



Room for improvement:

Examining information availability in residential property purchases

July 2025



Coimisiún um
Iomaíocht agus
Cosaint Tomhaltóirí

Competition and
Consumer Protection
Commission

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The CCPC is committed to providing accessible communications for all consumers through using plain English in publications where possible. This report has attempted to remove jargon and the use of technical terms unless it is absolutely necessary to avoid misunderstanding. Where specific terminology is used, we have attempted to define it using consumer-friendly language.

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List of abbreviations

ASA	Advertising Standards Authority
BER	Building Energy Rating
CBI	Central Bank of Ireland
CCPC	The Competition and Consumer Protection Commission
C2C	Consumer to consumer
CnM	Coimisiún na Meán
CPA	Consumer Protection Act 2007
CRA	Consumer Rights Act 2022
CSO	Central Statistics Office
DSA	Digital Services Act
EPA	Environmental Protection Agency
ESRI	The Economic and Social Research Institute
FTBs	First Time Buyers
IPAV	The Institute of Professional Auctioneers and Valuers
LSRA	The Legal Services Regulatory Authority
OMC	Owners' Management Company
OPW	Office of Public Works
PSP	Property Service Provider
PSRA	Property Services Regulatory Authority
SEAI	Sustainable Energy Authority of Ireland
UCPD	Unfair Commercial Practices Directive

Glossary

Caveat Emptor	Latin term literally meaning "Let the buyer beware". It indicates that a buyer is expected to look after their own interest and take the property as they found it.
Closing Date	The date arranged for the final legal transfer of the property where the remaining balance is paid to the seller, the buyer receives the keys of the property, and all legal formalities are completed.
Conveyancing	The legal work done by the seller's and buyer's solicitors on a property transaction to transfer ownership of the property.
Deeds	Legal documents which confirm the owner's legal entitlement to the property.
Multi-Unit Developments	A multi-unit development (MUD) is a form of residential accommodation such as houses, apartments or duplexes in which individual property "units" share a range of facilities, known as common areas.
Land Registry	Maintains a fully computerised record of registered land parcels in the state. It provides conclusive evidence of ownership.

Probate	Probate is a legal process that may need to be completed after someone dies. It confirms the validity of a will (if there is one) and gives people entitled by law the authority to deal with the estate of the person who died. It can be a delaying factor in the closure of a property sale.
Purchaser	The term used in legislation for the buyer of a property. In order to simplify terminology in this report, the term “buyer” is generally used instead, unless it is a direct quote.
Registered Property	A property is described as “registered” when its title or ownership is registered with the Land Registry (otherwise known as Tailte Éireann) and the original title documents are retained by Tailte Éireann and permanently filed.
Registry of Deeds	A repository of unregistered property which dates back to 1708. Unlike the Land Registry, it is not available online.
Stamp Duty	A tax paid on the transfer of property, calculated as a percentage of the property’s purchase price or market value. It is collected by Revenue but can be paid by a solicitor acting for the buyer. The rate varies depending on the type of property (residential or commercial) and its value. A change in property ownership is not completed until Stamp Duty is paid.
Search	A legal check if there are any debts, mortgages or legal claims linked to the property, the seller or the buyer.
Tailte Éireann	Ireland’s property registration system. It also provides property valuation services and national mapping and surveying infrastructure resources for the state.
Title	The legal right to own, use, and dispose of a property. It signifies ownership and is evidenced by title deeds or registration. Ensuring clear and undisputed title is crucial in property transactions to confirm the seller’s right to sell and transfer ownership.
Transfer	A legal process of changing ownership of a property from the seller to the buyer.
Vendor	The term used in legislation for the seller of a property. In order to simplify terminology in this report, the term “seller” is generally used instead, unless it is a direct quote.

Executive Summary

In 2024, according to CSO data, there were approximately 61,000 property transactions on the open market with a total value of around €25bn. This reflects a growth of 58% and 194% respectively in the last decade. The average price paid by households between May 2024 and April 2025 was €365,000, showing the substantial financial commitment involved in these transactions.

In Ireland, the sale of residential properties by a consumer follows the principle of 'buyer beware', meaning it is the buyer's responsibility to investigate a property's condition and legal status before making the purchase.

This highlights the importance of clear, accurate and timely information at every stage of the process. The effectiveness and transparency of this information from estate agents, solicitors and public records are vital in reducing risks for buyers.

This report examines the current information landscape of the Irish residential property market, identifying key gaps and proposing actionable solutions.

Homebuying and the 'typical' consumer

The homebuying process in Ireland can be complex with many steps, including researching and viewing properties, placing an offer, going sale agreed, the legal process (conveyancing), the financial process, and completing the sale.

Buyers generally do not gain the same level of experience with this process that they might in other markets, due to how infrequently they will buy a property. This can leave buyers at a disadvantage, particularly given the complexity of the homebuying process and the legal principle of 'buyer beware' for second-hand homes sold by a consumer.

There are also external factors, such as the ongoing rise in property prices, which can place pressure on buyers to make rushed decisions for fear of losing out on a property – increasing the risk of a poor or costly decision.

Metrics that matter

Our research sheds light on several important factors relating to consumers' experience with the homebuying process.

The trust that consumers place in various actors in the process varies, with 'friends and family' the most trusted source at 79%, followed closely by buyers' solicitors and engineers at 78% and 73% respectively. The seller (16%), along with estate agents (22%) are the least trusted.

Transparency is a key concern for consumers, with just 16% thinking that the current system is transparent for buyers. Consumers are strongly in favour of information being shared openly, with 78% agreeing that if a potential buyer asks a question about a property, the estate agent should be obliged to identify and disclose the information to other buyers.

Despite going through an in-depth conveyancing process, issues can still come to light post-purchase. Almost 30% of homeowners discovered something after the sale that they wished they had known about the property, its contents or the surrounding area before buying their home.

Over half (57%) of those who made such a discovery reported that they would have lowered their offer or withdrawn completely if they knew about the issue before the sale closed.

Risks to consumers

According to our research, there are two critical stages where consumers are at risk due to inadequate information: the early stage (pre-sale agreed) and the conveyancing stage.

In the early stage, buyers can waste time on unnecessary viewings and researching unsuitable properties due to unclear or exaggerated advertisements. A lack of accurate information can also lead to consumers overestimating property values. Many buyers in our research expressed a desire for more comprehensive information before placing a bid on a property.

During the conveyancing stage, delays are the most significant issue. These can often stem from issues that could have been identified or disclosed earlier, such as problems with deeds or ongoing probate.

Based on our estimates from separate research to be published later in the year, the average conveyancing timeframe in 2024 was 17 weeks, with 43% of consumers reporting it took 16 weeks or more. This highlights the need for significant progress to meet the target timeframe of eight weeks set by the Housing for All Expert Group on Conveyancing and Probate. Just 13% of Irish consumers who bought or sold properties in 2024 reported that the process took eight weeks or less.

Recommendations

The current system, often governed by the principle of 'buyer beware', places the onus on buyers to conduct thorough due diligence, often without adequate, timely access to necessary information.

Based on consumers who participated in our research, this has led to widespread consumer detriment, including financial loss, stress and time wastage, particularly during the early and conveyancing stages of property transactions. The CCPC therefore has made several recommendations in this report.

- Legislation for pre-sale requirements

Often, delays in closing or sales falling through are due to circumstances outside of the buyer's control, but within a seller's remit. It is therefore highly recommended that no property should be permitted to go to market without certain details being confirmed, such as whether the property is tax compliant, whether the seller or their solicitor has the title deeds and if the property is undergoing probate.

In addition, the seller or estate agent should make readily available any public information on environmental risks which could be associated with the property, such as flood, noise and radiation maps.

As this information is already required to complete most property sales, this should not create additional needs. It would just provide more information, earlier in the process.

- A new conveyancing profession

The role of conveyancing is set to become even more crucial as the volume of property transactions continue to rise. With the increasing demand for transparency and efficiency in the homebuying process, the need for skilled conveyancers who can navigate the legal intricacies and ensure smooth transactions is more urgent than ever.

Introducing competition in this area will not only drive innovation and improve service quality but also provide consumers with more choices and potentially lower costs. By fostering a competitive environment, we can ensure that conveyancers are motivated to offer the best possible service, ultimately benefiting both buyers and sellers in the property market. With this in mind, the CCPC is reiterating its call for the Government to expediate the introduction of a new profession of conveyancer, a recommendation that has also been supported by the OECD.

- Uniform information disclosure support from property platforms

Consumers are keen to have increased levels of clear and accurate information at earlier stages in the process and, while it is sellers or estate agents that will typically be responsible for the content, platforms are generally the first port of call for a buyer search.

Therefore, platforms operating in Ireland should support and facilitate this with templates that encourage full disclosure of information and by allowing the use of hyperlinks to publicly available information on properties.

- Consolidation of public sector agency information

There is currently a wide range of information available to consumers that is not being fully utilised, from flood plains and mobile phone coverage data to information that could be relevant to renewable energy grants. While the CCPC notes the efforts of specific bodies in attempting to coordinate and present this information, there is still a gap between the provision and the consumer need.

The CCPC is therefore recommending that Government request that data collected by bodies such as EPA, SEAI and ComReg be added to Tailte Éireann's Geohive system, with support given to ensure the output is as consumer friendly as possible.

- Actions we are taking

As well as recommendations to Government and the industry, the CCPC will enhance its homebuyers' guide and include advice on what questions to ask stakeholders at various points in the process.

We will develop guidance for estate agents and developers to encourage compliance with consumer protection legislation in relation to information provided in property advertisements.

We will continue to monitor the market for any additional practices which may breach consumer protection laws and we will progress to compliance and/or enforcement as necessary.

We will also engage with the relevant departments/agencies/industry players to promote understanding of the recommendations of this report and the associated benefits.

A more efficient housing market

If the recommendations and actions outlined in this report are effectively implemented, they will deliver a step-change in transparency, trust and efficiency across the Irish residential property market.

Buyers will be better protected through earlier access to critical information, reducing the risk of costly surprises and empowering more informed decision-making. Sellers and agents will benefit from clearer expectations and streamlined processes, helping to reduce delays and transaction failures.

By enhancing consumer confidence and levelling the playing field, these reforms have the potential to foster a more equitable and efficient housing market that works better for all participants.

1. Introduction and Objectives

1.1 Introduction

Based on Central Statistics Office (CSO) dataⁱ, 61,471 residential properties (referred to as 'homes' from here out) were sold on the open market in Ireland in 2024. Homes can be sold through private treaty or by auction. Due to their different purchase process, auctions are not in scope for this research. In the case of private treaty sales, an estate agent and solicitor are typically involved. Homebuyers rely heavily on these, and other professions, to ensure that they are secure in their knowledge of the home before their purchase is complete. Legal convention dictates that, as the sale of residential property by one consumer to another is a consumer-to-consumer (C2C) transaction, "Caveat Emptor" – buyer beware – prevails and, once the sale is complete, the buyer has limited avenues for recourse if any defects or other issues with the home are found.ⁱ This makes the information provided about homes prior to purchase, and the credibility of those supplying it, extremely important for buyers.

In the current market, there are also economic factors which can place increased pressure on buyers. When this research was conducted in 2024/25, the market was still experiencing a growth in property prices driven by many factors including a shortage of supply.ⁱⁱ In this environment there can be pressure on homebuyers to move quickly, potentially resulting in them purchasing properties not suitable to their needs, bidding more for a property than they should, or not pulling out of a transaction when a defect or other issue comes to light. Online bidding has also made it easier than ever to place a bid on a property without an in-person viewing.

This makes the information received upfront in the process even more important for potential buyers so they can make the most informed decision possible, as early in the process as possible. This means not misleading consumers with regard to the information provided before a "transactional decision" takes place.ⁱⁱⁱ

The CCPC and other organisations^{iv} have received complaints in relation to the trustworthiness and transparency of information in this market. Contacts to the CCPC Helpline are examined in greater detail in section 4 but are significant in number and varied in the issues reported.

The Irish housing market is a source of constant fascination for both the public and media. In any given week, any media title will carry multiple articles on macro trends, tips for buyers and sellers, and extended property articles based on properties currently being marketed. Coverage of property ads in both the platforms, and the media in general tends to be overwhelmingly positive at a property-by-property level. Seldom if ever noting any negative connotations of a featured property for sale.

This trend continues through to the ads themselves, whether on property sites or platforms. Only in exceptional circumstances will an ad reveal any potential areas of detriment for a buyer, and these can often be couched in soft language which may not reveal the full extent of the issue, such as "opportunities to upgrade".

ⁱ The CCPC acknowledges that in specific circumstances a buyer may be able to take legal action, but this can be complex and costly.

ⁱⁱ The Programme for Government 2025 *Securing Ireland's Future* targets building 300,000 homes by end 2030 (<https://assets.gov.ie/static/documents/programme-for-government-securing-irelands-future.pdf>), with the CSO stating that just over 30,000 new units had been built in 2024 (<https://www.cso.ie/en/releasesandpublications/ep/p-ndc/newdwellingcompletionsq42024/#:~:text=Key%20Findings,%2C%20Meath%2C%20and%20Wicklow>).

ⁱⁱⁱ For a full definition, please see Appendix B.

^{iv} The Advertising Standards Authority (ASA) has also received and upheld complaints in relation to information provided within property ads, specifically in relation to distance calculations and definitions of rooms in properties.

While auctioned properties are not the subject of this research it is noticeable that the marketing materials for auction properties can be more factually based and clear about the condition of the property than most private treaty postings. This is most likely due to the different conditions governing the sale of these properties, and also possibly the fact that vacant properties are often sold through this mechanism.

Taken as a whole, these issues prompted the CCPC to examine the area in more detail to understand the potential risks to buyers and how these can be mitigated through enhanced information provision, and other activities or regulation, to provide a significantly more transparent process for both buyers and sellers.

As previously noted, this work was conducted against the backdrop of constrained supply and rising property prices. This was factored into the research approach, the analysis and the recommendations made in the report. The CCPC is conscious of the need not to needlessly impact supply and cause prices to rise further through unnecessary regulation, while balancing this against further protection for buyers in the market.

1.2 Past and current CCPC work in this area

This research adds to the body of work that the CCPC has carried out to date in this area, including:

- A submission made to the Housing for All Expert Group on Conveyancing and Probate in 2024.²
- A submission to the Legal Services Regulatory Authority on the Creation of New Profession of Conveyancer in 2022.³
- A step-by-step guide to buying a home for consumers.⁴

Both of the above submissions called for the establishment of a profession of conveyancer which reiterated a recommendation from the CCPC's predecessor, the Competition Authority, in 2006. The CCPC continues to support this recommendation.

The guide to buying a home will be reviewed and updated in line with the findings of this report.

This report forms part of a package of ongoing research work in this area. The CCPC is a member of the Implementation Group on Conveyancing and Probate.^v As part of this process, the findings from this research have been fed into the development of the Buyers' Guide being created by the Department of Justice. The CCPC has also conducted further research in 2025 to understand consumers' experience in engaging with estate agents and solicitors, some findings of which have informed recommendations in this report.^{vi} Furthermore, the CCPC are working with the ESRI on research relating to the bidding process in Ireland. The results of which will be published later in 2025.

1.3 Research Design and Methodology

This report is based on research conducted by the CCPC during 2024/25. This project was undertaken to understand the transparency of information in the homebuying process and seek to make recommendations to increase the same.

The overall objective of this report is to capture people's views and experiences relating to the information provided by various stakeholders to potential buyers in the homebuying

^v This group was established following publication of the report from the Housing for All Expert Group on Conveyancing and Probate. The Chair of the Group, Dr. Conan McKenna, submitted a progress report to the Taoiseach in June 2025, and at this point the work of the group was extended by 6 months.

^{vi} The results of this research will be published later in the year.

process. The research seeks to understand the key information needs of homebuyers throughout the purchasing process, assess the trustworthiness of existing information sources, and identify gaps or unmet needs in the information provided.

It also aims to understand the homeowners' perceptions of the responsibilities of involved parties in providing accurate and complete property details, and to explore potential solutions for improving homebuyer protection in the Irish property market.

Specific objectives of the research are presented as follows:

1. **Explore consumers' experiences** in the homebuying process in the context of information provision.
2. **Identify essential information** that homebuyers require at different stages of the homebuying process.
3. **Evaluate the credibility and trustworthiness** of the various information sources (e.g. sellers, estate agents, platforms, surveyors).
4. **Assess the effectiveness and satisfaction** with the current information buyers receive, focusing on any gaps or unmet needs.
5. **Understand the issues** buyers have encountered with the accuracy or completeness of information related to the property.
6. **Evaluate potential solutions and advocacy options** to increase transparency of information and requiring agents to ensure more thorough disclosures.

To address these aims, this research project was structured into three phases: (i) desk-based research, (ii) preliminary assessment, and (iii) quantitative research. A stakeholder engagement stage followed the quantitative research and will continue after the launch of this report.

