

Quick House Sales

10 Top Tips for businesses



It is critical that quick house sale providers fully understand the laws that apply to their industry and deal openly and honestly with home sellers. We set out here some practices and behaviours that we think would help providers to meet the professional standards that consumers might reasonably expect.

1. Give accurate, honest and clear information about your services

Be open and clear about what sort of service(s) you do and do not provide. For example: how you pay for property, how quickly you can have funds ready, how long sales are likely to take to complete, and the level of discount you are likely to apply to the full market value price. Perhaps use a simple 'key facts' list on your website and in your sales materials.

2. Provide important information about your business

Give honest, clear and up-to-date information about any affiliations to public or private bodies and about membership of any codes of practice and/or redress schemes.

3. Comply with the law for any relevant activities

If you are a person or company brokering a quick house sale whose activities involve introducing home sellers to third party buyers and, any steps taken to progress a sale, the OFT considers that you are likely to be carrying out estate agency work and you must comply with all relevant legislation. For example, you must belong to an officially-approved redress scheme and be registered for anti-money laundering purposes.

4. Treat home sellers fairly through the process

- Be open and honest with sellers about all important information, for example valuations, the status of offers, any fees and costs they may have to pay
- Give sellers all the information they need to make informed choices at each stage of the process
- Ensure information is given in good time and confirmed in writing.
- Never pressurise sellers to make decisions.

5. Do what you can to keep your promises

If problems arise which may cause a delay, tell sellers promptly and, wherever possible, take action to minimise the hold up. Consider releasing a seller from their obligations and refunding fees paid if it becomes clear you cannot deliver on your promises for reasons which are not the sellers' fault.

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6. Make sure that your paperwork and documents are clear and that you tell home sellers about important contract terms

Ensure that important contract terms, particularly those which may disadvantage home sellers, are clear, prominent and actively brought to their attention. Take special care to explain option to purchase agreements (or similar). It is good practice to remind clients that they should seek independent legal advice before signing any agreement. Before asking clients to sign anything, always give them adequate time to read any written information you provide and time to seek their own advice.

7. Make sure your terms and conditions are fair

Express standard terms fully, clearly and in plain language, and give prominence to terms that might disadvantage sellers. Do not take advantage of sellers' weaker bargaining position or lack of experience and respect their legitimate interests - if you do not, the standard terms of the contract may be considered unfair and therefore unenforceable. For example, don't require sellers to use a solicitor of your choice.

8. Deal with complaints promptly, effectively and in a professional manner

Maintain and operate an effective, transparent and user-friendly customer complaints procedure that is understood and followed by all of your employees. Explain how sellers can complain to you and, if applicable, to an independent third party to which you are affiliated. Introduce a written complaints procedure that is available to the public and make your best efforts to find a satisfactory solution to any complaints.

9. Take extra care when dealing with home sellers who are potentially vulnerable

Never exploit a home seller's specific circumstances or vulnerabilities (for example mounting debts, health pressures or the possible impact of delay on another purchase) to put pressure on them to accept a reduced price late in the process. Ensure your staff are trained to identify vulnerable people and deal with them appropriately. For example, ask a family member of the seller to be present, make appointments at reasonable times of day and do not stay at the seller's home for a long period of time.

10. Ensure that anyone acting on your behalf is complying with the law and meeting your professional standards

As you are responsible for anyone who acts on your behalf or in your name, make sure you have controls and training in place to ensure that anyone representing your business or trading in your name is complying with all applicable law and any applicable consumer codes of practice.