

## What buyers need to know: Are property portals and estate agents delivering upfront information?



**A report by HomeOwners Alliance, January 2025**

## EXECUTIVE SUMMARY

Location, price and parking are the primary things homebuyers consider when looking for a property to buy. Subsequently, but still at the browsing property portals stage, homebuyers want to know about any potential deal-breakers before proceeding. So for example, is this a flat with only a few years left on the lease or sky-high service charges? Is there cladding which could mean problems getting a mortgage or the potential for unfair costs? Is there a poor energy rating which means the property could cost double what it should to run?

Realising that a lack of upfront information was contributing to the breakdown of transactions, the National Trading Standards Estate Agency and Letting team (NLSEAT) issued guidance in November 2023 around the 'material information' estate agents need to include in property listings.

One year on, we decided to do a material information spot check of listings of leasehold properties for sale in Manchester and London to see how things have moved on and this is what we found:

### **Poor performance on energy and council tax [Section 1 & 3]**

A quarter of sales listings (24%) did not display an Energy Performance Certificate despite it being a legal requirement since 2013.

Only two thirds (66%) of listings included the council tax band, despite this being a legal requirement. London listings were less likely to feature council tax band (55%) than Manchester listings (77%).

### **Price, property type and description – high levels of compliance [Section 2]**

Our review found that portals and agents are universally providing asking price, property type and number of rooms for each listing. Although not required by Trading Standards, most agents included a floor plan with room dimensions. 81% of the listings we reviewed went beyond the guidance by recording the overall square footage of the property for sale.

### **Too little on leasehold [Section 4]**

While we were pleased to see listings routinely mention tenure (94%) and the majority (78%) include the number of years left on the lease, the details about the costs leasehold buyers would be faced with was more elusive:

- Less than two-thirds (62%) mention service charges.
- Less than half (49%) included the details of ground rent.
- Only a minority (9%) cited a ground rent review date.

## **Lack of clarity on cladding and access [Section 5]**

Of 45 high-rise flats examined, only 9 of these listings included relevant building safety information.

At most only 5% of listings include details about accessibility, restrictions or risks.

The three main portals – Rightmove, Zoopla and OnTheMarket – have all adapted their systems in some way to support estate agents in uploading the material information required by Trading Standards. In Section 6 we compare the performance of the portals and make a series of recommendations to encourage higher levels of compliance and to improve the consumer experience.

So while the industry's move to do more in providing information that could materially impact our decision to buy a home is very welcome, a year on, application of the guidance is patchy and in many cases failing consumers.

Homeowners shouldn't have to wait until they are three months down the line, have spent hundreds on legal fees and surveys, to find the ground rent is due to double, the house will cost more to heat than their current home, and they can't get a mortgage because of new rules as a result of the Building Safety Act.

While estate agents work for the sellers, not doing more to provide buyers with all the information they need early on in the process just leads to sales falling through. This means poor outcomes for buyers, sellers and their agents.

## INTRODUCTION

Buying a home is one of life's biggest decisions. Not only is it people's largest financial investment and asset, it is an essential aspect of our daily lives.

To help improve the homebuying and selling system, there is clear consensus that buyers need accurate and timely information about a property before deciding to view a property or put in an offer. Providing factual information upfront will make the buying and selling system deliver a better result for all parties as it will reduce fall-through rates and bring a little more certainty into the homebuying and selling system.

Effort has been made to support consumers to deliver upfront information through legislation and in particular:

- The Consumer Protection from Unfair Trading Regulations 2008 (CPRs) makes it an offence to omit material information in property listings.
- The requirement to produce a valid [Energy Performance Certificate](#) (EPC) before marketing a building for sale has been in place since 2013. The guidance also requires estate agents to be satisfied that an EPC has been commissioned before listing the property.

Even though the CPR legislation has been in place for 16 years, there has been little consensus as to what information is 'material' to the buyer's decision to view the property. The National Trading Standards Estate and Letting Agency Team (NTSELAT) published guidance to help estate agents comply with the existing requirements and to reduce fall-through rates. The purpose of the guidance is to give clarity and consistency to the industry by defining what is 'material' information.