Phase 1: Desk-based research

Phase 1 involved developing a literature review based on existing relevant national and international research to obtain a comprehensive understanding of key aspects of the homebuying market. The goal was to place Ireland within a broader international context and, where applicable, highlight developments or best-practice in other countries that could offer insights for improving information provision in the Irish property market. Specifically, three distinct sections were developed as part of the literature review:

- The homebuying process in Ireland
- Existing legislation governing homebuying
- International comparisons for the homebuying process

Phase 2: Preliminary Assessment

A review of contacts to the CCPC helpline was conducted to understand the issues experienced by consumers in the homebuying process. Qualitative research was also conducted using focus group discussions with first-time buyers and experienced homebuyers to identify essential information throughout the process and assess any unmet needs in the information currently provided. Participants were asked to examine the credibility of information sources and the level of trust they place in them, as well as their role in the homebuying process. Additionally, the qualitative research identified challenges

homebuyers encountered with the information they received and explored their perceptions of who should be responsible for providing it. Instances of detriment which arose after the purchase, or during the buying process, were also discussed.

Phase 3: Quantitative research

In order to quantify elements of the homebuying experience, a sample of 1,007 past, present and aspirational homeowners were surveyed using an online questionnaire.^{vii} The sample was monitored against nationally representative demographic measures but due to the provision for homebuying, or intention to purchase a home it was not specifically quota controlled or weighted.

The views of interviewees were sought on decision making when purchasing a home, which actors are trusted and who should have responsibility in cases where faults are discovered, among other topics related to homebuying. The fieldwork relating to the survey was carried out between 22nd and 30th August 2024 by Ipsos B&A. The content of the questionnaire was informed by the preliminary assessment phase.

1.4 Report Structure

This section has provided information relating to the study's overall rationale, research questions and the methodology used for each of the three phases of the research. Section 2 provides an overview of the purchase process in Ireland, while section 3 presents key findings regarding approaches to information provision by selected European countries.

Section 4 of this report presents the results from the preliminary assessment phase which includes: (i) a review of contacts to the CCPC helpline, (ii) qualitative focus group results. Section 5 presents the results from the online survey relating to the experience of homebuyers in the market and the issues that they have faced in terms of information provision. Section 6 examines consumers' perceptions of trust relating to key actors in the sector (e.g. estate agents, sellers, solicitors). It explores homeowners' views on the responsibilities of various actors in providing accurate and comprehensive property details in a timely manner.

Section 7 summarises the various obstacles that consumers can face in the homebuying journey relating to consumer protection, accuracy and transparency of information, and responsibility. These challenges shape the experiences of homeowners and individuals seeking to buy and own a home, providing insight into the complexities of the homeownership process. Finally, a number of actions and recommendations based on the research are outlined.

^{vii} See Appendix E for further details.

2. Homebuying Process in Ireland

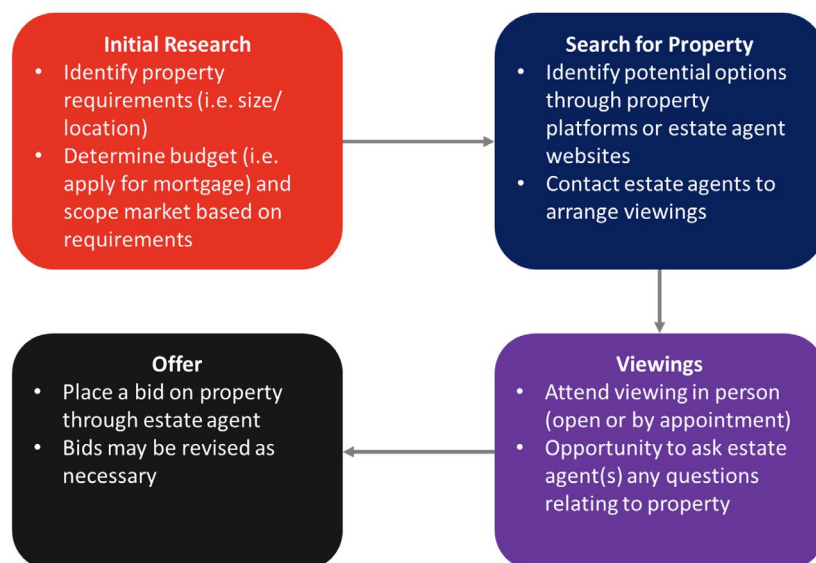
When purchasing a home in Ireland, consumers must navigate through various stages, with each involving a range of processes and actors. The home purchase process can differ depending on the type of property that a consumer wishes to purchase. Paths to owning a property can include:

- Purchasing a new build property
- Purchasing a second-hand property
- Purchasing a site for a self-build
- Building a home on an already owned site

The purchase process for each of the above will differ. The purchase of an apartment may also not be the same as that for a house.^{viii} However, a broad overview of the typical buyer journey in the homebuying process is set out in the infographic below. A more detailed overview is also provided in Appendix A. In both instances, the homebuying process described focuses solely on transactions which are facilitated by an estate agent.

As can be seen in the below infographic, it is at the advanced stage of the homebuying process that consumers receive most of the information regarding the property they wish to buy.

Figure 1: Homebuying Process: Early Stage



^{viii} Differences between purchasing an apartment and a house could include differences in the insurance requirements for the property, management fees payable and the ownership structures in place for the common areas.

Figure 2: Homebuying Process: Advanced Stage



3. Legal Framework and International Context

3.1. Legislation and Enforcement

3.1.1 Legal Framework in Ireland

There is a range of legislation that is relevant in terms of the provision of information in the homebuying process. These are set out in the below table. A more detailed overview is provided in Appendix B.

Table 1: Legal Framework in Ireland

Legislation	Relevance in the context of information provision
Unfair Commercial Practices Directive (UCPD) Consumer Protection Act 2007 (CPA) Applies to trader-sellers (i.e. property developers) and estate agents	<ul style="list-style-type: none">• Covers unfair business-to-consumer commercial practices that occur before, during and after a commercial transaction.⁵• The Consumer Protection Act 2007 (CPA) implements the UCPD into Irish law. It protects consumers from “misleading”, “aggressive” and “prohibited” commercial practices.⁶• The relevant provisions of the CPA in the context of home purchase information are Sections 43 and 46:<ul style="list-style-type: none">- Section 43 relates to “false, misleading or deceptive information”. Examples of misleading information in the context of home purchase could include (but is not limited to) the use of misleading imagery in marketing materials or other communications or exaggerating a property’s size.- Section 46 relates to “withholding, omitting or concealing material information”. Further guidance will outline other material information.• In both instances, a commercial practice is misleading “if it would be likely to cause the average consumer to make a transactional decision that the average consumer would not otherwise make.”⁷• In the context of estate agents, Section 41 of the CPA (general prohibition on unfair commercial practices) is of particular relevance. It states that a commercial practice is unfair if it is contrary to one or both of the following (the requirements of professional diligence): “(i) the general principle of good faith in the trader’s field of activity;(ii) the standard of skill and care that the trader may reasonably be expected to exercise in respect of consumers” and would be likely to impact the average consumer’s ability to make an informed choice and cause them to make a transactional decision that they would not otherwise make.

Legislation	Relevance in the context of information provision
Property Services (Regulation) Act 2011 (2011 Act) Property Services (Regulation) Act 2011 (Minimum Standards) Regulations 2020 Applies to estate agents and auctioneers	<ul style="list-style-type: none"> • Empowers the PSRA to operate a licencing system for all 'property service providers' (PSPs), including estate agents and auctioneers, as well as investigate and adjudicate complaints against PSPs. • The Property Services (Regulation) Act 2011 (Minimum Standards) Regulations 2020 (2020 Regulations) set out standards to be observed by estate agents and other PSPs. The Regulations cover areas such as "conduct and behaviour", "provision of information" and "conflict of interest".⁸ • Regarding conduct and behaviour, Regulation 5(3) of the 2020 Regulations states that subject to the estate agent not acting in an unlawful manner, they "shall act in the interests of the client at all times" when providing a property service. • Regulation 10(1) of the 2020 Regulations states that an estate agent "shall not knowingly produce, publish or circulate, or cause to be produced, published or circulated, by whatever means, false or misleading advertising information...". This includes information relating to sales prices achieved, sales records and fees charged or chargeable, among others. • Regulation 10(2) of the 2020 Regulations states that they "shall not knowingly produce, publish or circulate, or cause to be produced, published or circulated, by whatever means, misleading information in respect of land or property other than land, advertised for auction, sale or to let." • Under Section 18 of the 2011 Act, the PSRA shall encourage estate agents to comply with codes of practice. The PSRA has published the "Code of Practice: Property Services Providers Delivering a Professional Service" (Code of Practice).⁹ • An estate agent is not liable for any civil or criminal proceedings for failure to observe the Code of Practice. However, an estate agent's compliance with the Code of Practice may be considered when determining whether they have engaged in "improper conduct".¹⁰

It is important to note if a trader is also a seller (i.e. a trader-seller) and if they are selling a residential property to a consumer, they must comply with the provisions of the CPA (including the requirement to not mislead consumers) as the sale of the property is considered to be a trader to consumer transaction and therefore in-scope of the CPA. The CPA does not apply where consumers are selling their own home (i.e. a consumer-seller) as the transaction would be a consumer-to-consumer transaction and therefore outside of the scope of the CPA. This means that buyers of homes from a consumer-seller are not protected by the rules in the CPA.^{ix}

3.1.2 Enforcement

The CCPC has a range of powers to ensure that consumer protection laws are being adhered to. These include compliance notices, fixed payment notices, undertakings, prohibition orders and criminal proceedings.¹¹ The CCPC also has a range of interventions that it can use in addition or instead of its enforcement powers. Fines and penalties may be levied by the Courts in the event of a conviction. The Court can also require a trader to publish the facts relating to the offence and a corrective statement regarding those facts.¹²

^{ix} The CCPC acknowledges that in specific circumstances a buyer may be able to take legal action, but this can be complex and costly.

The CPA also sets out that in instances where a consumer is aggrieved by a prohibited act or practice, they shall “have a right of action for relief by way of damages”.¹³

If a trader is convicted of an offence under the CPA, the CCPC may apply to the court for a compensation order on behalf of an aggrieved consumer who consents to the application. This would require the trader to pay an amount of money the court considers appropriate compensation in respect of any loss or damage suffered as a result of the offence.^{x14}

The 2011 Act sets out the procedures for the PSRA to follow in relation to “complaints, investigations and sanctions”.¹⁵ Members of the public may make a report in writing to the PSRA about an estate agent regarding improper conduct^{xi} when providing a property service.¹⁶ Improper conduct includes a contravention of the 2020 Regulations. The PSRA can carry out an investigation of complaints received from the public and can also carry out an investigation on their “own volition”.¹⁷ Under the 2011 Act, the PSRA has various “powers of entry and inspection” for use during the investigation.¹⁸ If a finding of improper conduct is made following an investigation, the PSRA can impose either a “minor sanction” or a “major sanction”.^{xii} A “minor sanction” can include a “reprimand”, “warning” “caution” or “advice”.²⁰ Major sanctions include revoking the estate agent’s licence and prohibiting them from applying for a licence either for a set period of time or permanently. The PSRA can also suspend the estate agent’s licence for a specified period of time. They can also impose various financial penalties.²¹

The CCPC does have some concerns about the implications of wording contained within the 2020 Regulations and the 2011 Act. In both cases there are references to the position of the client. The 2020 Regulations state that agents, auctioneers, etc. are required to act in the “interests of the client at all times”.²² This is a standard clause in agent-consumer contracts, but presents issues in a property purchase transaction where a seller is represented by an agent but a buyer is not.^{xiii} While, to a degree, this becomes more balanced in the conveyancing stage when both sides are typically represented by their solicitors, it creates an imbalance in the initial stages of engagement.

In conversations with stakeholders, the CCPC was also informed that this clause acts as an impediment to the estate agent disclosing information to buyers, as anything they say about the property which could be construed as negatively impacting the price could leave them open to accusations of breaching this clause. This needs to be considered in any developments which would ask the estate agent to provide information to the buyer.

3.1.3 Seller’s Legal Pack for Property Buyers Bill 2021

The Seller’s Legal Pack for Property Buyers Bill 2021 (the Bill) was a Private Members Bill sponsored by Marc MacSharry, a former member of Dáil Éireann.^{xiv} The purpose of the Bill was to establish a statutory procedure for the compilation and provision of a set of legal documents by a seller when placing a property on the market, known as a “Seller’s Legal Pack”. The Bill states that the property is to be advertised with the Seller’s Legal Pack and made available to prospective buyers in either electronic and/or physical form by the seller’s property service provider or agent.²³ This is to ensure that “buyers have key information relating to the property and ensuring the conveyancing process is more efficient”.²⁴

^x The compensation order “may be instead of or in addition to any fine or penalty the court may impose on the trader concerned.” This application will not be made “if the aggrieved consumer has brought an action under section 74 against the trader concerned and the action is in respect of the same prohibited act or practice for which the trader concerned is convicted.”

^{xi} Section 2 of the 2011 Act defines ‘improper conduct’ as ‘(a) the commission by the licensee of an act which renders the licensee no longer a fit and proper person to provide property services or a particular class of property service, (b) the commission by the licensee of a contravention of— (i) section 28(1), 29(9), 31(5), 37(1), (2), (4), (5), (6) or (7), 41(1), 43(1), (2) or (3), 44, 45(1) or (2), 55(1) or (2), 56(1), 57(1), 58(3), 59(1), 60(1), 61, or 81(1) or (2), or (ii) a provision of regulations made under section 46, 62 or 95, or (c) the giving by the licensee of a statement of advised market value or advised letting value of land which is clearly unreasonable.’

^{xii} The granting of major sanction must be confirmed by the High Court.

^{xiii} There are some agencies who will act for a buyer in the searching and bidding process, but these are far from the norm.

^{xiv} The Bill was supported by the Institute of Professional Auctioneers and Valuers (IPAV).

The Bill provides for a list of documents that should be contained within the Seller's Legal Pack (see Appendix F for more detail). The Bill lapsed with the dissolution of the 33rd Dáil in November 2024. It had not been re-introduced in the 34th Dáil at time of writing.

3.2 International Context

In examining the provision of information in the Irish residential property market, there are numerous examples internationally that offer insights for how information can be provided to buyers. In other countries, information relating to a property must be provided earlier in the homebuying process. This contrasts with Ireland where much of the information relating to a property only comes to light during the conveyancing process.^{xv}

An overview of recent developments and examples of pre-sale information requirements internationally are set out below.

3.2.1 Mandatory information requirements for residential property sale advertisements

The UK National Trading Standards Estate and Letting Agency Team (NTSELAT) published guidance in 2023 on Material Information in Property Listings (Sales). The guidance aimed to help estate agents comply with legal requirements under the Consumer Protection from Unfair Trading Regulations (CPRs) by clearly defining what constitutes material information in property listings. This initiative sought to enhance transparency, enabling consumers to make informed decisions when purchasing or renting properties. Key components of the NTSELAT Guidance were:

- Part A: Council tax band or rate, property price or rent, and tenure information (for sales).
- Part B: Property type, building materials, number of rooms, utilities, and parking.
- Part C: Involves information that needs to be disclosed only if applicable, such as flood risk or restrictive covenants.

The CPRs have been superseded and replaced by the Digital Markets, Competition and Consumers Act 2024. Options for any future guidance are currently under consideration.

In 2022, the NTSELAT in the UK also published an opinion, with the Competition and Markets Authority (CMA), stating that using "Price on Application" (POA) or similar terms was unlawful due to the omission of material information impacting a consumer i.e. the price.²⁵

3.2.2 Pre-sale information requirements for residential property sales

In European property transactions, pre-sale information disclosure requirements vary across countries, covering environmental risks, structural conditions and aspects relating to the property's title. The mandatory requirement to provide the BER certificate applies across the EU. Several countries have established their own pre-sale information frameworks to ensure transparency and protect consumers.

^{xv} It is mandatory in Ireland for a BER certificate to be included with any property sale (excluding certain exemptions)

Table 2: Pre-sale information in some European countries

Countries	Pre-sale information requirements for residential property sales
France	<ul style="list-style-type: none"> Sellers must provide a technical diagnosis file (Dossier de Diagnostic Technique) relating to the property covering: <ul style="list-style-type: none"> Energy Performance Certificate (DPE) Asbestos, lead, gas, and electrical inspections Natural and technological risk report Termite inspection (in some areas) Sellers are legally liable for omission
Netherlands	<ul style="list-style-type: none"> Detailed property condition report Information on soil contamination, asbestos, and ground lease (if applicable)
Denmark	<ul style="list-style-type: none"> Condition report (Tilstandsrapport): covers structural defects Electrical installation report Ownership and easement declarations Soil pollution register: must disclose if land is listed as contaminated (publicly accessible)
Germany	<ul style="list-style-type: none"> Energy Performance Certificate (Energieausweis): must be shown at viewing and included in sale documents Building permits and usage rights Land registry extract (Grundbuchauszug): required to disclose any easements, mortgages, or encumbrances Contamination register (Altlasten): varies by state; sellers must disclose known contamination

These examples illustrate the diverse approaches within Europe regarding pre-sale requirements in property transactions. While some countries have stringent requirements to disclose environmental and structural information, others place an increased onus on buyers to investigate potential issues.

3.2.3 Consolidated Sources of Information

Some European countries offer an information hub for homebuyers entering the property market. These resources come in various forms and can help consumers better understand the buying process. For example, Germany has the Bundesportal²⁶, a centralised platform that provides citizens with a wide range of information, including essential details on moving and purchasing a new home. Similarly, in France, Service-Public.fr²⁷ functions as a comprehensive, centralised resource. It provides free online access to essential information and steps for various procedures, making it easier for citizens to find the information they need.

