

Victorian estate agents warned about misleading advertising

The Victorian Government is putting estate agents on notice for using doctored photos in advertisements, warning that they can be false and misleading representations.

Under the Australian Consumer Law, it is unlawful for estate agents to make false or misleading representations about the price, location, characteristics, and available facilities when advertising a property.

Director of Consumer Affairs Victoria Sam Jenkin said inspectors can issue fines of up to \$5,000 for posting misleading photographs.

“Victorians deserve transparency when searching for a property, with estate agents conducting their advertising professionally,” said Mr Jenkin.

“Consumer Affairs Victoria takes false and misleading advertising seriously and will hold estate agents accountable for doing the wrong thing.”

It is important for estate agents to act honestly and fairly. This includes not using photographs that give the wrong impression of a property by:

- significantly enhancing photographs to hide undesirable features
- including photographs that suggest a property has views, or is close to amenities, such as parks, beaches, schools, transport or recreational facilities.

Representations about the features of a property must be accurate and complete. Failure to comply with the law can attract significant penalties, including court action for the most serious offences.

While it is illegal for estate agents to be misleading and deceptive, potential buyers are encouraged to be vigilant when researching properties to buy.

Potential buyers are responsible for checking the state and condition of the property prior to purchase, including all of its facilities, fixtures, and fittings.

Proposed changes to Victoria’s renting laws will also make it illegal for rental

providers to use misleading and deceptive conduct, or false and misleading statements, in order to encourage someone to enter a rental agreement.