Part A of the [Trading Standards guidance](#) was published in July 2022, followed by Part B and Part C in November 2023. Part A listed the information that estate agents should include on all property listings. These are non-avoidable costs that must be paid and budgeted for such as price of the property, council tax band, as well as, tenure (leasehold/freehold). For leasehold properties, the number of years left on the lease, the ground rent and review date and the current service charges were also established as Part A and should be included in all leasehold listings.

Part B information is deemed to be 'material' and should be included in the listing if it may involve some cost of maintenance or repair, affect mortgage or insurance availability or affect the use or enjoyment of the property. This is to ensure consumers can make an informed decision whether to look further at any property. Part B information include the number and dimensions of the rooms, parking and broadband/mobile coverage. Part C information only needs to be included if relevant,

such as building safety, restrictions & rights and risk of flooding. For high-rise buildings, there will always be building safety considerations in light of the Building Safety Act. See table below for a summary of the Part A, B and C information categories.

Unfortunately, when buyers find themselves misled with property listings, it's difficult to resolve the situation. Buyers can make a complaint to The Property Ombudsman or the Property Redress scheme, but their powers are limited and could not, for instance, require the sellers to buy back the property. Estate agents found in breach of the CPR legislation can result in a warning or be prohibited from operating under the Estate Agents Act 1979.

The legislation for Energy Performance Certificates came into effect in 2013.<sup>1</sup> The regulations require an EPC to be commissioned before the residential property is put on the market. Although it is the seller who is responsible for obtaining the EPC, estate agents must be satisfied that an EPC has been commissioned.

Trading Standards is responsible for enforcement and can issue a civil penalty charge notice of £200 per advertisement.

As part of our campaign to make homebuying and selling easier for consumers, we conducted a snapshot review to see how well the estate agents and portals are complying with the material information guidance published by the National Trading Standards Estate and Lettings Agency Team (NTSELAT) in London and Manchester. We looked at how compliant property listings are across the most popular portals – Rightmove, Zoopla and OnTheMarket.

We focussed on leasehold properties as most of the Part A requirements relate to leasehold properties (e.g. tenure, lease length, ground rent). In our review of 150 property listings in September and October, there were 99 estate agent brands (as some brands had multiple branches), 2 housing associations, 2 auction houses, 1 developer and 4 property investment companies specialising in new build and off-plan. See graph below for a summary of our findings.

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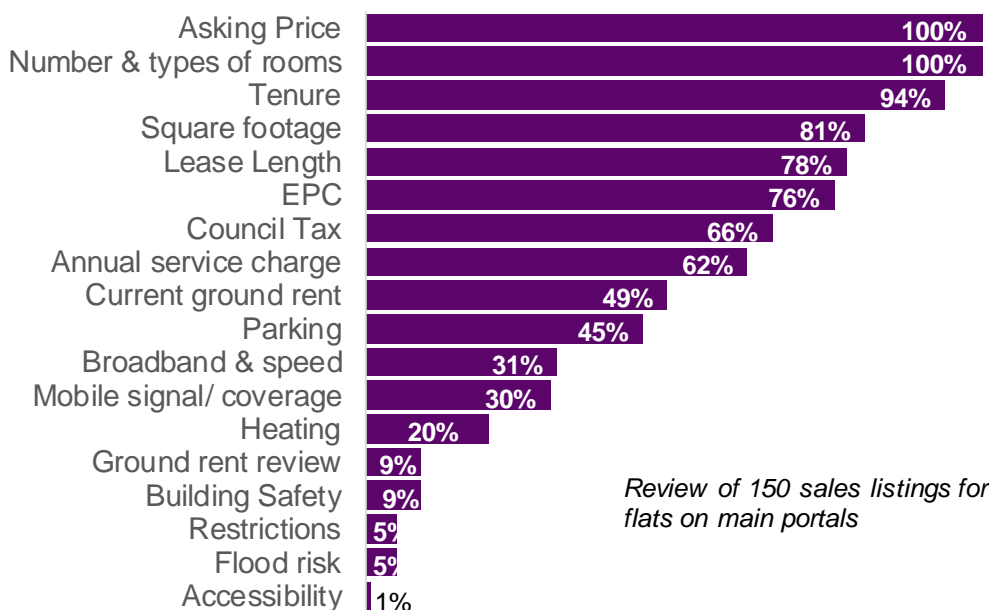
<sup>1</sup> <https://www.gov.uk/government/publications/energy-performance-certificates-for-the-construction-sale-and-let-of-dwellings>