3.2.4 Environmental risks information

Environmental conditions, covering the quality and characteristics of surroundings, are integral to daily life and can significantly impact health and well-being. Factors such as air and water quality, noise levels, and extreme weather events—including floods and droughts—vary across geographic areas and populations. These environmental elements also influence property values²⁸ and/ or additional costs such as insurance, making it essential for prospective buyers to assess them carefully before finalising a property transaction.

In Ireland, information about the environmental context of a home or potential home can be sourced through several publicly available sources:

- Environment Protection Agency (EPA) Geoportal²⁹ site provides data on air quality, water, waste, noise, and emissions. Radon.ie³⁰ provides radon risk maps developed by the EPA.
- MyLocalEnvironment.ie³¹ is an interactive map tool provided by the EPA which allows users to click on a location and retrieve environmental data (water, air and noise level) within a set search radius (1–10 km) from the selected address.
- Floodinfo.ie (OPW)³² offers flood hazard mapping and historical flood event data.
- Geohive.ie³³, Ireland's national geospatial data hub, offers access to a wide range of spatial data including some from other sources listed here, although it is technically complex and can be challenging for consumers to navigate.
- Seai.ie³⁴ run by the Sustainable Energy Authority of Ireland offers interactive maps including a solar map detailing solar exposure across Ireland which could be a useful source for buyers considering energy upgrades to a newly purchased home.
 - The SEAI also provides a summary page of all calculators they offer³⁵ which would be useful to any consumers exploring energy upgrades to new or existing homes.

Overall, Ireland offers a broad range of credible, scientifically based environmental data across various public bodies. However, sources of important risk and quality of life information remain highly fragmented across multiple platforms (e.g. EPA, SEAI, OPW, Geohive, ComReg etc.), and the data is often not presented in a way an average consumer would find accessible. Information is typically displayed through layered maps and technical symbols rather than in clear, summarised formats or with simple visual indicators. Interpreting this data requires familiarity with geographic information system (GIS) tools and searching across multiple datasets. Furthermore, these information sources are not integrated with property platforms, meaning potential buyers rarely encounter this data during the home search process. There is also no legal requirement in Ireland to disclose environmental risks before or during a property transaction.

By contrast, several European countries have adopted more consumer-focused systems. In France, for example, the government operates [Géorisques](#), an all-in-one portal where users can input an address to view environmental risks such as air quality, noise levels, and radiation. The platform presents data in clear, simplified reports with maps and accessible language, detailing risks (if known) at the specific property and in the surrounding town. Moreover, it is legally mandatory to disclose this information in the *État des Risques et Pollutions* (ERP) document during property sales.

Similarly, in the Netherlands, the government's [Atlas Leefomgeving](#) (Atlas of the Living Environment) allows anyone to input an address and access a comprehensive overview of environmental and neighbourhood factors. This includes indicators such as air quality (NO₂, PM₁₀, ozone), noise pollution, soil contamination, and water quality, as well as broader information on social, cultural, and transportation infrastructure. Designed for public use, the platform integrates these indicators into a single, easy-to-use interface (a traffic light and emoji system makes results very clear), and is often linked directly to property advertisements and municipal services.

Ireland possesses a robust foundation of environmental data distributed across multiple public agencies; however, the current system lacks the coherence, accessibility, and

regulatory support necessary to ensure this information is meaningfully incorporated into the homebuying process. In some countries, this type of information is clearly disclosed to buyers through government tools or mandatory reports. However, in Ireland, while much of this data exists, it is not always easy to find or understand. Knowing what risks may affect a home, and where to check for them can help buyers make more informed and confident decisions.

In conclusion, the international examples included above focus on information provision to consumers as part of the homebuying process, in keeping with the scope of this research. This overview is not exhaustive in terms of capturing all aspects of the regulatory frameworks of other countries regarding the home purchase process. Although it was not examined as part of this project, it is evident from the research conducted that mandatory seller disclosure is in place in other countries which may result in increased information for buyers earlier in the process. An in-depth assessment would need to be carried out to determine the benefits to consumers of mandatory seller disclosure in the countries where it has been introduced.

4. Preliminary Assessment of Issues

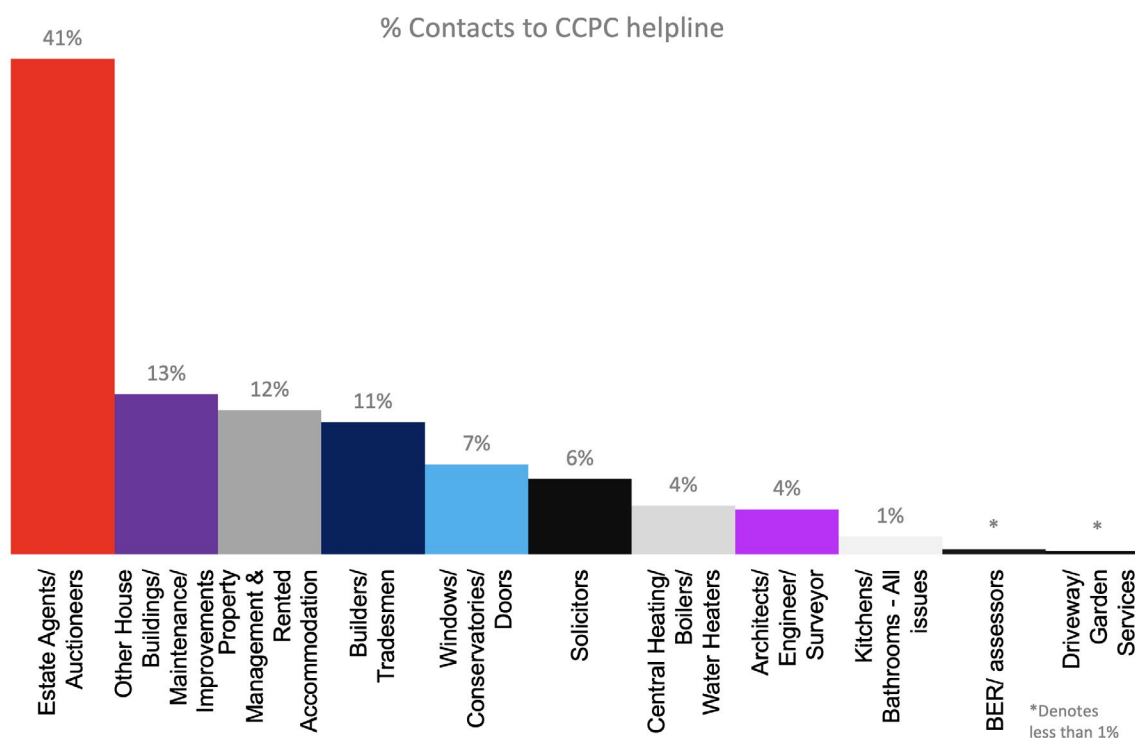
4.1 Introduction

The first stage of assessment for the CCPC is generally an in-depth review of contacts to the CCPC helpline to understand the issues facing consumers. This review assisted in identifying areas to explore in follow-on engagement with consumers in focus groups. Given that data collected from helpline contacts and focus groups is not fully representative in nature, it is often necessary to undertake further quantitative fieldwork. The preliminary results set out here were used to design the quantitative phase of the project discussed in sections 5 and 6.

4.2 CCPC Helpline Contacts

The CCPC operates a helpline through which consumers^{xvi} can seek advice or report practices which they feel may violate consumer protection or competition law.^{xvii} In the period 2016-2024 (inclusive), over 1,800 contacts were received relating to aspects of the home purchase or new build experience. These included over 700 related to estate agents^{xviii} or auctioneers. In the majority of cases the callers were referred to the PSRA to seek advice, especially where the contact may have been in relation to an estate agent, the bidding processes on homes or the sale agreed process.

Figure 3: Helpline Contact by Sub-Category



^{xvi} Businesses can also make direct contact with the CCPC for a number of purposes including reporting anticompetitive practices or for communications linked to whistleblowing. Further details are available on ccpc.ie/business.

^{xvii} The CCPC helpline can be contacted on the phone number + 353 (0)1 402 5555, using a form available from ccpc.ie or by emailing ask@ccpc.ie

^{xviii} This classification includes management agents

A significant proportion however, related to the area of marketing materials. These covered issues which the consumer discovered were false upon reviewing the materials or, potentially more seriously, only found out following a purchase^{xix}:

Hi, I'm not sure if you are the right people to contact, but I know of a house being sold under false pretences. Basically, a house was granted planning to build a "granny flat" with conditions set out for use of the flat going forward, one such condition is the flat/single story dwelling has to be reverted into domestic storage. But the house is advertised as a maisonette. This is a clear breach of planning, I have reported it to [redacted] & [redacted], but no one seems to care & my concern is some poor family being hood winked & left with a massive mortgage. I am simply looking for advice thank you."

The issue of car parking spaces and allocation came up on several occasions, with the buyers often not discovering the issue until after conveyancing or even after the purchase was complete:

I bought an apartment with [redacted] and in his website it was advertised a private parking space in the basement of the apartment. He confirmed that there is a private space and he showed it to me. When I moved to the apartment, I was parking the car in this space, and it belongs to someone else, it is not assigned to my apartment. I have paid an amount for this apartment including the private car parking, and now I am hammed because there is not a private parking space. He is saying that he cannot help me with his mistake. I do not know what to do, I just want my private parking space or the amount back that I have paid for that."

While each of the above examples would require further assessment to determine if a breach in consumer protection law occurred, they do (when analysed in tandem with other complaints) provide valuable insights relating to the level of concern amongst consumers about the reliability of the information available in the homebuying process. Other reported issues by consumers who contacted the helpline included (note that all reports are based on consumer experience and not evidence of confirmed wrongdoing):

- Incorrect measurements either for the floor space or plot size – always smaller in reality than what was advertised in materials
- Claims that a new estate is enabled for a specific service (e.g. fibre broadband) which turned out to be false
- Homes advertised as qualifying for grants or government schemes which turned out not to be
- Images which misrepresented the property or surroundings
- Photoshopping of property

^{xix} Any contacts included have been reproduced exactly as received, with the exception of any identifiable information which was removed to protect anonymity.

- Disputed address of the property
- Marketing materials claiming a higher number of bedrooms than would fit the legal definition (typically this referred to an attic room being included incorrectly in the bedroom count)
- Misrepresentation of work done to property (e.g. rewiring)
- Sites and properties being advertised as having planning permission, when it has not been granted – or a property having a structure which the previous owner(s) did not seek permission for or assumed was exempt

While a significant number of contacts related to alleged misleading information, some cases referred to omissions, frequently in relation to the presence of an owners' management company (OMC) or associated management fees which buyers were either not made aware of or had difficulty in finding out.

Estate agents were not the only profession named in contacts to the helpline. Surveyors^{xx}, BER assessors and solicitors were all the subject of contacts, however the issues raised in the majority of these contacts were outside the scope of this research as they did not relate to information provision in the sales process. For example, in one case a consumer reported that a surveyor gave a report that was "filled with poor spelling and grammar" and contained many errors. One error delayed the sales process, while the report also listed the electrics as "no repair necessary" but the buyer subsequently had to pay €18,000 to fix the electrics in the home.

In a similar manner, the majority of contacts relating to solicitors were outside the scope of this research project. Many spoke about contract disputes, with the most frequent issue relating to increased fees that the consumer(s) alleged were unjustified.

4.3 Focus Group Results

Four online focus groups were held with consumers to further explore aspects of their experience with the market. The groups were split into first time buyers (FTBs) and those who were purchasing (or had just purchased) for a second or subsequent time. An online approach was used to ensure that respondents from across Ireland could participate in as efficient a way as possible. While the focus groups recruited a wide cross section of consumers, it is important to note that they are not fully representative. Therefore, the results are indicative and should be considered in tandem with the quantitative results. Bearing that in mind, the primary findings were as follows:

4.3.1 Experience of the Overall Process

Homebuying is seen as a relentless, all-encompassing process for those involved in it. While the initial feeling associated with deciding to buy a home is excitement, especially among FTBs, this quickly turns into a journey respondents described as "frustrating", "tedious" and even "worrying". The current context of short supply

^{xx} The CCPC acknowledges that surveyors could include professional surveyors, engineers, architects or others such as builders, who may have carried out a survey on the property.

and rising prices only reinforces this effect and places additional pressure on those entering an already bewildering market.

In the search phase there is a sense of being “always on” with pressure to respond quickly to any new properties coming to market that may be of interest. This has clear implications for the information provided to consumers at this stage as they need to make speedy, but well-informed, decisions. An important aspect of this phase for FTBs is that they are willing to compromise. They are not seeking a perfect property, rather they often just want to get a first step on the property ladder and feel increasingly pressurised to do so as time goes on.

Sometimes it's heartbreaking when you've like put down an offer, and then someone outbids you, and you're just like, sure we can't just keep going up and up and up like, and you have to pull out. And you've been going on about this house for so long kind of picturing it in your mind, and then it's just gone. You start all over again."

The above quote captures the frustration and deep feeling homebuyers have during the process. For those buying and selling, this can be doubled if bidders are pulling out during the sale agreed process.

One of the consequences of this relentless grind is that, over time, homebuyers may begin to put less effort into researching properties before submitting a bid. This is born out of a desire to get ‘anything’. This makes it more important that essential, accurate information is clearly provided upfront. For those buying and selling, the increased time pressure of finding somewhere to buy after a sale has been agreed also adds to this effect.

4.3.2 Information Sources

Upon entering the process, the overwhelming feeling for homebuyers, especially FTBs, is one of uncertainty. This has an impact on the information they seek. While homebuying can sometimes be presented as a linear process it is often anything but as they attempt to navigate one of the most important and costly decisions of their lives with, in the case of FTBs, almost no understanding of what to expect.

It's like Jesus, you know, it's such a big investment. And you're kind of just totally learning as you go, not knowing. You need the advice of others around you to help you."

The majority of homebuyers tend to focus on just navigating the next hurdle, rather than focusing on an overall journey. They know that, at some point, they need to find a home, get a mortgage and get a solicitor but the order these are done in and the specific tasks at each stage are not clear. It is therefore understandable in that context that they gravitate towards sources they think can help. These can include potentially unqualified sources such as friends and family who have been through the process before, or even social media influencers. Solicitors and mortgage brokers can also take on increased importance to buyers as they rely on them to not just provide information but guide them through the process. This can have knock

on effects when other providers (such as surveyors engineers, builders or even banks) are recommended by these sources.

Based on the focus groups, five steps buyers go through when looking at and bidding on homes were identified:

Table 3: Steps in the process for buyers

Step	Description	Key Questions	Information Sources
Feasibility	With so much uncertainty, it is little surprise that buyers start with the area where they may have most information: budget	Can we afford it?	<ul style="list-style-type: none"> • Mortgage Calculators • Property Price Register • Filters on property platforms
Suitability	Buyers want to check off specific requirements, but they do not delve deeper into finer details that may be important	Does it have what we need?	<ul style="list-style-type: none"> • Property platforms (n.b. Video footage)
Assessment	Respondents will continue to look at other properties but start delving deeper into the chosen property	Is this the best we can do?	<ul style="list-style-type: none"> • Some open resources^{xxi} but mainly experiential such as exploring the area at different times
Commitment	At this point buyers are satisfied that this is the property for them, or at least have made sufficient compromises to put in a bid	Will we go for it?	<ul style="list-style-type: none"> • Estate agents for bidding • Brokers and banks for mortgage
Waiting Game	Once a bid is accepted buyers generally feel relief, elation and exhaustion. They are ready to take a break from the process.	When can we move in?	<ul style="list-style-type: none"> • Most hand over responsibility to solicitors, although have little knowledge of what conveyancing actually entails

^{xxi} While flood maps and planning permissions are used here, this is much more common among subsequent buyers than FTBs, who did not display a great knowledge of these sources.

5. Experiences with the Homebuying Process

5.1 Introduction

The review of contacts to the helpline, along with the findings from the focus groups, provided valuable insights in understanding consumers' experiences in the homebuying process. It was, however, necessary to examine some elements in greater detail. The online survey aimed to capture people's views and experiences surrounding the homebuying process, both current and past. The sample (1,007) was monitored against nationally representative demographic measures (see Appendix E for further detail) but due to the provision for homebuying, or intention to purchase a home it was not specifically quota controlled or weighted.

Before examining the issues experienced by consumers in the process, it is necessary to first examine respondents' level of engagement in the housing market to date, i.e. current living situation, number of previous purchases and types of properties bought.

