quick Guide

Material Information in Property Listings – Guide for Sellers and Landlords

November 2023

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

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 walks through what you, as sellers and landlords, can do to help provide property agents with the information to sell/rent the biggest asset that you own or manage.

What is ‘material information’?

Material information is information that the average person needs to be able to make an informed transactional decision – basically whether a buyer or tenant decides to enquire further, view, or buy/rent a property.

This information, where known, should be provided at the earliest reasonable opportunity, normally via the property portals when a property is advertised. **Any** information provided in a property listing must be accurate and truthful, and not misleading.

Important information should not be left out of, or hidden, on property listings or at any part of the buying/renting process. Material information can be positive or negative information, for example, if your property requires the new purchaser to pay into a sinking fund for any building works, you need to let them know, and where possible, the costs that they can be expected to pay.

Material information does not cover things specific to the individual wants, such as being near a pub or gym.

Helping your property agent to disclose material information included in this guide should help to ensure only those with a legitimate interest in your property will enquire, view, or put an offer in.

What should be in a property listing?

We have [separate guides for property sales and lettings](#), but generally the minimum information that should be displayed is:

- Asking price/rent
- Deposits (lettings) / Tenure (sales; including detail of any inescapable costs, such as service charges, ground rents, estate rent charges etc.)
- Council tax banding/rates
- Physical characteristics of the property
- Number and type of rooms
- Utilities information
- Parking

And, where relevant:

- Building safety issues
- Restrictions, rights, and easements
- Flooding or coastal erosion
- Planning permission considerations
- Accessibility adaptations
- Coal or other mining issues

NTSELAT
Lead Enforcement Authority

Website
www.ntselat.co.uk



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Contact
estate.agency@powys.gov.uk
for further information.

The National Trading Standards Estate and Letting Agency Team (NTSELAT) is jointly hosted by Powys County Council and Bristol City Council, being the lead enforcement authorities for the Estate Agents Act 1979 and the Tenant Fees Act 2019 across the UK and England, respectively.

What information will I, the property owner/landlord, be asked for by the agent?

If you have previously sold or rented out a property, it's likely that your agent asked you to complete a questionnaire (e.g., if you sold a property, you will likely have completed the Law Society TA6 form).

Agents are now requiring some of this information before the property is listed and you will be asked to complete a property information questionnaire (PIQ). You have an important role to play to give a buyer or tenant enough information to make the right decision on whether to view the property or to proceed with buying or renting it.

Material information can be negative as well as positive. For example, you should let your agent know if there is no parking available at the property, or if it impacted by building safety issues such as remediation for unsafe cladding. By providing this information upfront it will help reduce the chance of the property transaction falling through, reduce transaction times and save you money.

Property can fail to sell or be rented out because of information that was known by you or your agent but only comes to light further in the process (e.g., the service charge, or the lack of mains water supply).

For both sellers and landlords, any information relating to non mains utilities at the property, (e.g., the type of heating, sewerage connection, and sources of electricity) and restrictions (e.g., is it a listed building, or are there any public rights of way across the land?) would be considered material information, and the property agent should include this on the property listing.

What can you do to help?

Material information should be given at the earliest opportunity, that is, at the time the property is marketed. This is why we recommend starting to

gather the documents, or copies of relevant documents as soon as you decide to sell/let your property. We have provided suggested examples as part of this document. Providing the agent with these documents will help speed up the time it takes to get your property to market and help the agent market your property with truthful and accurate information.

Is there another way to obtain this information?

Yes, the easiest way would be to instruct a conveyancer, or an agent, to gather this information for you. However, this will more than likely incur an additional cost. Any costs or fees charged by the property agent or conveyancer must be prominent and not hidden – you should not have to ask about information regarding fees. Some information you can obtain yourself, for a small fee, without the need for a conveyancer, for example, a copy of your title deeds, if you don't already have a copy.

What are the benefits to me?