## National Trading Standards Estate Agency Team Material Information Guidelines

### 2008 CPRs – Consumer Protection Regulations from Unfair Trading

July 2022 - Part A	Nov 2023 - Part B	Nov 2023 - Part C
<u>Include in all listings:</u> Price Council tax band or rate (*may not be known for new build) Tenure (leasehold/ freehold) For leasehold: <ul style="list-style-type: none"> <li>Lease length</li> <li>Ground rent &amp; review date</li> <li>Current service charge</li> </ul>	<u>Include in all listings:</u> Property type Number and type of rooms/ dimensions – can include a floor plan Parking – if it is available or not & type of parking Broadband/ mobile – provide links	<u>Include if relevant:</u> Building safety Restrictions & Rights Flood risk Planning – consumers can be provided with link to local planning authority Accessibility & adaptations (photographs appropriate) Coalfield or mining area
	<u>Include if relevant:</u> Building materials that might affect mortgage/ insurance Utilities – consumers can assume mains supply unless stipulated otherwise	

### Information Included in Listings



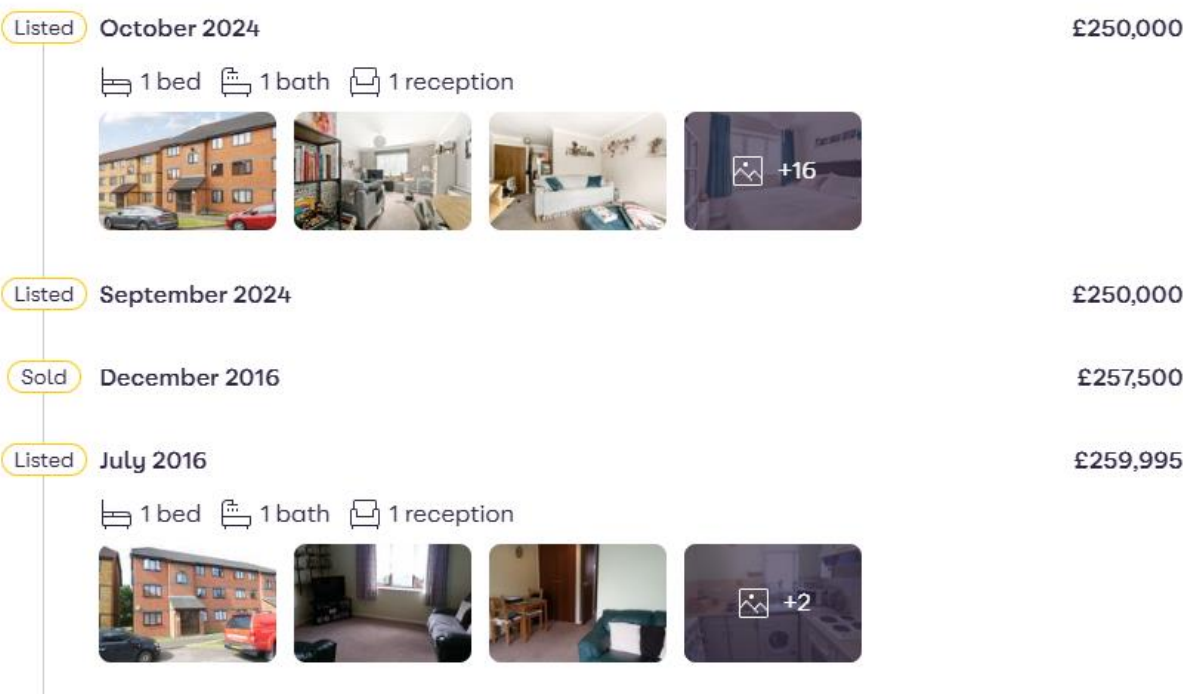
# RESEARCH FINDINGS

## 1. Energy Performance Certificates - a quarter of listings do not have an Energy Performance Certificate rating

An Energy Performance Certificate (EPC) tells you how energy efficient a property is and is required when selling a property. An EPC is valid for 10 years and it is easy to check whether the property has a valid certificate via the [EPC register](#).