5.2 Experience in the market to date

Figure 4: Current living situation by age group

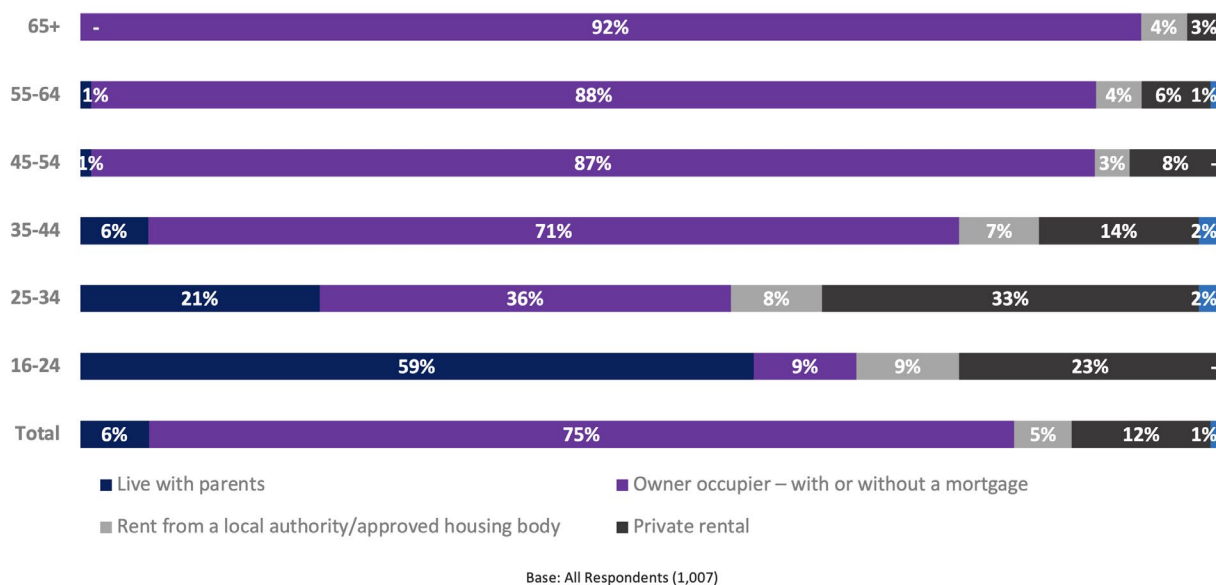
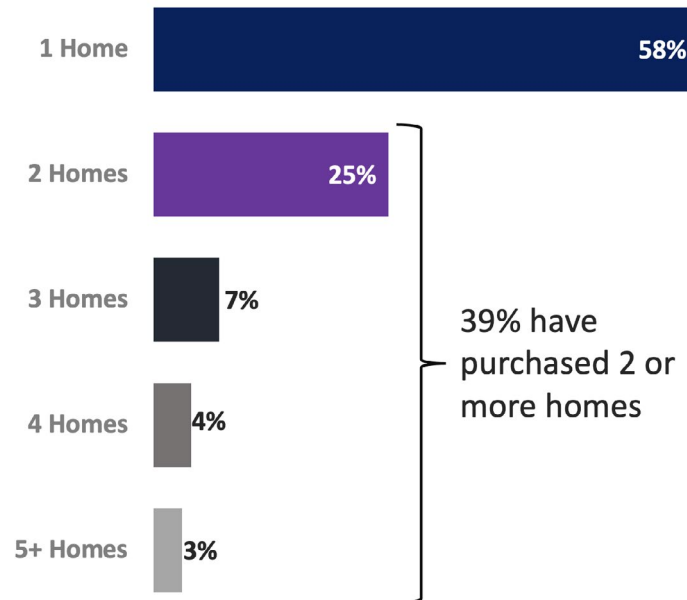


Figure 4 provides a breakdown of living arrangements in terms of housing type across various age groups.

- In total 75% of respondents are owner-occupiers, 12% are in private rentals, 5% rent from a local authority, and 6% live with their parents.
- Age is clearly a factor in home ownership. A notable increase in home ownership is evident as age progresses with over half of respondents aged 16–24 (59%) living with their parents, smaller percentages renting privately (23%) or owning (9%). For respondents aged 25–34, home ownership grows (36%), private renting remains significant (33%), and 21% live with parents. From age 35 onward: home ownership continues to increase, reaching 92% for those 65+.

To understand the level of engagement in the market over time, respondents who were categorised as owner/occupier (either currently or in the past) were also asked about the number (figure 5) and types of homes (figure 6) they had bought over the course of their lifetime to date.

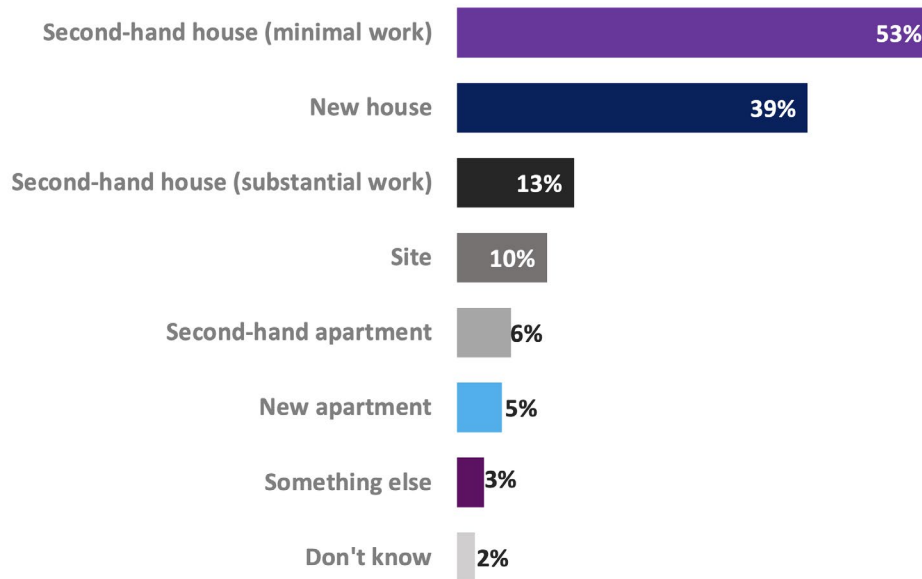
Figure 5: Number of homes purchased



Base: All past and current homeowners (807)

- The majority of respondents (58%) purchased just one home to date. One in four (25%) respondents previously purchased two homes, while a smaller percentage (14%) purchased three homes or more.
- The data suggests that home purchasing is not a frequent activity for most individuals, with a clear majority in the oldest age category (65+) having purchased one or two homes in their lifetime.

Figure 6: Type of home purchased by past and current homeowners

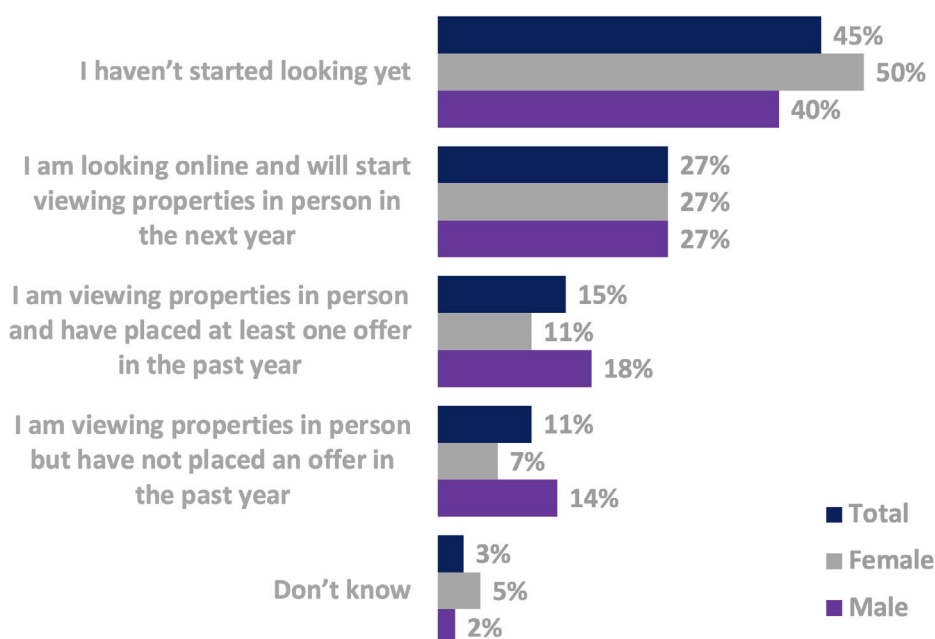


Base: All current and past home-owners (807)

- Second-hand houses that required minimal work are the most popular choice for both current and past-home owners at 53%. New houses are the second most popular choice at 39%.
- Homeowners show lower interest in apartments (5% for new, 6% for second-hand).

In understanding engagement with the market, the experience of non-homeowners was also considered (see figure 7).

Figure 7: Current situation (non-homeowners)



Base: All intending to buy a home (289)

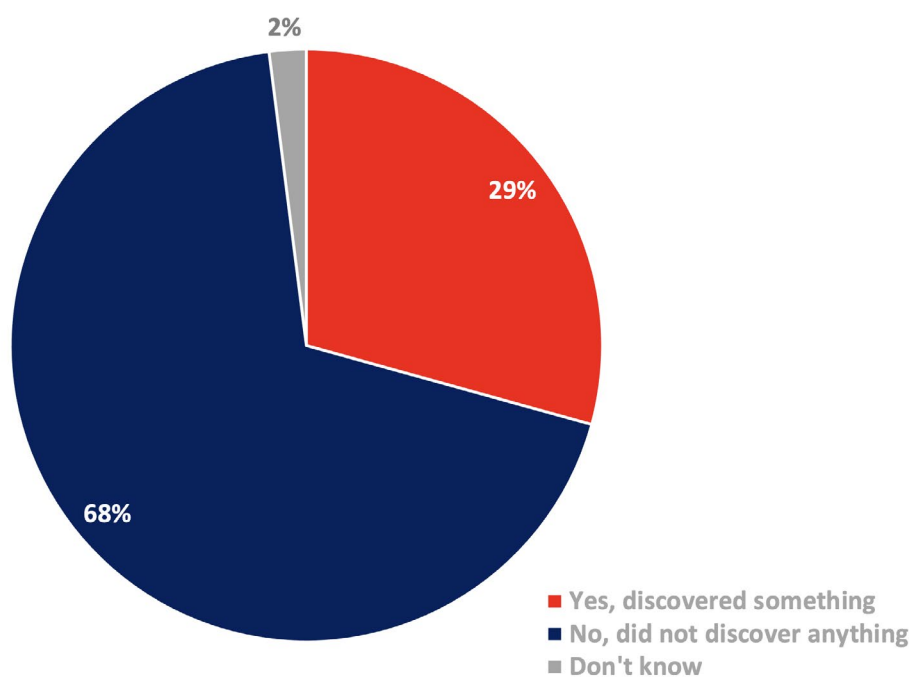
- Almost half of respondents (45%) intending to buy a home have not started looking for properties yet. This group likely includes individuals still in the early stages of planning and saving.
- Just over a quarter (27%) of respondents are currently looking online and plan to start viewing properties in person in the next year.
- One in ten (11%) respondents are viewing properties in person but have not placed any offers in the past year.
- 15% of respondents are actively viewing properties in person and have placed at least one offer in the past year. This group represents those most engaged in the property market, likely including serious buyers ready to make decisions.

In home purchase, only 1 in every 4 consumers aged 65 and over purchased three or more homes in their lifetime.^{xxii} The typical consumer in the homebuying space therefore only encounters the market 1-2 times. This demonstrates the need for greater guidance and protection for buyers in the homebuying market.

5.3 Post-purchase experience

In an effort to understand the experience of homebuyers' post-purchase, respondents were first asked about their prior knowledge relating to the home and area in which they purchased. 51% of homeowners were familiar with the area their home was in prior to ownership, with 11% having previously lived in the home and 8% knowing it through friends or family. Overall, 35% of respondents had no prior experience with the home/area.

Figure 8: Discovered unexpected issues after moving in



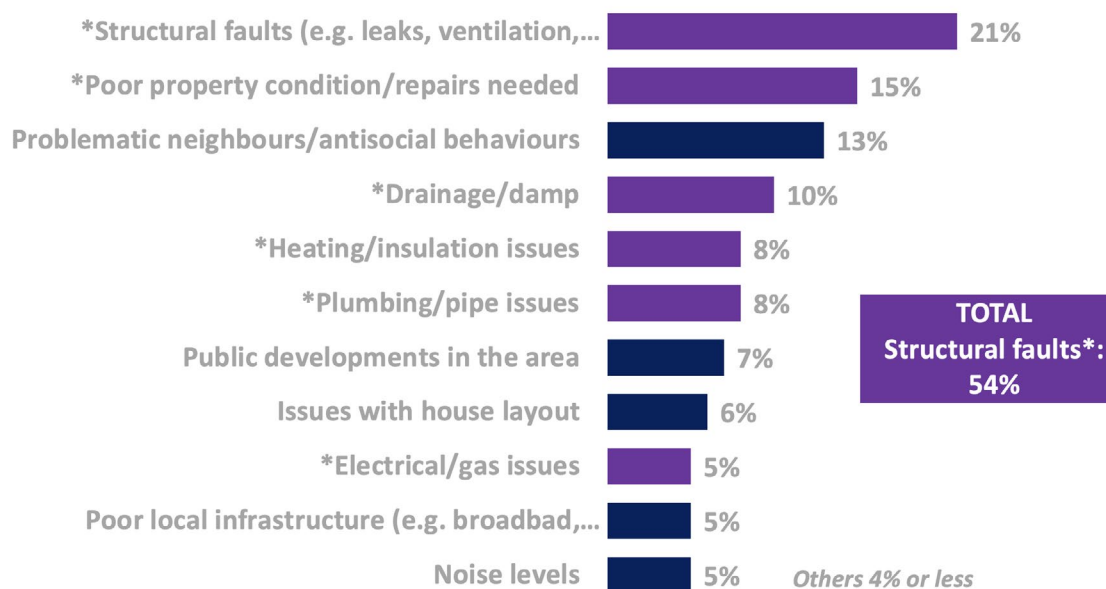
Base: All current and past home-owners (807)

^{xxii} Based on analysis of home ownership amongst 65+ age group.

Figure 8 shows that 68% of homeowners did not discover anything wrong with the house while 29% discovered something about “the property, its contents or the surrounding area” that they wish they had known in advance of moving in.

While the finding that two thirds of homeowners did not experience any detriment is generally positive, the one third who did still represent a significant proportion of buyers. Due to the constraints of time in the questionnaire, respondents were not asked about discovering issues prior to closure on a home, but results from the qualitative phase indicate that this was also a significant issue. Consumers in the focus groups had all experienced something which put them off a home, many after the point of an offer being accepted. This includes instances where substantial costs had already been incurred through solicitor fees and/or surveyor costs, further underlining the importance of receiving clear, accurate and honest information as early as possible in the process.

Figure 9: Negative experiences



Base: All current and past home-owners who discovered something about the property, its contents or the surrounding area (236)

Figure 9 highlights the type of issues encountered by buyers with negative experiences.

Structural faults make up over half of incidents. While anything structural is to be treated seriously in terms of its potential financial cost, it is difficult to tell whether these may be issues that a seller would have been aware of prior to the sale. These may vary from those which a seller is likely to be aware of such as a leak which may have been temporarily treated or covered during visits, to hidden issues which only become apparent when other work was carried out. It may be harder again to prove if an estate agent was aware of these issues prior to the sale.

Non-structural issues relate to more subjective issues (such as issues with neighbours) or things which could potentially be discovered prior to bidding if the buyer knew how to investigate more deeply (e.g. noise levels, public developments).

Table 4 outlines various issues encountered across different types of properties, highlighting how common each issue is within each property category. This breakdown helps reveal patterns in structural and environmental challenges across different property types.

Table 4: Type of home versus issues discovered within the home and its surrounding area

	A new house	A second-hand house: minimal building work	A second-hand house: substantial building work	A new apartment	A second-hand apartment	A site: required development to build the home	All types of homes
Structural issues							
Leaks, ventilation, material etc. (structural faults)	19	23	28	33	21	17	21
Poor property condition/repairs needed	14	14	30	-	16	-	15
Drainage / damp	8	10	13	-	5	8	10
Plumbing/pipe issues	6	12	8	-	5	-	8
Non-structural issues							
Problematic neighbours/anti-social behaviour	17	14	13	27	16	17	13
Public developments in the area	10	8	3	7	-	-	7
Heating/insulation issues	6	11	3	7	5	-	8
Location	6	3	3	-	-	8	4
Poor local infrastructure (e.g. broadband, facilities etc.)	5	4	5	-	-	17	5
Issues with property/house layout	5	6	-	-	5	17	6
Other	5	6	8	7	11	8	7
Water supply/system issues	4	5	5	7	-	8	3
Electrical/gas issues	3	5	5	13	-	-	5
Noise levels	2	5	3	-	16	8	5
Safety hazards (e.g. flood prone, fire defect)	2	3	3	-	5	-	2

	A new house	A second-hand house: minimal building work	A second-hand house: substantial building work	A new apartment	A second-hand apartment	A site: required development to build the home	All types of homes
Mould	2	1	3	-	5	-	2
Issues with management company	1	1	-	7	5	8	2
Pests (e.g. bats, rats, etc.)		3	-	-	5		2
None/don't know	4	2	-	-	5	8	3
Total structural faults	49	60	65	47	47	25	54
Total non-structural faults	55	60	41	48	57	82	71

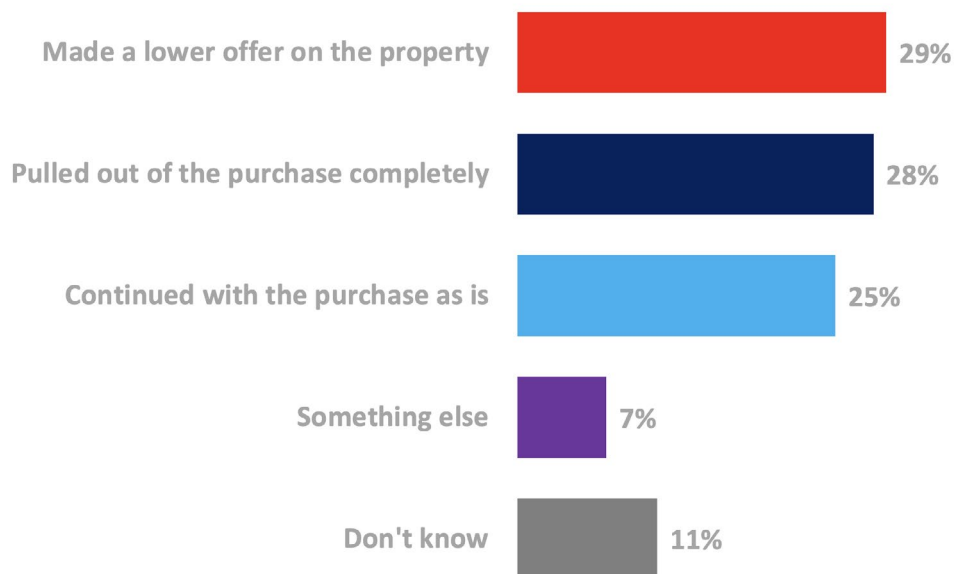
Base: All respondents who reported the issues with the home purchase (N=236)

Over half of those reporting issues said it was related to structural faults (54%), with over one in five people reporting the issue of leaks, ventilation issues, or material problems (21%), followed by poor property condition and necessary repairs at 15%. Non-structural issues (71%) included problematic neighbours (13%) and heating/insulation issues (8%).