1. You will save yourself money from fall throughs.
2. You will help your agent sell or rent your home quicker because potential buyers and tenants have the information they need at the outset, so no nasty surprises which could cause the property transaction to fall through.
3. More information at the outset reduces transaction times.
4. You will be benefitting yourself from the same level of information for the property that you will be buying yourself.

The Government have produced additional guidance for sellers:

- [“How to sell a home” guide](#)

Material information fields for sellers and landlords

This is a basic guide on where you might find the material information listed in the [guidance](#). Please remember that this is a bare minimum list and anything else that could be classed as material information should be given to the agent and the potential buyer/tenant. Please also include any other unavoidable costs of buying or renting the property.

Document	Why is it required?	How do I get this?
Title Deed to the property	It gives proof of ownership and tenure details.	This might be in your possession, available from the solicitor who conducted the house purchase, or through your mortgage provider. You might be able to obtain a copy directly from Land Registry , for a small fee.
Lease or leases	It gives vital information on lease, ground rents or service charges, and rights and restrictions.	This might be in your possession, available from the solicitor who conducted the house purchase, or through your mortgage provider. You might be able to obtain a copy directly from Land Registry , for a small fee.
Council Tax bill/ Domestic Rates bill (NI)	It gives information on the council tax banding and £GBP value.	If you do not live at the property, then you can do an online search to find out the council tax band or rates information.
Details of your utilities: <ul style="list-style-type: none"> • Electric • Gas • Water • Broadband • Sewerage 	It gives information on where there is not a mains supply, or other non-standard installation which results in additional costs of maintenance.	If the supplies are not mains fed then additional information on the type of supply should be provided (e.g., information on a septic tank, or leased solar panels). Where there is a community heat network, details should be provided (including how usage is billed, and the buyer/renter's control of their usage and supply). It should be clear if the water supply is metered. For a lettings property it should be clear if any utilities are included in the rent.
Details of and issues with mobile coverage	It would be material if the property was known to have poor signal.	You should highlight if there are any known issues with mobile phone coverage at the property (e.g., known coverage restrictions).
Parking availability	It gives information on parking, permits, and allocated spaces – which may impact on car insurance premiums.	Provide all parking arrangements at the property, and any associated costs (e.g., for a permit or access to a communal car park).
Where relevant – these fields only require information where there is a KNOWN issue		
Details of building safety issues <ul style="list-style-type: none"> • List of any known issues • Certificates of completion for any remedial works • Details of any works 	It gives information to the agent to decide what should be on the listing (e.g., if there are expected costs, issues with obtaining a mortgage or relevant insurance products, or where remediation or maintenance work could interfere with the occupier's enjoyment of the property).	This can either be requested from the block manager or by request from the freeholder. You may have already been supplied copies of the certification of completion when building works were finished. Any known details of waking watch fire patrol costs should also be disclosed
Details of previous flood events	It gives information on flooding history which may impact	You should provide information, where known, about:

	mortgage or insurance availability.	<ul style="list-style-type: none"> • Whether the property has flooded in the last five years. • Have you made any adaptations to the property to prevent flooding?
Details if your property is at risk of coastal erosion	Coastal erosion can have an impact on mortgage or insurance availability.	You should provide information about any known risk of coastal erosion, and any relevant defences that are in place, where known, and any costs associated that are to be paid, if applicable.
Planning permissions which could effect your property	Change in use of surrounding properties or developments can affect the price and enjoyment of the property.	<p>You should provide information about any known planning permission, restricted permitted development rights, or plans for development at or around the property that might impact the buyer/tenant.</p> <p>You can check on your local planning portal at your local authority to see if there are any developments.</p>
Property accessibility adaptations	It is vital for people with mobility issues to be able to know if a property will be suitable for them before they travel to view the property.	You should list any property accessibility adaptations that have been made to the property. These could include ramps, rails, lateral living or walk in showers.
Mining information	If your property is on a coalfield or close to a mining area it can affect insurance availability or cost.	The mining authority will be able to provide information on coalfields, or you may have been given this information by your conveyancer when you bought the property.