

Estate agents fly-boarding

Trading Standards information

www.southwark.gov.uk

1. Introduction

Fly-boarding describes the illegal practice of estate agents using display boards to advertise their business at properties where no sale (or letting) has taken place. It is particularly associated with blocks of flats and new businesses seeking to unfairly promote themselves.

2. Main legal requirements

Unfair commercial practices are prohibited. This includes using boards to falsely claim that a property;

- is for sale, or has been sold by an agent or developer
- is available for letting, or has been let by an agent

3. What can I do to ensure I comply?

Ensure that advertising boards are displayed only at properties for which you have received instructions.

Planning legislation permits a single board only without planning permission. 'Sold' or 'let' boards can only be displayed for fourteen days after the sale or letting has taken place.

If your company employs a third-party sign erecting company you should ensure that they are aware of these guidelines and that they follow them.

4. What are the consequences of non-compliance?

Failure to comply could result in prosecution for a breach of the Consumer Protection from Unfair Trading Regulations 2008. On conviction the maximum penalties are a fine in the Magistrates court or, in the Crown court, an unlimited fine or imprisonment for up to two years, or both.

Enforcement authorities can also seek a court order using the Enterprise Act 2002. A breach of any order could lead to up to two years imprisonment and/or an unlimited fine.

5. Further information

If you require further assistance or guidance please contact us at the address given.

PLEASE NOTE: Only the Courts can interpret statutory legislation with authority and this leaflet may be revised or amended without notice. (Ref: Flyboard 1.1 Feb 2009)