The issues highlighted present different challenges to homeowners. Arguably the most serious are structural faults as they can cause stress and cost time, and in many cases, a considerable amount of money to fix. Structural issues appear most prevalently in second-hand houses with substantial building work needed (65%), followed closely by second-hand houses with minimal work (60%), while new apartments and new houses have slightly lower rates (47% and 49% respectively).

Homeowners who reported issues with their home were asked how they would have reacted if they had discovered the problem before purchasing. This would reflect how they perceive the issue and whether it would have influenced their decision to purchase the home.

Figure 10: Action taken if issues had been discovered before the purchase

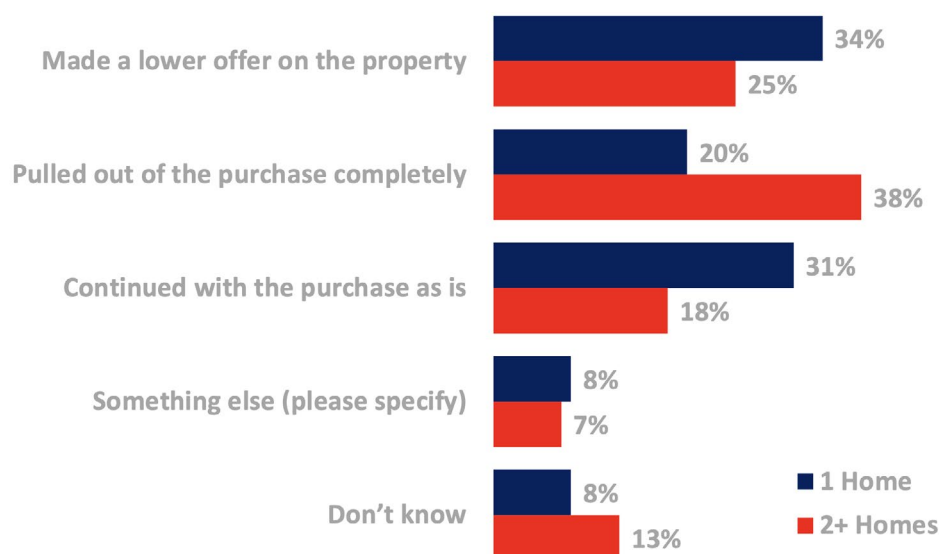


Base: All current and past home-owners who discovered something about the property, its contents or the surrounding area (236)

- Of those who discovered a problem, only 25% would have continued with the purchase as it stood if they had known about the issue at the time.
- Combined, over half (57%) of those who experienced issues say they would have either made a lower offer on the property (29%) or pulled out of the purchase completely (28%) had they known about the faults. Overall, this equates to 18% of all homeowners who responded to the surveys.

Figure 11 highlights how experience might influence decision-making in the homebuying process.

Figure 11: Options if discovered the issues versus number of homes owned



Base: All current and past home-owners who discovered something about the property, its contents or the surrounding area (236)

- One in three novice homeowners (with one home purchased to date) and one in four experienced homeowners (with multiple prior purchases) indicate that they would have responded by making a lower offer on the property if they had discovered the issue before purchasing the home. This suggests that negotiating the price is a common approach, particularly for those with less experience in purchasing properties.
- Nearly one third (31%) of novice homeowners would have continued with the purchase despite the issue, compared to only 18% of experienced homeowners. Similarly, one in five novice homeowners would opt to withdraw from the sale entirely, compared to a much higher 38% of experienced homeowners who would do the same. This indicates that novice homeowners might be less cautious or feel fewer buying opportunities are available, while experienced buyers are more likely to consider alternative options rather than continue with the sale.

In summary, experienced homeowners show a greater capacity to walk away from problematic transactions than a novice homeowner. In addition, novice homeowners are more likely to continue with the purchase or negotiate a lower price which also reflects less flexibility or willingness to walk away.

5.4 Conclusion

It stands to reason that increased familiarity with a property reduces the potential for detriment to arise post-purchase. Those familiar with a home through living in it prior to purchase, or having familiarity through other people, can be less susceptible to problems such as structural issues and area-related detriment like noise pollution. Those with knowledge of an area could also avoid some potential issues, such as being misled over commuting times to and from the property. The consumers likely to be at greatest risk of being misled are those who purchase a home or in an area where they have no familiarity for instance.

6. Trust and the Provision of Information

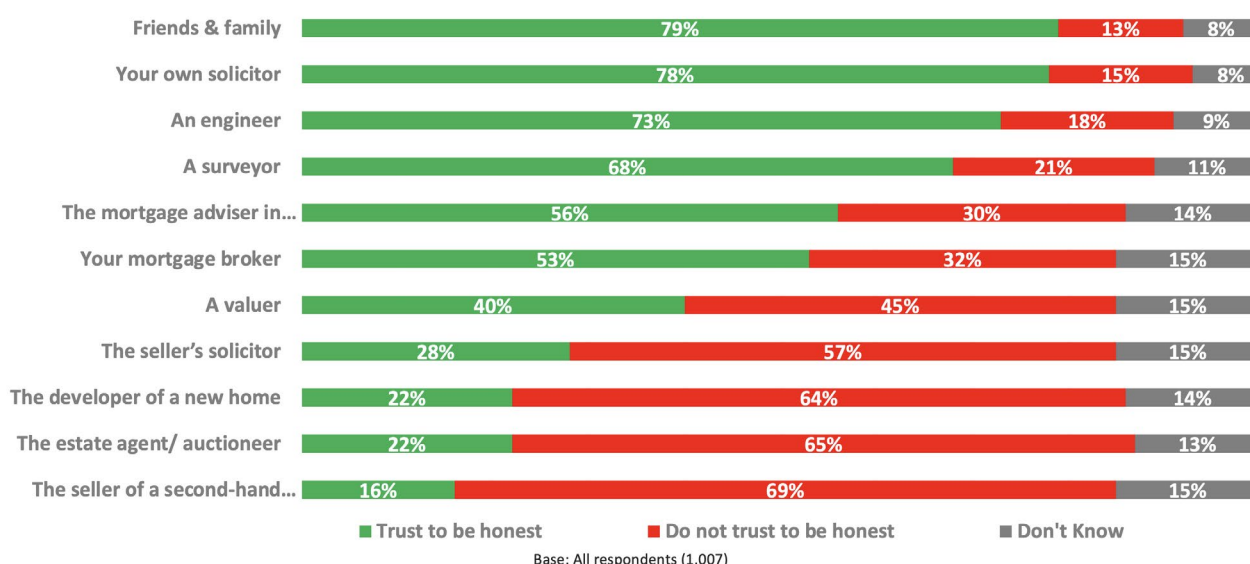
6.1 Introduction

This section sets out consumers' reported trust levels relating to various actors in the homebuying process. In addition, the most beneficial type, and timing, of information for consumers throughout the process was examined.

6.2 Trust towards individuals and professional agencies

To gain a deeper understanding of the levels of trust that homebuyers place in the various actors involved in the homebuying process, respondents were asked to evaluate the trustworthiness of several key parties they interact with throughout the journey.

Figure 12: Level of trust toward relevant parties in homebuying process



- Friends and family are the most trusted source here, with 79% believing they will always be honest. This trust level was followed closely by their own solicitors at 78%.
- Engineers and surveyors are generally trusted, with 73% and 68% trust rate respectively, while bank mortgage adviser and mortgage broker receive moderate trust (56% and 53% respectively).
- There is a mixed perception for a valuer, with only 40% trusting their honesty.
- Seller's solicitor, estate agent/auctioneer, developer of new homes, and seller of a second-hand home are the least trusted, with less than 30% say they trust them and a majority not trusting these individuals to always be honest.

Overall, the data reveals a trend where personal contacts (including solicitors) and specific professionals (e.g. engineers) are generally trusted, while individuals involved in selling or valuing homes are at the lower end of trust. This trust profile remains consistent when examined from the perspective of those who intend to

buy a property in the near future. Whether people intend to buy or not, personal contacts and selected professionals are at the top of the trust list. While sellers, or individuals involved in selling the house such as the buyer's solicitor or developers are normally on the lower end.

Table 5 examines trust based on level and type (i.e. positive/negative) of experience in the market to date.

Table 5: Compare the level of trust in different groups of homeowners

	Current/past homeowners	Inexperienced buyer (1 home)	Experienced buyer (more than 1 home)	Had negative experience in home purchase	No negative experience in home purchase
	N= 807	N= 472	N= 319	N= 236	N= 551
Friends & Family	81	81	83	77	83
Your own solicitor	81	80	83	74	83
An engineer	75	75	76	69	78
A surveyor	72	70	76	65	76
The mortgage adviser in your bank	58	58	61	50	62
Your mortgage broker	55	56	56	52	57
A valuer	39	40	38	34	41
The seller's solicitor	29	29	31	26	31
The estate agent/ auctioneer	22	23	20	15	25
The developer of a new home	22	23	21	18	24
The seller of a second-hand home	16	17	14	14	17

In summary, experienced homeowners are more likely to say they trust the professional experts (engineers, surveyors, their mortgage brokers) compared to novice buyers. Those with negative experiences in homebuying show significantly lower trust in estate agents and developers. Experienced buyers, especially those with negative experiences, are also more likely to distrust these parties. Although, all groups highly value advice from friends and family and own solicitors, experienced buyers lean more on technical professionals for detailed advice. In essence, trust in professionals increases with homebuying experience, but level of trust towards sellers and agents also decreases for those with negative experiences.

Respondents were asked to indicate which actors they would trust to provide accurate information about several areas (see Table 6). This question aimed to gain deeper insights into the level of trust that homeowners/or potential homebuyers place in the relevant professional agencies and individuals involved in the homebuying process.

Table 6: Trust the information provided by different actors and agencies

Actors	Estate agent/ Auctioneer	Property website (e.g. Daft, MyHome)	Your solicitor	Seller's solicitor	Your surveyor	The seller	None of these
Publicly available information like flood maps and planning permissions	33	13	44	14	37	7	7
Information about the size of the property and number of rooms	68	25	16	10	26	21	3
Financial information about the property	43	9	57	20	7	13	3
Structural defects with the property	22	5	23	13	66	12	4
Legal issues with the property	19	5	76	32	13	10	2
Information affecting renovation grants	38	10	48	17	30	11	5
Amenities around the property like shops and schools	53	27	10	7	7	23	19
Commuting information from the property	44	25	10	5	6	19	24

Base: All respondents (N= 1007)

The table illustrates that solicitors are viewed as the most important actors for legal and financial information, while estate agents dominate when it comes to property-specific details such as size and amenities. Property websites are primarily trusted for practical location-based data, and the surveyor is trusted to disclose structural defects. This pattern reflects the specialised roles of each actor in the property transaction process and the information buyers rely on at different stages of homebuying process. It also reflects the diverse range of sources a buyer requires to find information they trust – and even then, no area had very strong levels of trust.

6.3 Information needs

The research sought to understand the types of information that homeowners and prospective homebuyers wish to know at different stages in the property search and buying process. Various important factors related to a property were listed, ranging from its condition and compliance with regulations to neighbourhoods, and utility details. Respondents were asked to indicate at what stage of the process they would prefer to know each piece of information. Table 7 allows for comparisons across all stages, which each stage described in more detail thereafter.

Table 7: Information that buyers wish to know

	When looking at a property advertisement	When viewing a property in person	Before putting an offer on a property	Before closing the sale on a property	I don't need to know this information	Don't know
Flood/noise/radiation maps	31	29	28	5	3	3
Planning applications near the property	22	28	32	7	6	4
Property dimensions: home, garden, room sizes	51	31	12	2	2	2
Structural defects (e.g. renovations required)	30	37	25	4	2	2
Compliance with planning regulations	35	25	28	6	2	3
Whether property is in probate	32	26	25	4	4	8
Most recent usage of property (e.g. vacant/rented)	33	39	17	3	5	3
Property utilities (e.g. electricity, gas, water etc.)	35	34	18	7	4	2
Local amenities/transport/schools etc.	43	29	18	3	5	1
Parking	42	35	13	2	6	2
Information affecting grants (e.g. year the property was built etc.)	35	26	26	5	4	4
Whether current occupiers smoke/pets, etc.	14	42	11	2	27	4
If a previous recent sale fell through	13	30	32	5	14	5

Base: All respondents (N= 1007)

Figure 13: Types of information by desired stage (pre/post bid)

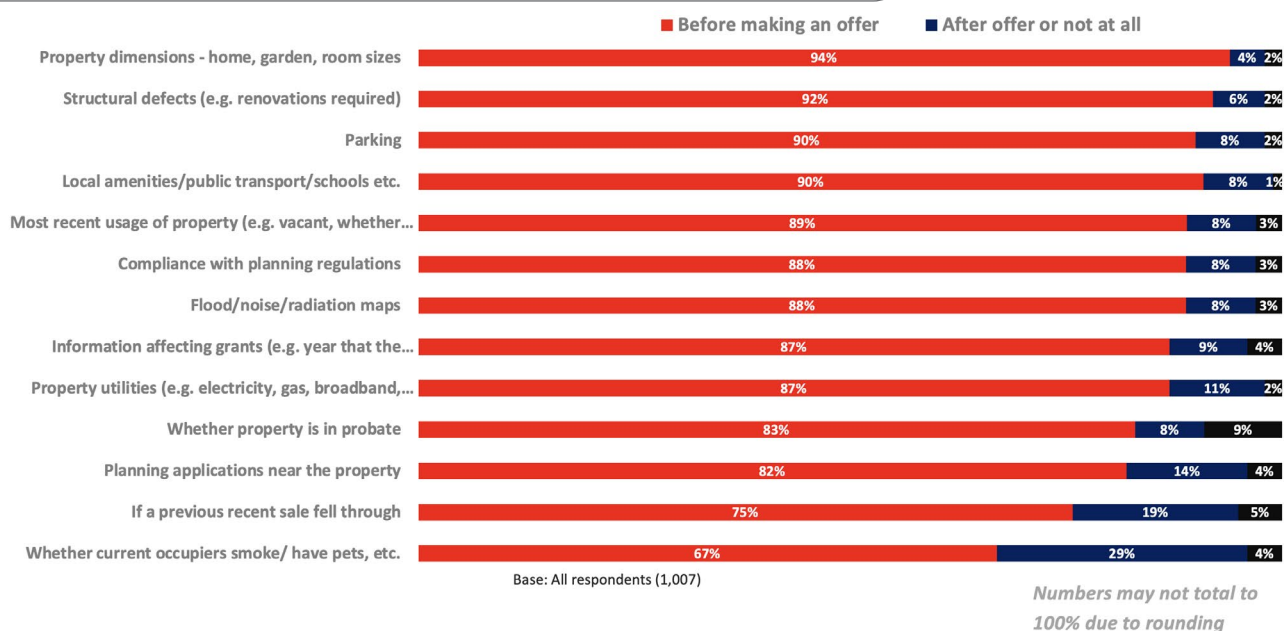
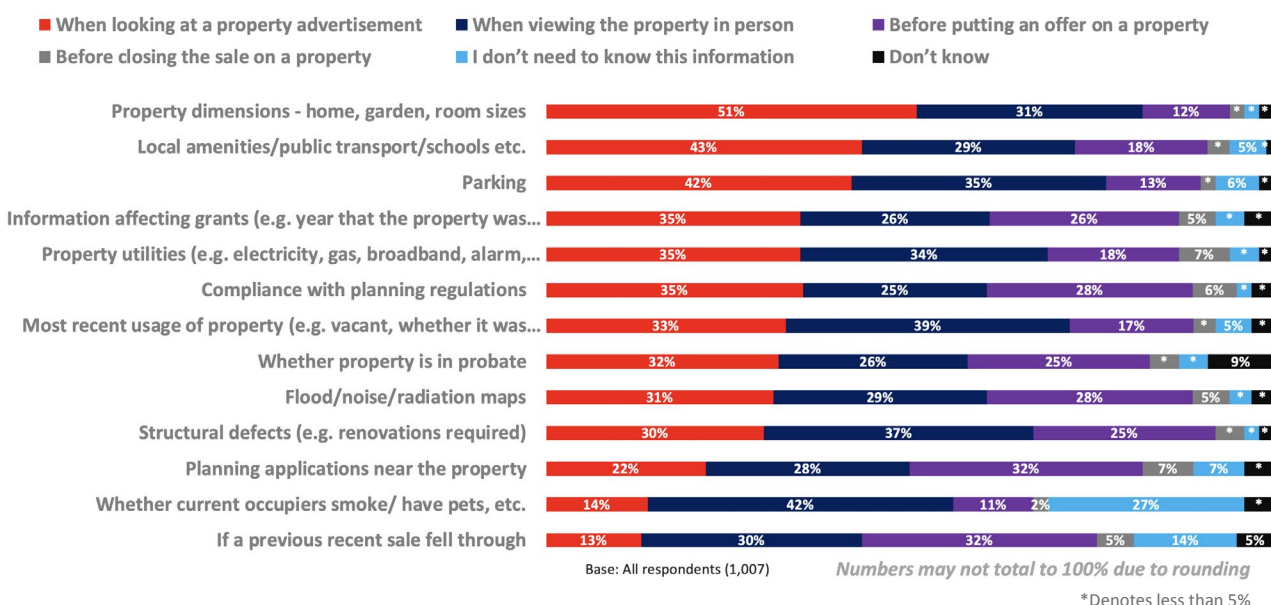


Figure 14: Types of information by desired stage



Figures 13 and 14 show the information consumers wish to know and when. The below analysis is divided by the point in the process when consumers said they wanted to know each piece of information. However, what is obvious from figure 13 is that a majority of consumers in all cases want information prior to putting a bid on the property. Something which is not available to them in all cases currently.

