

Everything you need to know:

What is Material information?

Any information which the average consumer needs to take an informed transactional decision. This includes **any information which would impact the decision that a consumer makes in relation to a property, such as arranging a viewing or putting in an offer to purchase**. However, it does not necessarily include information that the consumer wants to know because of their personal circumstances and preferences.

What has changed?

In November 2023 NTSELAT published full guidance for Estate Agents to meet the Consumer Protection Regulations 2008. On 6th April 2025, this was superseded by the new Digital Markets, Competition and Consumers Act (DMCCA).

Although the guidance is now less sector-specific, the DMCCA places greater **emphasis on transparency and fairness**. The agent's duty to provide accurate and complete information remains, allowing potential buyers to make an informed decision about purchasing a property.

What information is legally required?

While the guidance is now less sector specific, (know previously as Parts A, B & C), we would still advocate that the same information should be provided to ensure a **smooth, compliant transaction**. This would include: Council tax band, property price, tenure information, basic property information such as the type of property, building materials used, number and type of rooms, utilities, parking information. Property specific issues such as flood risks or planning permission should also be included.

Who is responsible for collating the information?

The selling agent is still **required by law** to collate this information when putting a property on the market. The agent can do this themselves or outsource some or all of it to a supplier like ASAP.

Is it compulsory?

It is. In line with the Digital Markets, Competition and Consumers Act (DMCCA) 2025, these **guidelines are a legal requirement**.

BUYER INFORMATION PACK:



What does the pack include?

Land Registry Documents with all OC2 filed entries such as leases, old conveyances/transfer deeds.

Key Property Information eg type of property, the building materials used, the number of rooms and information about council tax band, utilities, parking etc.

A Property Information Questionnaire (PIQ) completed by the seller.



Comprehensive, compliant and delivered in **double quick time.**

Find out more about our Material Information Solution. www.completeasap.co.uk

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Frequently asked questions:

What if there is something I don't want to highlight to a prospective buyer?

If it is material to the buying decision, then under the Consumer Protection Act, you are legally obliged to inform the prospective buyer. As the information will probably come to light in the long run and if the buyer then pulls out, you will have wasted your time and have to remarket the property so it is better to be upfront.

How will this benefit my transaction?

There is a lot of **evidence that comprehensive upfront information speeds up transaction and reduces fall-throughs**. It is an opportunity for all involved to iron out queries, identify deal-breakers and **flush out time wasters**. This will allow agents to focus on transactions with committed sellers and buyers.

Will it slow down marketing my client's property?

No. As long as you start gathering the information before you market the property, you can update the details as you receive them. It must be done in a timely fashion however to comply. We aim to have all **Buyer Information Packs back to agents within 2-3 days**. More importantly, it will speed up the total transaction time as this information will allow the buyer and seller to iron out bumps in the road early on.

What if other agents aren't gathering Material Information?

Agents who don't produce this information are breaking the law and bringing our industry into disrepute. Professional Estate Agents will strive to be compliant.

Who will check up on whether I am doing it?

Trading Standards are responsible for ensuring agents comply, and this will be monitored by your local authority.

Does the Buyer Information Pack replace the need for surveys and solicitors?

Absolutely not. **The Buyer Information Pack should be given to the Buyer's Solicitor to review and raise any enquiries at the earliest point possible.**



If you have any further questions about Material Information and how we can help your business, please contact us at:

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