Whilst a valid EPC has been a legal requirement for over 10 years, one quarter (24%) of listings were missing this upfront information. In the example below, there was no reference to a valid EPC on the listing, even though it is likely that the EPC from the previous sale in 2016 would still be valid.

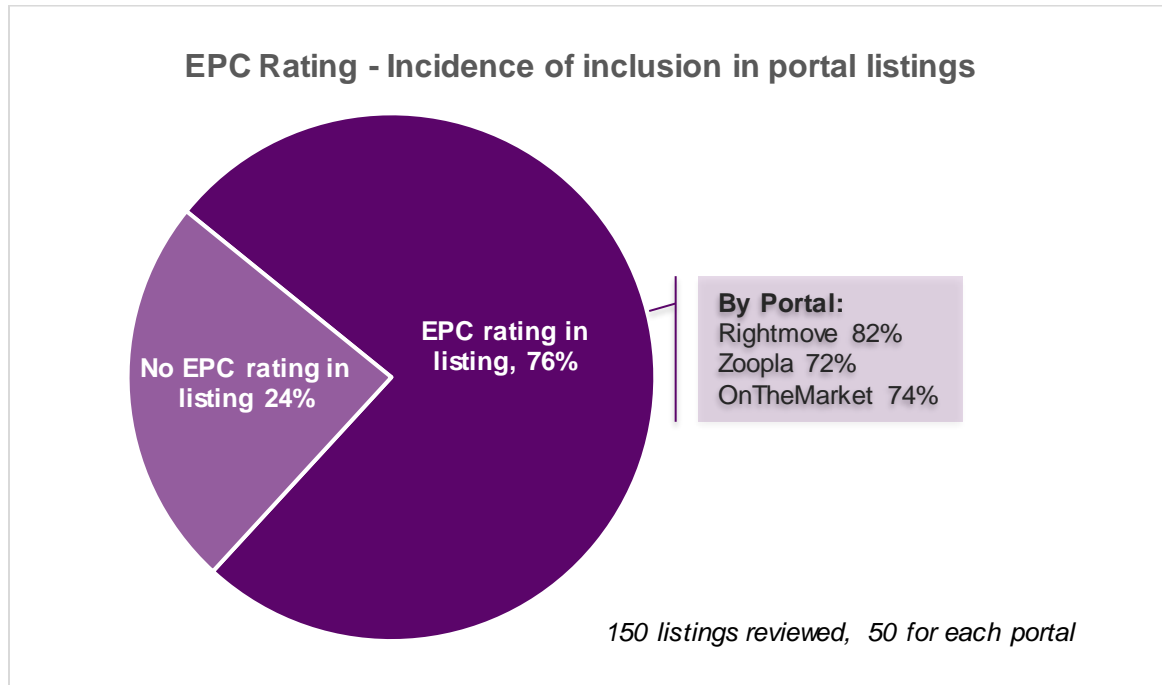
### Property timeline



Approximately 10% of the listings that did not include an EPC were new build properties. An EPC is required for a new build but a different methodology is used. The developer needs to produce the EPC within 5 days of completion of the project, so it is understandable that an EPC was not available for off-plan property listings.

When comparing the portals, our data indicates that listings on Rightmove (82%) are more likely to include a valid EPC. Rightmove and Zoopla provide the ability to upload the actual EPC, but not OnTheMarket. While this feature is likely to be helpful for

potential buyers, some agents did not use the feature but rather added the information elsewhere in the listing.



## **2. All property listings include the key information of asking price, type of property and number of rooms**

Trading standards guidance clearly states that the following information is 'material' and should be included in ALL listings.

- Price (Part A)
- Property type (Part B)
- Number of rooms, types and dimensions – can include a floor plan (Part B)

Our review found that portals and agents are universally providing asking price, property type and number of rooms. Although not required by the guidance, most agents also include a floor plan with room dimensions in their listing – 81% include overall square footage.

We welcome the inclusion of the overall size of properties on property listings as this is useful information for the buyer to compare and urge Trading Standards to include this in the next iteration of their guidance.