“when looking at the property advertisements”:

- Property dimensions are the most desired information at the advertisement stage (51%), followed by local amenities/public transport/schools (43%) and parking availability (42%). This indicates that buyers are keen on key property characteristics and location-related factors from the start.
- Compliance information, information about the grant and property utilities (35%) are also valued for respondents in this phase, followed by “most recent

usage of property” and “whether the property in probate” and “flood map, noise, radiation” which fluctuates at 33%- 31%. Just 30% of people wanted to know at this stage if the property has any structural defects. This suggests at this phase, respondents are interested in financial incentives and functional property features.

- “Information on planning application”, “the previous occupiers or pests” are lesser priorities at this phase.
- Those who have never purchased a home (38%), those who intend to buy a home (39%) and those who have had prior negative experiences in a home purchase (33%) are the most likely to want information about the structural defects of the property when looking at a property advertisement.

Information prioritised “when viewing the property in person”:

- Whether the current occupiers smoke or have pets are issues of most interest (42%), followed by 39% of people saying most recent usage of the property.
- Over one in three people reported that they wish to know any structural defects of the property (37%), reflecting that buyers are likely to verify structural issues visually. Please note that in previous sections, overall structural defects are the biggest issues that homeowners discovered after purchase. However, most structural issues can be hard to discover by observation only.
- Parking availability (35%) and property utilities (34%) are also frequently checked during viewings, which aligns with practical considerations for everyday convenience.
- Whether recent sales have fallen through is notably higher here at 30%, suggesting this could be an indicator for potential buyers to look into possible issues regarding the property or can be used in negotiation leverage.

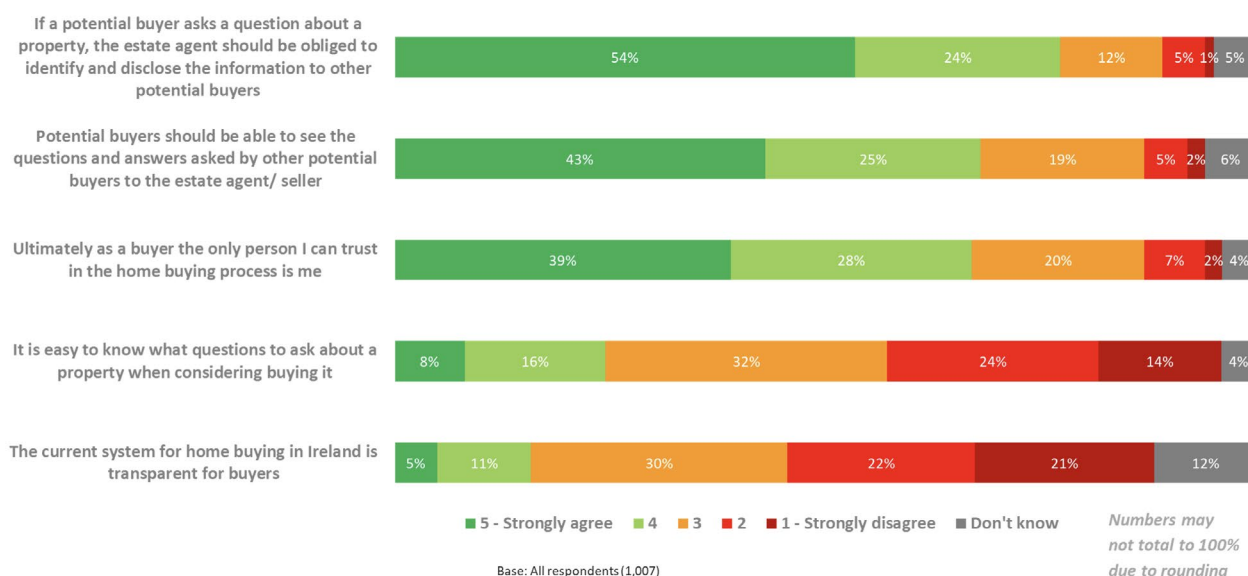
Information the respondent prioritised “Before putting the offer on the property”:

- Planning applications near the property (32%) and “if a previous recent sale fell through” (32%) are the only two pieces of information which were selected at this stage to a higher degree than other stages.

This data demonstrates that, based on observations of property advertising, consumers are not getting the information they want, when they want it. While the conveyancing process may bring most (or all) of the above information to light at some point, consumers want to have access to the information before they make a bidding decision – in the same way that they would if they were transacting in another market.

We asked all respondents to share their agreement or disagreement with the following statements about the homebuying process and the roles of the main actors in the homebuying journey.

Figure 15: Level of agreement with each statement



- The majority of respondents (78%) agree that estate agents should be required to share information with all potential buyers. This suggests a strong preference for transparency and accountability in the property market from potential buyers.
- There is a clear inclination (68%) toward buyers having access to questions and answers asked by others. This supports the idea of increased transparency, and buyers seem to want access to more information from previous inquiries, which could help them make better-informed decisions.
- In terms of knowing what questions to ask, the highest percentage of respondents (39%) disagreed that this was easy to ascertain. Only 24% agree that it is easy to know, and 24% are neutral, indicating that many buyers feel uncertain about the right questions during the homebuying process.
- 43% of respondents disagree with the notion that the current homebuying system in Ireland is transparent. This suggests dissatisfaction with the existing process, highlighting concerns about lack of clarity or openness that may be detrimental to buyers.
- A majority (67%) of respondents agree that they can only trust themselves in the homebuying process, which reflects a lack of trust in other parties involved, such as estate agents, sellers, or even the overall system.

7. Discussion and Recommendations

As previously highlighted, this project is not taking place in isolation. The purchase of property is a complex process requiring multi-faceted solutions. Even in trying to limit the scope of this project, it was understood that elements of it will rely heavily on other aspects of the system: chiefly that trust in information relies on obligations to disclose, but also on enforcement when those obligations are not met.

It is also challenging to directly compare international best practice as the nature of the housing market and regulations governing home purchase vary across territories. Even small differences can make comparisons difficult.

In outlining recommendations for any market there is a consideration of what the most appropriate path to take to achieve the best outcomes is:

Education: Education places the emphasis on consumers themselves to obtain and evaluate information in the market.

State Regulation: The Property Services Regulatory Authority (PSRA) is the statutory body responsible for licensing and regulating the property services sector in Ireland, including estate agents and auctioneers. The Legal Services Regulatory Authority (LSRA) also have a regulatory role in relation to solicitors. While the CCPC seeks compliance, including through investigation and enforcement regarding issues in relation to consumer protection legislation. Oversight by all of the above bodies can be done using regulatory codes and guidance, or through specific legislation.^{xxiii}

Ireland has a strong regulation system for interactions between the seller and the estate agent (or other providers in the sector), however this can come at the potential cost of the transparency provided to the potential buyers. This is most clearly seen in Section 5(3) of the Property Services (Regulation) Act 2011 (Minimum Standards) Regulations 2020 (2020 Regulations) stating that agents must act in the “interests of the client” at all times. This is subject to the estate agent not acting in an unlawful manner as set out in Section 5(2) of the 2020 Regulations and is also an important factor in the seller-agent relationship protection. However, the effect is that there is a disincentive for the estate agent to disclose any information about the property which may negatively impact the property value to buyers. Any changes in the system which would see the agent responsible for such disclosure needs to carefully consider whether a conflict might exist as a result of this clause.

The CCPC does not feel that the current structure of information in the market sufficiently protects consumers. In addition, the survey results demonstrate both the failings of this system (with one third of homeowners having a negative experience) and the desire to change it (just 16% of consumers think the current system is transparent for buyers).

Furthermore, when engaging with stakeholders it was clear that the current system is not efficient for anyone involved. It was also obvious that whether you are a

^{xxiii} The ASA has also played a role in regulating information in the market in a self-regulatory capacity.

buyer, seller, agent, platform or financial body, faster transactions are in the best interests of most actors in the sector.

Homebuying is also a complex process. With only one quarter of consumers thinking that it is easy to know what questions to ask about a property, it is unlikely that education will be a sufficient path alone to protect consumers. The recommendations and discussion below are therefore done with the intention of moving beyond the education-led system towards a tighter regulation of the information available.

For the conclusions of this project, three areas will be examined:

- Consumer Protection
- Accuracy and Transparency of Information
- Responsibility

7.1 Consumer Protection

7.1.1 *Caveat Emptor*

In Ireland, the sale of residential property by a consumer is governed by the principle of *caveat emptor* – “let the buyer beware” – which places the responsibility on the purchaser to investigate the condition and legal status of the property prior to sale completion. The Consumer Protection Act 2007 does not apply to consumer-sellers selling their own home, as it is mainly designed to cover businesses and professionals involved in selling goods and services. This means that buyers of homes from consumer-sellers are not protected by the rules in the Act.^{xxiv} In Ireland, *caveat emptor* plays a much stronger role in home buying than in other countries. Unlike in other jurisdictions where consumer-sellers can be legally required to disclose all known defects in a property prior to the closure of a sale, Irish law places the onus on the buyer to conduct due diligence before purchasing.

This underscores the critical importance of access to clear, accurate and timely information throughout the transaction. Since consumer-sellers are not legally obliged to disclose all known defects (except for if they knowingly mislead), buyers must rely on information they can obtain through public databases, professional surveys and legal checks. As such, the effectiveness and transparency of information provision – from estate agents, solicitors, and public records – plays a vital role in enabling informed decision-making and reducing the risk of issues arising at the later stages of the sale or post-purchase.

While the principle of *caveat emptor* applies to the sale of residential property by consumers in Ireland, the conduct of estate agents involved in such transactions is subject to the CPA 2007. As commercial operators, estate agents are legally obliged to provide consumers with accurate and non-misleading information about properties they market prior to a transactional decision (a bid or even a decision to view a property) taking place.

^{xxiv} The CCPC acknowledges that in specific circumstances a buyer may be able to take legal action, but this can be complex and costly.

7.1.2 What is “material information” and what could “misleading” mean?

Consumer protection legislation requires traders to not mislead consumers by omitting/concealing material information. Section 46 of the CPA states that “A commercial practice is misleading if the trader omits or conceals material information that the average consumer would need, in the context, to make an informed transactional decision (“material information”) and such practice would be likely to cause the average consumer to make a transactional decision that the average consumer would not otherwise make.” However, this is a general principle and material information is not the same across every market. This is where guidance to traders operating in the market can be of assistance in helping them to comply with consumer protection legislation. The CCPC has a track record of developing such guidance, followed by enforcement.^{xxv} Internationally, the National Trading Standards Estate and Letting Agency Team in the UK previously produced guidance which outlined material information for property advertising in that state.

In stakeholder conversations, the feedback has been that guidance would assist the industry in Ireland in providing clarity to both buyers and sellers about what is required within property marketing materials. The CCPC intends to produce such a document for the Irish market.

Section 3 outlined the legislative basis for misleading information and how it could apply to estate agent communications, even in the current context. In practical terms this could refer to a number of areas of information in marketing material, or other communications, in relation to a property. Examples could include:

- Stating an alternation, extension or addition (or even the property itself) is compliant with planning permission when it is not
- Exaggerating a property’s size
- Misrepresenting the location of the property either through geographical location or proximity to other amenities or locations
- Misrepresenting a property’s room types
- Using altered imagery to misrepresent homes interiors, exteriors or surroundings
- Using euphemistic language to describe any defects or shortcomings in the property

Some of the above can be egregious and immediately obvious as misleading to consumers. These should immediately be reported to the platform or site which the material is hosted on (who are legally required to facilitate this process) and to the CCPC and/or PSRA.

^{xxv} In March 2025 the CCPC disclosed that two influencers were served with compliance notices following on from guidance issued by the CCPC in October 2023. More information is available at: <https://www.ccpc.ie/business/competition-and-consumer-protection-commission-publishes-record-of-enforcement-activity-for-2024/>

Others will be discovered when the prospective buyer visits the property or conducts further research. Some examples which arose repeatedly in observations and during the consumer research which are more subtle but may be misleading:

- *School location:* Many property postings include the proximity of the property to schools in the area in terms of kilometres. However, enrolment in a school is typically determined by “catchment area” which is a separate system to location. In the case of minority religious affiliations, religion can also be taken into account. Not stating that additional factors apply to school entry could potentially be misleading as it could cause confusion to the average consumer.
- *Additional buildings:* The addition of garden rooms/ offices has risen in recent years, (potentially on the back of an increase in working from home). These additions can be exempt from planning permission but there are strict conditions including that they cannot be “lived” in. Any suggestion that such a room could be used for accommodation or letting out could therefore be misleading unless the condition is stated. In conducting desk research several potential examples of this breach were found.^{xxvi}

There is also the issue of omission of material information, something which is also illegal if the material information is known to the trader and can be reported as such. This most obviously occurs when defects which are known are not mentioned in communication but could also occur in other actions.

7.2 Accuracy and Transparency of Information

Conveyancing can be seen as a key safety mechanism available to homebuyers. However, as our research shows, it cannot capture everything, and consumers can still be left with regret following the conclusion of the transaction.

Even in cases where conveyancing highlights issues, this can come at considerable cost to potential buyers. The money spent at that point could include solicitor’s fees, a surveyor’s report, a valuation and, depending on the agreement, a broker’s fee. There are further opportunity costs relating to the deposit put down at the bidding stage^{xxvii} and the time spent by the buyer in engaging with the bidding process. There are also knock-on impacts on other bidders who have also been bidding on the home.

The survey results also demonstrate that, across almost all information put to respondents, the majority of consumers want to see accurate information earlier in the process than they currently receive it – specifically before they put in a bid on the home. This is very much out of step with the current process based on the conveyancing failsafe.

^{xxvi} During the course of this research the government was reported to be considering alterations to these planning permissions, but these have not been enacted at time of publication.

^{xxvii} Although the deposit is fully refundable, it remains an outlay for the buyer and could prevent them from bidding on other houses while it is held. The CCPC has received complaints regarding delays in deposit refunds.

7.3 Responsibility

A key aspect of the information provision lies not just in what is being said, but in who is saying it. As the survey results show, buyers tend to trust those directly connected to them (friends/family and solicitors) with trust waning the further removed the source is (estate agents, developers and sellers being the lowest). This shows that information coming from the sellers – often the only valid source of information on second hand homes – will not be trusted automatically by the buyer. This also extends to professional services which should, theoretically, be impartial with the buyer's own solicitor being vastly more trusted than the seller's.

In the focus groups, suggestions such as the seller's pack were initially well received, but when probed would not be trusted if completed by the seller or estate agent. Consumers are likely to carry out their own investigations of what is provided to them, risking the duplication of work – especially in the case of building surveys. Should a pack include a surveyor's report on the property, there is a strong likelihood that a buyer would commission their own report following the acceptance of a bid. This would have the effect of putting pressure on the market by potentially doubling the number of surveys carried out on property.^{xxviii}

The primary reason for the mistrust is that there is little to no knowledge amongst consumers of repercussions for sellers or estate agents who mislead potential buyers. Consumers in the focus groups noted that in their view, there is no effective disincentive for sellers who lie or attempt to deceive buyers.

7.3.1 Market Factors

This research took place in the context of a rising property prices. Prices increased by 8% in the 12 months prior to June 2024, when the research was commenced.³⁶ It was seen in the groups that this has an impact on the responses of some consumers. In a rising market, with perceived limited penalties for misinformation^{xxix}, there is no perceived incentive for a consumer-seller to be completely transparent about a property. This situation leaves buyers in a vulnerable position due to the lack of a formal agreement in the sale agreed stage.

For example, if a buyer discovers an issue during the sale agreed period and points it out to the seller to attempt to achieve a lower price, there is little to stop the seller from simply rejecting their bid, refunding the deposit and placing the home back on the market or returning to the next highest bidder. The potential buyer may have lost money on the building surveys, solicitors and other services. Other bidders/buyers may then progress along a similar path until a buyer does not find the issue, or accepts the risk, and completes the purchase.^{xxx} In a rising market this may actually lead to an increased sale value.

^{xxviii} The CCPC would also note that, if a situation could be found that increases credibility in the seller's survey, this could greatly reduce the volume of surveys as only one would be required per property, even if multiple sale agreed periods occurred on the sale.

^{xxix} The CCPC acknowledges that in specific circumstances a buyer may be able to take legal action, but this can be complex and costly. As noted earlier, if a seller is also a trader and if they are selling a home to a consumer, they must comply with the provisions of the Consumer Protection Act 2007 (as amended) (the "CPA 2007") (including the requirement to not mislead consumers).

^{xxx} The CCPC acknowledges that in specific circumstances a buyer may be able to take legal action, but this can be complex and costly.

One of the recommendations outlined in this report is the introduction of pre-sale requirements, where a property would not be permitted to go to market without various information being confirmed. This will help to make information relating to a property more uniform thus helping to guard against some scenarios described above.

The CCPC is aware that under the Programme for Government, there is a commitment to establish an expert group to make the bidding process clearer and transparent. This would be an appropriate medium to also consider some of the issues outlined above.

7.4 Consumer Detriment ^{xxxi}

Early Stage (pre-sale agreed)

If buyers do not receive clear and accurate information early in the home buying process they can experience time wastage through unnecessary viewings and time spent researching and bidding on inappropriate properties. Not having complete and accurate information also presents a risk that consumers will overestimate the value of a property. The first port of call for most buyers are property platforms. The quality of information provided in property advertisements can vary significantly as there are currently no minimum requirements set for the industry. It is rare to find property advertisements that explicitly mention negative or problematic aspects, as they tend to use exaggerated or promotional language (i.e. puffery) instead.

This risk of detriment is further increased at this stage by the fact that consumers report being unsure of who to look to for credible information. Due to this uncertainty, they can sometimes depend on potentially unqualified sources such as family/friends or social media influencers. Furthermore, 39% strongly disagree that it is easy to know the right questions to ask when buying a home.

When asked about a range of information categories that could apply to a home being purchased, a majority of consumers in each case wanted to have that information prior to placing a bid on the home – something which is generally not yet the case for prospective buyers in Ireland.

Conveyancing Stage

The most significant issue reported by those who bought and sold a property in 2024 was delays during the conveyancing process. These delays can result in consumers experiencing detriment in the form of: i) stress through trying to deal with the impact of delays (e.g. accommodation issues because of existing property being sold or rental lease expired) or from losing properties they gain an emotional attachment to; ii) financial loss through costs incurred from engaging with traders (solicitors, surveyors, architects and engineers primarily) on properties which do not proceed to closure or incurring additional fees such as rent or storage costs; (iii) time lost if the sale falls through.

^{xxxi} Consumer detriment can be defined as an “issue that cost consumers money or time or caused them stress”. CCPC (2024) Understanding Consumer Detriment in Ireland. Available at: <https://www.ccpc.ie/business/wp-content/uploads/sites/3/2024/02/CCPC-Understanding-Consumer-Detriment-in-Ireland.pdf>

Delays often relate to issues which could have been identified or disclosed prior to the home being put on the market or a bid being placed on the property (such as problems locating deeds, known issues within the property discovered during a survey, or lengthy delays due to ongoing probate). These issues can also lead to delays for sellers when buyers withdraw from deals after receiving information on the property which they could have viewed earlier in the process. This in turn can have knock on impacts for property chains when an owner is waiting to sell in order to close on another property.

Based on the CCPC's most recent estimate from a sample of buyers and sellers in 2024, the average timeframe for conveyancing is 17 weeks^{xxxii} (with 43% of consumers reporting it took 16 weeks or more)^{xxxiii}, highlighting the extent of the progress that is required to reach the target timeframe of 8 weeks identified by the Housing for All Expert Group on Conveyancing and Probate in June 2024.^{xxxiv}

7.5 Actions and Recommendations

The recommendations and actions outlined in this section are urgently needed to address the significant gaps in information provision identified in the homebuying process. The current system, often governed by the principle of caveat emptor, places the onus on buyers to conduct thorough due diligence, often without adequate, timely access to necessary information. Based on consumers who participated in our research, this has led to widespread consumer detriment, including financial loss, stress, and time wastage, particularly during the early and conveyancing stages of property transactions. The CCPC therefore recommends the following:

Recommendation 1: Government should legislate for introduction of pre-sale requirements^{xxxv}

Many of the issues related to information provision would become redundant if improvements were made to the property sales process. Consumers in the focus groups had all experienced either delays in closing a sale, or a sale falling through. Often, the reasons for this were due to circumstances outside of the buyer's control, but within a seller's remit. It is therefore highly recommended that no property should be permitted to go to market without the following being confirmed:

- the seller or their solicitor is in possession of the title deeds.
- whether the property is registered (Land Registry) or unregistered (Registry of Deeds).
- the property's boundary definition including a map showing same along with details of any rights of way relating to the property.
- the property is tax compliant (i.e. no outstanding property tax debt).
- the property does not require probate for a sale or that probate has been completed prior to the property being advertised.
- the property is fully compliant with required planning permission and building regulations.

^{xxxii} Previous 2023 estimates from IPAV and LSRA were 15.8 weeks and 20 weeks respectively.

^{xxxiii} This data is part of research on conveyancing to be published later in the year.

^{xxxiv} For more detail see: [housing-for-all-expert-group-on-conveyancing-and-probate-final-report-and-recommendations.pdf](#)

^{xxxv} The topic of pre-sale information has been considered at the Implementation Group for the recommendations from the Housing for All Expert Group on Conveyancing and Probate. The CCPC is a member of this group, however the views expressed here are solely those of the CCPC.

- In the case of Multi-Unit Developments (MUDs), that all relevant documents from the management company are in hand, other than those which may require a specific buyer name for their transfer.

In addition, the seller and/or estate agent should make readily available any public information on environmental risks which could be associated with the property (e.g. flood, noise and radiation maps). This should become a more straightforward process based on recommendation 4 below.

It should be noted that the information listed above is, in the vast majority of sales, already required to be compiled during the conveyancing process for a sale to be completed. The intention here is not to add additional information burdens but rather to bring forward the collection of this information earlier in the process. As such, this should not result in costs increasing for sellers, however, it may result in sellers having to pay a portion of legal fees earlier in the process than is currently the case. It may also act as a deterrent to speculative sellers who test the market without a firm intention to sell.

Recommendation 2: Government should expediate introduction of a new profession of conveyancer

The role of conveyancing is set to become even more crucial as the volume of property transactions continue to rise. With the increasing demand for transparency and efficiency in the homebuying process, the need for skilled conveyancers who can navigate the legal intricacies and ensure smooth transactions is more urgent than ever.^{xxxvi} Introducing competition in this area will not only drive innovation and improve service quality but also provide consumers with more choices and potentially lower costs. By fostering a competitive environment, we can ensure that conveyancers are motivated to offer the best possible service, ultimately benefiting both buyers and sellers in the property market.^{xxxvii}

With this in mind the CCPC is reiterating its call for the Government to expediate the introduction of a new profession of conveyancer.

Recommendation 3: Property platforms should update processes to support uniform disclosure of information across advertisements

Consumers are keen to have increased levels of clear and accurate information at earlier stages in the process and, while it is sellers and/or estate agents that will typically be responsible for the content, platforms are generally the first port of call for a buyer search. This places platforms in an important position for the provision of information. When guidance is issued by the CCPC to estate agents (see action 2 below) regarding information that should be included in property advertisements, the uploading and sharing of this information will need to be facilitated by the platforms. The CCPC is therefore calling on property platforms operating in the State to:

^{xxxvi} The CCPC made a submission to the LSRA on the creation of a new profession of conveyancer (<https://www.ccpc.ie/business/business/research/submissions/ccpc-submission-to-the-lrsa-on-the-creation-of-new-profession-of-conveyancer/>). In its submission to the Housing for All Expert Group on Conveyancing and Probate, the CCPC recommended that the Minister for Justice should set out a clear timetable for the establishment of conveyancing as a profession (<https://www.ccpc.ie/business/business/research/submissions/ccpc-submission-to-the-housing-for-all-expert-group-on-conveyancing-and-probate/>).

^{xxxvii} The OECD has also recommended the establishment of the profession in their Economic Survey, Ireland 2025. Available at: https://www.oecd.org/en/publications/oecd-economic-surveys-ireland-2025_9a368560-en.html

- Develop template structures or support estate agent CRM system processes^{xxxviii} which facilitate and encourage full disclosure in line with any pre-sale information requirements and/or guidance on material content for property advertisements issued by the regulatory authorities or as specified in legislation.
- Facilitate the use of hyperlinks to publicly available information on properties e.g. flood plains, noise, planning, radiation and other useful maps.

Property platforms and others active in the marketing of property in Ireland will be encouraged to participate in the consultation process prior to the publication of guidance from the CCPC in 2026 relating to information provision in property advertisements.

Recommendation 4: Government should request that relevant public sector agencies consolidate geo-spatial and environmental information and make it accessible to consumers

There is currently a wide range of information available to consumers that is not being fully utilised. This covers important information on risks such as flood plains, environmental information that may have a health impact such as air quality, factors affecting quality of life such as broadband and mobile phone coverage, or information that could be relevant for construction and renewable energy grants. This information is currently available to those who know what to look for, where to look for it and how to decipher the information correctly for their use. However, it is stored across multiple agencies and websites meaning consumers are required to search for each resource individually.

Many consumers are not aware of these resources which could give them important information from the outset of a property search. Some may only have partial knowledge and may be missing out on additional elements. Even for those who do find the information, it can be presented in hard to use formats which can require underlying understanding of the scales or measurements involved. This contrasts with other countries within the EU (e.g. France or the Netherlands) which have a consolidated source of information where consumers can search for a specific address and be given the associated risks for that property and/or the surrounding area/ town in an easy-to-understand format.

While the CCPC notes the efforts of specific bodies (e.g. the EPA, SEAI, ComReg and Tailte Éireann) in attempting to coordinate and present the information, there is a still a gap between the provision and the consumer need.

The CCPC is therefore recommending that Government request that data collected by bodies such as EPA, SEAI and ComReg be added to Tailte Éireann's *Geohive* system, with support given to ensure the output is as consumer friendly as possible. If and when such a resource was developed the CCPC would then recommend this being an essential piece of information when a property is advertised on a platform, agent's website or directly by the seller.

^{xxxviii} This is the software system often used by estate agents to upload information from their specific databases to property advertisement platforms.

CCPC Actions:

In terms of actions, the CCPC will:

1. **enhance its homebuyers' guide on the CCPC website** to empower consumers by: i) including advice on what questions to ask stakeholders at various points in the process, including new areas which came to light in this research, and ii) reinforcing messaging around the potential benefits of having a structural survey undertaken early in the process, with advice on what minimum level of content should be expected.
2. **develop guidance for estate agents and developers** to encourage compliance with consumer protection legislation in relation to information provided in property advertisements. This will set a new minimum standard in the quality of information provided in property advertisements.
3. **continue to monitor the market** for any additional practices which may breach consumer protection laws and progress to compliance and/or enforcement as necessary.
4. **engage, and follow up, with the relevant departments/agencies/industry players** to promote understanding of the recommendations of this report, and the associated benefits, and proactively advocate for their implementation.

Appendix

A: Homebuying process in Ireland

Introduction

When purchasing a home in Ireland, consumers must navigate through various stages with each involving a range of processes and actors. These can differ depending on the type of property that a consumer plans to purchase. Paths to owning a property can include:

- Purchasing a new build property
- Purchasing a second-hand property
- Purchasing a site for a self-build
- Building a home on an already owned site

The purchase process for each of the above will differ. The purchase of an apartment may also not be the same as that for a house (whether detached, semi-detached or terraced).^{xxxix} However, a broad overview of the process is set out in this section which will be used by the CCPC to update its homebuyers guide for consumers.

The homebuying process described below focuses solely on transactions which are facilitated by an estate agent.

Homebuying Process: Early Stage

Preliminary research

At this preliminary stage of the home purchase process, many prospective buyers will firstly carry out research to identify their requirements for purchasing a home and then scope the market accordingly. This research may involve giving consideration to the type of property they are looking for and their preferred location. Online property platforms and the Residential Property Price Register (PPR) are often used at this stage. This preliminary research can enable prospective buyers to get a sense of their requirements, suitable properties available and prices paid for similar properties. It can also assist the buyer in estimating the deposit needed, along with the size of the mortgage loan required. When saving for a deposit, potential buyers need to take account of the mortgage measures introduced by the Central Bank of Ireland (CBI).³⁷

During the preliminary stage, consumers are encouraged to research and apply for a mortgage prior to viewing properties. A consumer has the option of applying directly to a mortgage lender or using a mortgage broker. A mortgage broker will offer advice on the mortgage process and deal with mortgage lenders on the buyer's behalf.³⁸ Some brokers will be paid through commission from the lender,

^{xxxix} Differences between purchasing an apartment and a house could include differences in the insurance requirements for the property, management fees payable and the ownership structures in place for the common areas. Apartments may also be leasehold properties rather than freehold.

however some will also charge a fee to the buyer for arranging the mortgage or for providing mortgage advice. In both cases, this may be a flat fee or a percentage of the mortgage amount. Consumers can also use comparison tools to research and compare mortgage offerings. The CCPC provides mortgage comparison tools on its website but does not receive any compensation from any lender for this.^{xi}

Various types of mortgage lenders operate in the Irish market including retail banks and non-bank lenders.^{xii} Lenders will use various criteria for assessing mortgage applications. These can include income, age, outstanding loans, other expenses, employment status and the deposit total.³⁹ Lenders will firstly provide mortgage 'approval in principle' which sets out how much they are prepared to lend.^{xiii} Mortgage approval is only valid for a certain period, usually between six to twelve months. If the mortgage is not drawn down within that period, a new application will have to be made.⁴⁰ The bank will issue a formal 'letter of offer' for the mortgage at a later point when it has been fully approved and an offer on a property has been accepted by the seller.

In the context of information provision, the above is important in that delays in the process due to information checks or new information being provided to buyers can cause mortgage approval to lapse. This in turn leads to a reapplication and further potential delays.

Searching for a property

After initial research regarding their requirements for a property, prospective buyers may then move towards a more detailed search for a property. This search requires the use of a range of information sources. It is common for prospective buyers to use an online property platform, such as Daft.ie or MyHome.ie. They may also search for a property using an estate agent or auctioneer's own website.^{xliii} In the case of new build homes, buyers may also use the developer's own website to obtain information or see where new build developments are available. Other sources of information on properties for sale can include local and national newspapers.

As part of their search, buyers may also consult the PPR to see how much was paid for a property in a particular area. The PPR contains information on sold properties' address, price, whether the home is new or second hand, and whether full market price was paid.

Based on this search, consumers may decide to contact the estate agent for more information about the property and to arrange a viewing.

Viewing

Viewings can be open viewings which are open to the public during specific time periods, or they can be by appointment only.⁴¹ The viewing can provide an opportunity to obtain more information about the property and surrounding area

^{xi} The CCPC mortgage comparison tools are accessible [here](#).

^{xii} The non-bank lenders operating in the mortgage market include Avant Money, ICS Mortgages and Finance Ireland.

^{xiii} In some cases this can be granted online without having to visit the lender.

^{xliii} From observations carried out there are seemingly very few properties advertised only on an agent's website without also being present on a property platform.

from the estate agent who is present at the property. In certain instances, the estate agent may provide the prospective buyers with a short brochure providing details about the property. In the case of new build homes, consumers will often only be able to view a show home in the development as not all the homes may be constructed when the development goes on sale and a commitment to purchase is made based on that. In certain instances, there is no show home available and consumers must buy off-plan.

Once consumers have identified a suitable property, they may decide to make an offer.

Making an offer

In the case of a home that is being sold through private treaty, the property will not be sold through a specifically timed auction and the offer on the property will generally be made to the relevant estate agent. The advertisement for the property will generally contain information on the asking price for the property in question. The estate agent must adhere to certain obligations under legislation regarding how this asking price is displayed.^{xliv} In the case of a new-build home, the purchase price is usually set in advance and consumers do not engage in a bidding process. Instead, consumers will usually engage with the relevant estate agent to reserve the home they wish to purchase.

In Ireland, an offer for a property is usually made via an online bidding system, over the phone or through sending an email to the relevant estate agent.^{xlv} When making an offer on a property, a buyer will generally have to submit their mortgage approval in principle or some other confirmation that the necessary funds are available. There may be other bidders on the property so it may be necessary to bid multiple times.