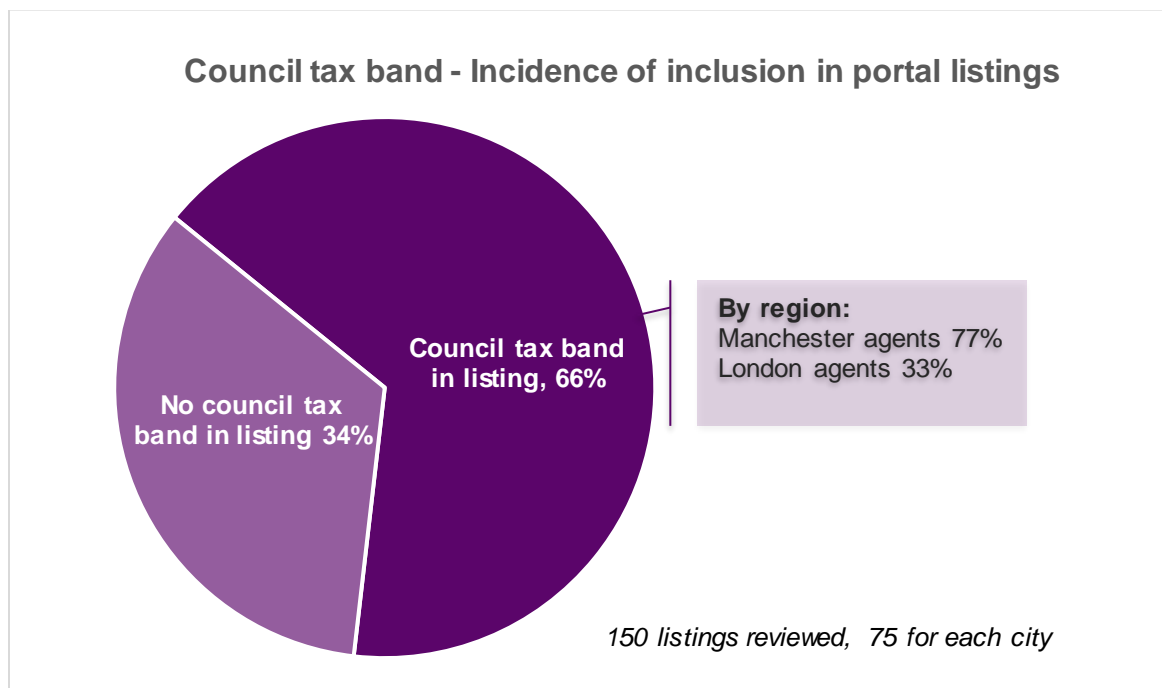
### 3. One third of listings are missing the council tax band

Trading Standards guidance states that the Council tax band or rate is considered to be material and should be included in all listings as this is an unavoidable cost.

Our research found two thirds (66%) of the listings included the council tax band. Of the 51 of the 150 listings missing council tax details, 16 were new build properties. The material information guidance explains that this information may not be available at the time of listing for new build properties. If we remove new builds from the sample, more than 1 in 5 listings (23%) are still missing council tax band details.

Agents in Manchester appear to have a better record of providing this information. London listings were less likely (55%) than Manchester listings (77%) to feature the council tax band.

It is surprising that the council tax band is missing as often as it is given that it is fairly easy to find the council tax band using the government's [Council Tax Band Checker](#), and then checking the local authority website for how much they charge each band.



#### 4. Leasehold property information is improving

Buyers should be made aware of the tenure of the property, and in particular, the extra costs associated with leasehold and living in flats in general. Trading Standards guidance includes:

- Tenure (leasehold, freehold, share of freehold)
- If leasehold – length of the lease, ground rent and rent review date and the current service charge

There is a high degree of compliance in providing tenure (94%) and the majority of listings include the lease length (78%) but only 6 out of 10 listings include annual service charges (62%) and less than half of the listings included ground rent (49%). A minority (9%) of listings mention when the ground rent is up for review. This is important as lenders have increasingly been unwilling to lend on properties subject to a ground rent review of 10 years or less.

The presentation of high level leasehold information has improved since our last investigation. In our [Homes Held Hostage](#) report in 2016, we found that less than half of the property listings were clear as to the correct tenure of a property and only a quarter (24%) of the listings were specific about the length of time left on the lease.

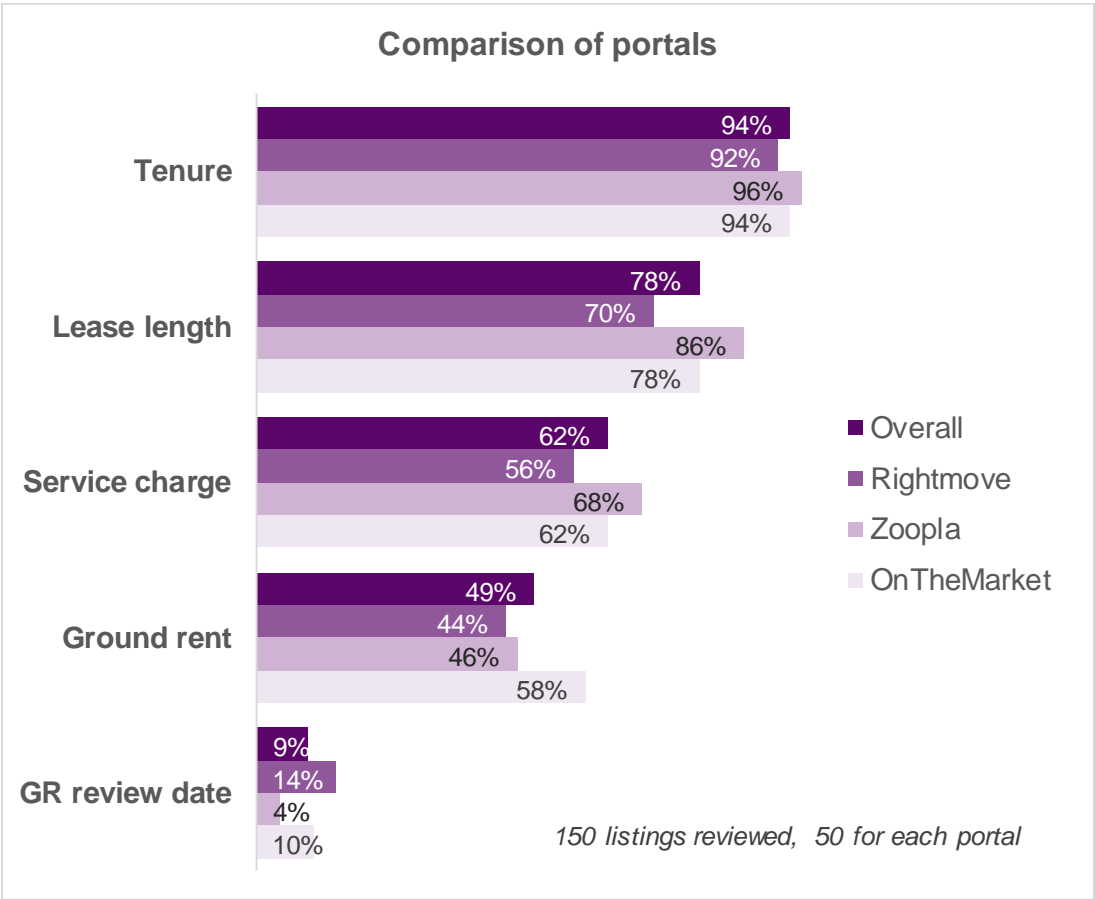
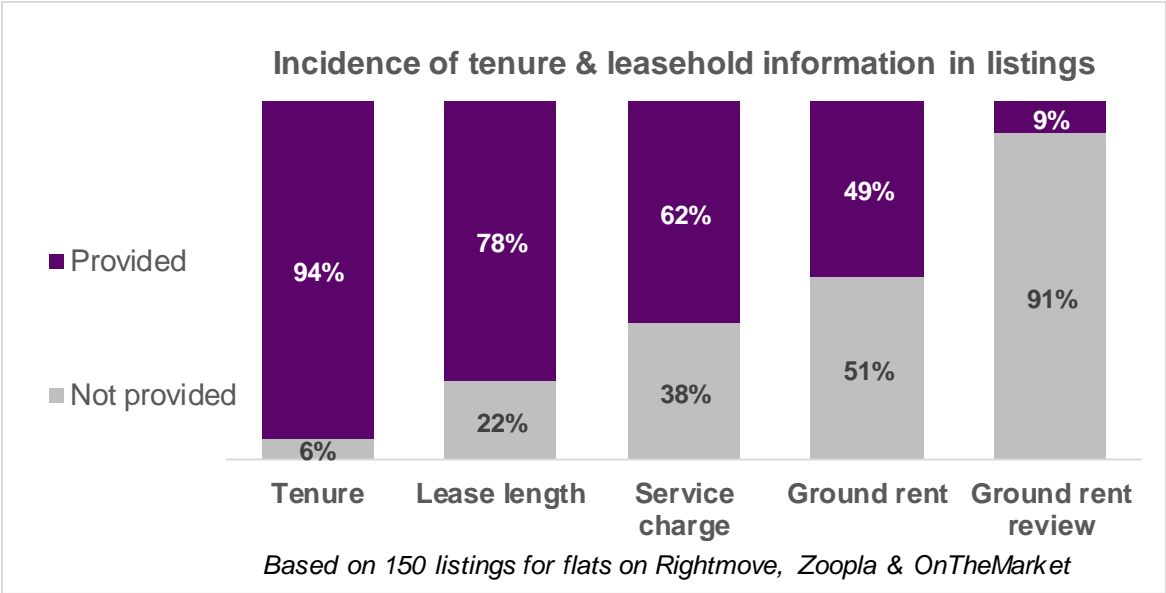
Our listings review suggests Zoopla and OnTheMarket's listings tended to be more comprehensive than Rightmove. For example 86% of Zoopla and 78% of OnTheMarket listings included the number of years remaining on the lease, compared to 70% of the listings on Rightmove. A similar pattern emerged with service charge information: Zoopla (68% of listings), OntheMarket (62%), Rightmove (56%). 58% of On TheMarket's listings included ground rent, compared to 46% (Zoopla) and 44% (Rightmove).

There is also variability across agents in providing service charge and ground rent information. In our review of 75 agents in Manchester and 75 agents in London, Manchester agents were more likely than London agents to include annual service charges (75% vs 49%) and ground rent details (67% vs 32%).

There was a wide range of service charges with the average being £2035 in Manchester and £2098 in London. The highest service charge we found was listed in Manchester as £166 per week (£8643 a year) and this was for 50% of a shared ownership property for over 55s advertised at £119,950. The next highest service charge was for a studio flat in central London in a high rise building at £5832.

Although the majority of agent listings that included service charges presented them annually, there were some that provided the information monthly, quarterly or per

square foot, which makes it more difficult to compare properties. Properties with particularly high service charges tended to be presented as monthly rather than annual figures. We recommend that the next version of the material information guidance sets out a standard way of presenting this information.



## 5. Lack of clarity on building safety issues


The tragedy of the Grenfell tower disaster in 2017 has resulted in changes to legislation surrounding fire safety issues and, in particular, with buildings higher than 18m or at least 7 stories tall. Leaseholders in taller buildings have found themselves at the centre of this storm – and it is not just buildings with cladding that have been affected. Lenders alert to this issue, will not lend unless there is an External Wall System Fire Certificate (EWS 1) in place.

The Trading Standards guidance (Part C) states that a property listing should include “an accurate description of any known building safety issues as well as any planned or required works needed to rectify any identified defect/hazard.”

There were 45 high-rise properties in our review of 150 property listings. Only 9 of these properties included information about building or fire safety, with some listings referring to the EWS1 certificate. For a number of listings, it was only by examining the exterior photo or by looking at street view that it was possible to determine that the property was over 7 stories or in a high-rise building. Below are two contrasting examples for high-rise property listings. One listing provides clear and comprehensive information and the other provides no detail and potentially misleading information. Without the detail, it is not clear how easy or difficult it will be for a first time buyer to get a mortgage on the property.

Consumers should not be expected to be aware of the rights and responsibilities of being a leaseholder in a high rise building and their financial implications. We recommend that the portals provide a more detailed template to help estate agents include this extra information that is required for high-rise buildings.

### High-rise listing without sufficient information

	<p><i>!!! A rare opportunity to purchase a four bedroom duplex apartment on a private gated complex !!! Ideally suited to families or first time buyers !!! Rental potential of £1000/ calendar month !!! Sold with no onward chain !!!</i></p> <p>No information on tenure, ground rent, service charges, building safety issues</p> <p><a href="https://www.rightmove.co.uk/properties/152498945#/?channel=RES_BUY">https://www.rightmove.co.uk/properties/152498945#/?channel=RES_BUY</a></p>
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## High-rise listing with clear and detailed information

	<p>One bedroom apartment on the 13th floor of the popular One Regent development, complete with a large private balcony.</p> <p>Includes all relevant information in the correct fields, including EWS1 and nearby planning applications.</p> <p><a href="https://www.rightmove.co.uk/properties/152335418#/media?id=media0&amp;ref=photoCollage&amp;channel=RES_BUY">https://www.rightmove.co.uk/properties/152335418#/media?id=media0&amp;ref=photoCollage&amp;channel=RES_BUY</a></p>
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## 6. Rightmove, Zoopla or OnTheMarket – Comparing the portals

As part of this research, we reviewed the same number of listings across the three main portals: Rightmove, Zoopla and OnTheMarket. All of the portals have responded and adapted their systems in some way to the ‘material information’ guidance.

Here are some observations with recommendations for improvement:

### **There is variability in how agents upload material information.**

It is disappointing that estate agents do not use the fields set out by the portals on council tax, tenure, lease length, service charges and ground rent. There were also incidences of where the EPC rating is given but the actual EPC isn’t uploaded. This inconsistency makes it difficult for consumers to quickly find the information that is relevant to them. It appears agents need more training on how to upload the material information to the correct portal fields.

### **Part C material information requirements are rarely included.**

Nearby planning permissions and any known flooding history are included in Part C of the material information. It’s disappointing that the vast majority of listings do not include this information, even though it’s easily accessible via the [Environment Agency](#) or Local Authority’s website. At the time of our fieldwork, Zoopla was charging for this information but has since made it freely accessible.

### **OnTheMarket automatically populates broadband & mobile coverage/ speed while listings on other portals rarely include this information.**

OnTheMarket provides the broadband/ mobile coverage based on postcode – it is worth noting that the information was universally positive (possibly the case in Manchester

and London). Rightmove and Zoopla rely on agents to provide this information and it is rarely included as a result. Homebuyers would benefit if the portals did more to provide direct property information that is freely available but also accurate. This will reduce the reliance on the estate agents from providing the information.

**Accessibility (Part C) is absent from almost all listings and descriptions.**

The guidance states that the listing should include information on step-free access from the street to the inside of the property (this can include ramps/lift) and whether there is a wet floor shower or a walk in shower. Only Rightmove has a section on their portal for this information but it is usually blank. Portals and estate agents could do a better job of indicating what floor a flat is on, explaining what the access is like and encouraging their agents to provide an exterior photo as standard.

**Parking tends to be mentioned in locations where this is more relevant to buyers.**

Parking was more often mentions for listings outside city centre locations. 67% of listings in Manchester mentioned parking vs 23% in London.

Our verdict:

**Rightmove** has made the most effort to encourage agents to provide material information by providing all the correct fields. This means users can find EPC and other data quickly. It is also more comprehensive. Rightmove includes markers such as accessibility.

**OnTheMarket** is the most consistent at providing mobile/broadband information which appears to be automatically uploaded. It seems that they could do more to encourage agents to include leasehold and council tax information in a consistent format. This information was more often buried in the description or in attached brochures which needed to be downloaded.

**Zoopla's** timeline of price reductions and the date of listing is potentially useful to users. At the time of our investigation they charged a fee to provide flood risk and planning application material information when the information was freely available online. They have now made this information free which is helpful to consumers.

## METHODOLOGY

A total of 150 sales listings of flats were reviewed for inclusion of material information across the major portals: Rightmove, Zoopla and OnTheMarket.

Fieldwork was carried out September 20<sup>th</sup> - October 15<sup>th</sup>, 2024. Half of the listings were from Greater London postcodes and half from Greater Manchester postcodes. Listings were banded within the average price range for a flat in each city. New build, high-rise and shared ownership properties were included in the sample on a random basis.

Sample plan	Total	Rightmove	Zoopla	OnTheMarket
London (£200K-£550K price range)	75	25	25	25
Manchester (£100K-£300K price range)	75	25	25	25
Total	150	50	50	50

## About HomeOwners Alliance

The HomeOwners Alliance champions the interests of Britain's homeowners and aspiring homeowners. It is a property advice website providing helpful advice and services for all the key moments of buying, selling and owning your home.

We are one of Britain's most popular property advice websites, staying true to its mission to help homeowners facing some of the biggest and most complex decisions of their lives.