Homebuying Process: Advanced Stage

Sale agreed

Once an offer on the property has been accepted by the seller, it will be considered to be "sale agreed". At the sale agreed stage, the buyer will generally pay a booking deposit to the estate agent. This can vary in amount. The booking deposit is refundable up until the contracts have been signed.⁴² Consumers are required to engage a solicitor and should seek quotations on estimated costs before making a decision. It is important to note that sale agreed is not legally binding and the estate agent can still receive other bids on the property. Either the buyer or the seller can withdraw from the transaction for any reason at this point, without penalty.

The estate agent will contact the seller's solicitor and buyer's solicitor at this point to provide them with details relating to the sale.⁴³ The document provided to the solicitors contains details of the property price, conditions of the sale, the estimated closing date and the names and addresses of all of those involved in the sale. This enables the conveyancing process to commence. At this stage in the

^{xliv} Under Section 56 of the Property Services (Regulation) Act 2011, a licensee shall not state in 'orally or in writing' 'a price that is less than the advised market value of the land provided by the licensee to the vendor under section 55 or, where such advised market value is expressed as a relevant price range, a price that is less than the lower limit of that range'.

^{xlv} The CCPC has commissioned the ESRI to conduct research on the bidding process in Ireland. The report is pending release.

process, buyers will often engage a professional to carry out a survey or report of the property (if relevant). From an information perspective, the survey will usually highlight any issues relating to the condition of the property in question. However, it is important to note that not all issues relating to the condition of the property may be captured by the survey. In the case of consumer-sellers, they are not under obligation to disclose all known defects.^{xlvi} In the case of trader-sellers, they are obligated to not conceal material information which could include defects or issues relating to the property.

In the case of a new build home, the buyer will receive a completion notice once all the work has been completed. The buyer will then arrange for a snag list to be drawn up of any incomplete works in the property or aspects that need to be put right. This will usually be completed by a surveyor or engineer. This will then be sent to the builder who will work on fixing any snags that have been identified. The exact point in the process at which the snag list occurs can vary depending on how construction of the property is progressing.

Legal process (conveyancing) and financial process

Conveyancing can be defined as the “process of transferring ownership of immovable property from one person to another”.⁴⁴ From an information perspective, it is during the conveyancing process that substantial information about a property is usually obtained. There are several different steps in a conveyancing transaction. At the start of the conveyancing process, the seller’s solicitor will draft and issue the contract for the sale of the property to the buyer’s solicitor along with copies of the title deeds and replies to Requisitions on Title. The title deeds show the information relating to ownership of the property. The Requisitions on Title comprise a standard booklet of questions that cover various aspects relating to the property. The buyer’s solicitor will check the contracts and title documents along with the replies to Requisitions on Title and make any necessary enquiries. As conveyancing progresses, both the buyer’s and seller’s solicitors will complete various other steps. These have not been considered as part of this broader overview.

In tandem with the conveyancing process, several actions should be completed by the buyer to enable purchase completion. The buyer must arrange for a valuation of the property to be carried out. Following this, the valuer will send the valuation on to the mortgage lender. The formal loan offer will be based on this valuation.⁴⁵

A mortgaged buyer must also have home insurance in place. This insurance protects against risks that may occur in relation to the home and its contents. A buyer is not legally obligated to take out home and contents insurance but if the buyer has a mortgage, the mortgage lender will require buildings insurance to be put in place.⁴⁶ The buyer must also arrange mortgage protection insurance. Mortgage protection insurance will pay off the mortgage amount if the policy holder dies during the term of the mortgage.

Once the conditions of the mortgage have been met, the mortgage lender will approve the loan for the property and the amount. This is contained in a formal

^{xlvi} If a seller intentionally hides a defect (particularly one that a standard inspection would not pick up), the buyer may be able to take legal action for misrepresentation (or even fraud in more serious cases).

'letter of offer'. This letter will also set out other details relating to the mortgage such repayment details, expiry date of the mortgage offer, and terms and conditions relating to the mortgage. The letter of offer will also be provided to the buyer's solicitor. The buyer will accept the formal letter of offer from the mortgage lender through their solicitor. Formal mortgage approval must be obtained prior to signing the contracts.

At this stage, the buyer and seller will also sign the contracts for the property. By signing the contract, the buyer legally agrees to purchase the property.⁴⁷ Prior to signing the contract, the buyer's solicitor will explain the terms of contract to the buyer. In the case of a new build home, the consumer will usually sign two contracts. One contract covers the purchase of the land, and one covers the building of the property itself. Once signed, the contract(s) will then be sent to the seller's solicitor to be signed by the seller.⁴⁸ At this point in the process, a contract deposit must also be paid.

Purchase completion

Prior to completing the purchase and moving into the property, the remainder of the purchase price must be paid. The mortgage provider will issue the applicable amount to the buyer's solicitor. This will be sent to the seller's solicitor to be transferred to the seller. A final closing date will also be agreed enabling the buyer to receive the keys to the property – typically from the estate agent. In the case of new-build homes, the buyer may engage with the developer regarding the handover of keys.

At the final stage of the home purchase process, the buyer must pay various charges. In Ireland, Stamp Duty must be paid when a property is purchased. The buyer must provide the applicable amount to their solicitor who pays it on their behalf to Revenue. Buyers may also be liable for Local Property Tax on the property. This will depend on the time of year that the property is purchased. Property tax debt remains on the property after the purchase.

The buyer may also have to pay certain outlays to their solicitor such as fees for Commissioner for Oaths, search fees and miscellaneous outlay to cover postage, telephone and photocopying etc. These are in addition to professional fees paid to the solicitor.

The buyer's solicitor will also arrange for registration fees in respect of the property's title to be paid to Tailte Éireann. The fees can vary in amount, particularly if the property is being registered with Tailte Éireann for the first time. The buyer will provide the applicable amount to their solicitor who pays it directly on their behalf. Once registered, details relating to the property will be available on a specific folio. The title deeds to the property will also be sent to the mortgage lender by the buyer's solicitor.

B: Legal Overview

Property Services (Regulation) Act 2011

In Ireland, estate agents are regulated under the Property Services (Regulation) Act 2011 (2011 Act)⁴⁹ and other associated regulations. One of the central provisions of the 2011 Act is the establishment of a statutory regulatory body called the Property Services Regulatory Authority (PSRA).⁵⁰ The PSRA was officially established on 3 April 2012.⁵¹ It has various functions including operating a licencing system for all 'property service providers' (PSPs), including estate agents and auctioneers, as well as responsibility for investigating and adjudicating complaints against PSPs. It also promotes increased consumer protection and public awareness regarding the provision of property services. The PSRA is responsible for maintaining three public registers that provide information relating to property: the Residential Property Price Register, the Commercial Lease Register and the Register of Licensed Property Service Providers.⁵²

The Property Services (Regulation) Act 2011 (Minimum Standards) Regulations 2020 (2020 Regulations)⁵³ set out standards to be observed by estate agents and other PSPs. These include the "conduct and behaviour" that is expected by estate agents, the "provision of information" as well as estate agents' obligations when there is a "conflict of interest".⁵⁴ Regulation 5(3) of the 2020 Regulations states that subject to the estate agent not acting in an unlawful manner, they "shall act in the interests of the client at all times" when providing a property service. The definition of a "client" under the 2020 Regulations includes "a person for whom a property service is provided by a licensee".⁵⁵

Regarding the provision of information, Regulation 10(1) of the 2020 Regulations states that an estate agent "shall not knowingly produce, publish or circulate, or cause to be produced, published or circulated, by whatever means, false or misleading advertising information, including but not limited to, the following: (a) sales records; (b) sales prices achieved; (c) experience of the licensee or any licensed principal officer or employee; (d) fees charged or chargeable; (e) applicable commission rates." Regulation 10(2) of the 2020 Regulations states that they "shall not knowingly produce, publish or circulate, or cause to be produced, published or circulated, by whatever means, misleading information in respect of land or property other than land, advertised for auction, sale or to let." "Misleading information" and "misleading advertising information" are not defined in the 2020 Regulations.

In January 2021, the PSRA published the "Code of Practice: Property Service Providers Delivering a Professional Service" (Code of Practice).⁵⁶ Under Section 18(7) of the 2011 Act the PSRA shall encourage estate agents to comply with codes of practice. An estate agent is not liable for any civil or criminal proceedings for failure to observe the Code of Practice.⁵⁷ However, an estate agent's compliance with the Code of Practice may be considered when determining whether they have engaged in "improper conduct".⁵⁸ There are six overarching principles in the Code of Practice: "Act Professionally", "Honesty", "Integrity", "Confidentiality", "Effective and Open Communication" and "Professional Development".⁵⁹ There are various sub-principles contained within each of these overarching principles. For example,

the estate agent should “act in an honest manner”⁶⁰, “act lawfully at all times”⁶¹ and “act in an honest, ethical and professional manner at all times”.⁶²

Of particular note regarding the provision of information by estate agents is Principle 5 of the Code of Practice which deals with “Effective and Open Communication”. Under Principle 5, estate agents should: “Communicate in an open and honest manner at all times”, “Engage with clients and customers on an ongoing basis or as required”, “Acquire the necessary information to fully respond to any enquiry”, “In communicating or corresponding with clients or customers, ensure information provided is conveyed in a manner that is understandable, comprehensive, and includes all the necessary details” and “Advise clients and customers or potential customers in a timely manner of all material matters relating to property transactions”, among others.⁶³

Unfair Commercial Practices Directive (UCPD)

The UCPD is the overarching piece of EU legislation regulating unfair commercial practices that occur before during or after a commercial transaction.⁶⁴ A business-to-consumer commercial practice is defined as “any act, omission, course of conduct or representation, commercial communication including advertising and marketing, by a trader, directly connected with the promotion, sale or supply of a product to consumers”.⁶⁵

The UCPD was transposed into Irish law by the Consumer Protection Act 2007 (CPA).⁶⁶ The CPA applies to anyone acting for the purposes of their trade, business or profession.⁶⁷ It also applies to anyone acting on behalf of a business.⁶⁸ The CPA requires that traders are transparent in all their dealings with consumers and places a wide range of responsibilities on them. It protects consumers from “misleading” “aggressive” and “prohibited” commercial practice.^{xlvii 69} The relevant provisions of the CPA in the context of home purchase information are Sections 43 and 46:

- Section 43 relates to “false, misleading or deceptive information”. It states that “a commercial practice is misleading if it includes the provision of false information” or “if it would be likely to cause the average consumer to be deceived or misled” and in both instances “would be likely to cause the average consumer to make a transactional decision that the average consumer would not otherwise make”.⁷⁰ Section 43(3) sets out a number of matters relating to the provision of false information or that may cause a consumer to be deceived or misled such as the existence or nature of the product^{xlviii}, the main characteristics of the product and the price of the product.⁷¹
- Section 46 relates to “withholding, omitting or concealing material information”. Section 46(1) states that “a commercial practice is misleading if the trader omits or conceals material information that the average consumer would need, in the context, to make an informed transactional decision” and

^{xlvii} The CPA defines a commercial practice as “any conduct (whether an act or omission), course of conduct or representation by the trader in relation to a consumer transaction, including any such conduct or representation made or engaged in before, during or after the consumer transaction”.

^{xlviii} In Section 2(1) of the CPA, a product is defined as “any goods or services including immovable property (...)”.

that it “would be likely to cause the average consumer to make a transactional decision that the average consumer would not otherwise make.” Section 46(2) states that a “commercial practice is misleading if (a) the trader (i) provides material information referred to in subsection 1 in a manner that is unclear, unintelligible, ambiguous or untimely or (ii) fails to identify the commercial intent of the practice (if such intent is not already apparent from the context)” and that it “would be likely to cause the average consumer to make a transaction decision that the average consumer would not otherwise make”. Section 46(3) also sets out that if a commercial practice is an invitation to purchase or includes an invitation to purchase, certain information such as the price of the product and the main characteristics of the product constitute material information unless it is already apparent to the consumer in the context of the commercial practice.⁷²

C. Focus Groups

Recruitment of participants and focus group composition

In total, four focus groups were conducted. Each focus group comprised of 8 participants, both first-time homebuyers and subsequent homebuyers. The first-time buyers were all in the process of home buying or had just purchased a home. All were mixed gender and age groups.

Participants for the focus groups were recruited by Ipsos B&A. The discussion itself took place online with a cross section of geographic areas across the state represented. Focus groups were moderated by an Ipsos B&A qualitative expert and took place from 11th to 15th July 2024. A breakdown of the group structure is detailed in the table below.

Composition of Focus Groups

Group number	Age group	Gender	Location	Buyer type	Stage of homebuying
1	Mixed	Mixed	Mixed (Dublin, Cork, Galway, Midland)	First time buyer	Bought home within in the past 12 months
2	35-55	Mixed	Mixed (Dublin, Cork, Galway, Midland)	Subsequent buyer	Bought home within in the past 12 months
3	Mixed	Mixed	Mixed (Dublin, Cork, Galway, Midland)	First time buyer	Have viewed at least 5 properties in the past 6 months
4	35-55	Mixed	Mixed (Dublin, Cork, Galway, Midland)	Subsequent buyer	Have viewed at least 5 properties in the past 6 months

D. Survey Background

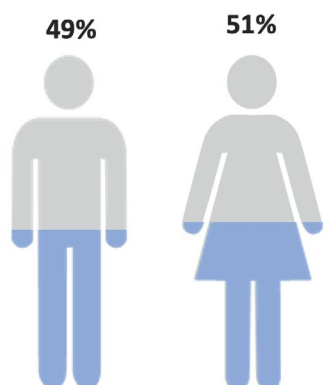
The sample of the survey was selected from Ipsos B&A Acumen panel which is their online survey panel recruited through both offline and online means. The survey invitation was issued to the panel and the following screen-outs applied:

- Anyone working as an estate agent, surveyor or solicitor
- Anyone who does not currently own a home and has never purchased one and has no intention of doing so in the future

As fieldwork progressed, we monitored the resulting sample against a number of socio-demographics (age, gender, region, urban/rural, socio-economic status), as well as monitoring it against some known population statistics (% of homeowners, % of renters) to ensure that it aligned with expectations (e.g. CSO population statistics). See Appendix E below for the breakdown of demographics of respondents.

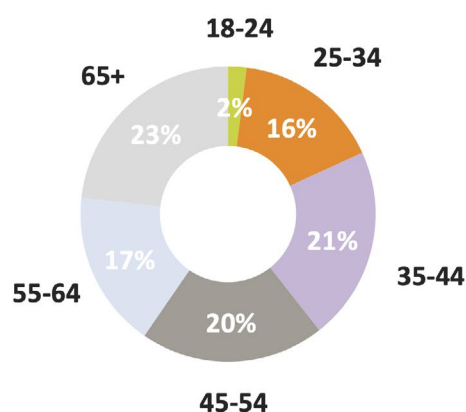
E. Key demographics of respondents

Gender

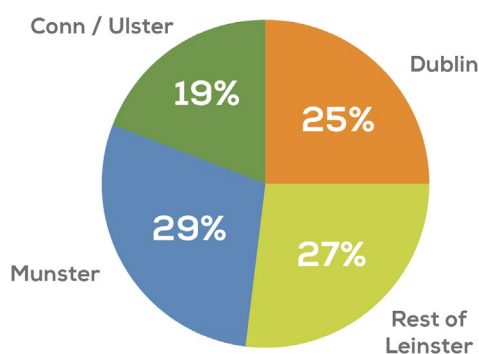


Base: All Respondents (1,007)

Age

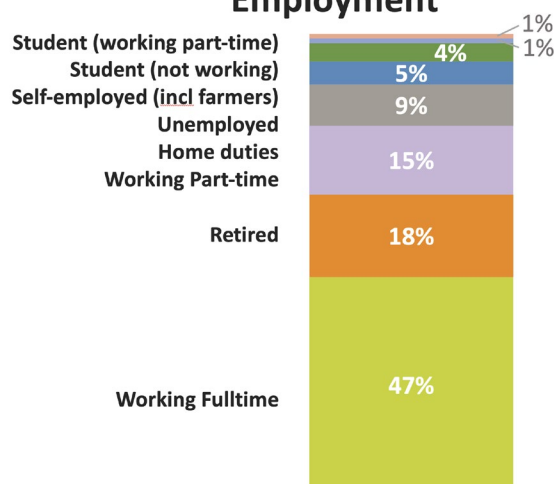


Region



Base: All Respondents (1,007)

Employment



F: Seller's Legal Pack for Property Buyers Bill 2021

The Bill provides for a list of documents that should be contained within the Seller's Legal Pack. These are as follows:

- Law Society Conditions/Contracts of Sale;
- a certified copy of file & file plan or root of unregistered title;
- an Architect's Certificate of Compliance with planning permission;
- an Architect's Certificate of Compliance with building regulations;
- a copy of all planning permissions and building regulations documents;
- receipts for financial conditions;
- a letter confirming roads and services or evidence of rights of way and wayleave including rights of access to, over or affecting the property interest, fishing rights etc.;
- local property history details;
- a BER Certificate & Advisory Report Certificate of discharge or exemption from Non-Private Residence Charge;
- a report summary on planning search, judgement search, Compulsory Purchase Order Search, bankruptcy search, Sheriff and Revenue Sheriff search, Registry of Deeds Search and company search.⁷³

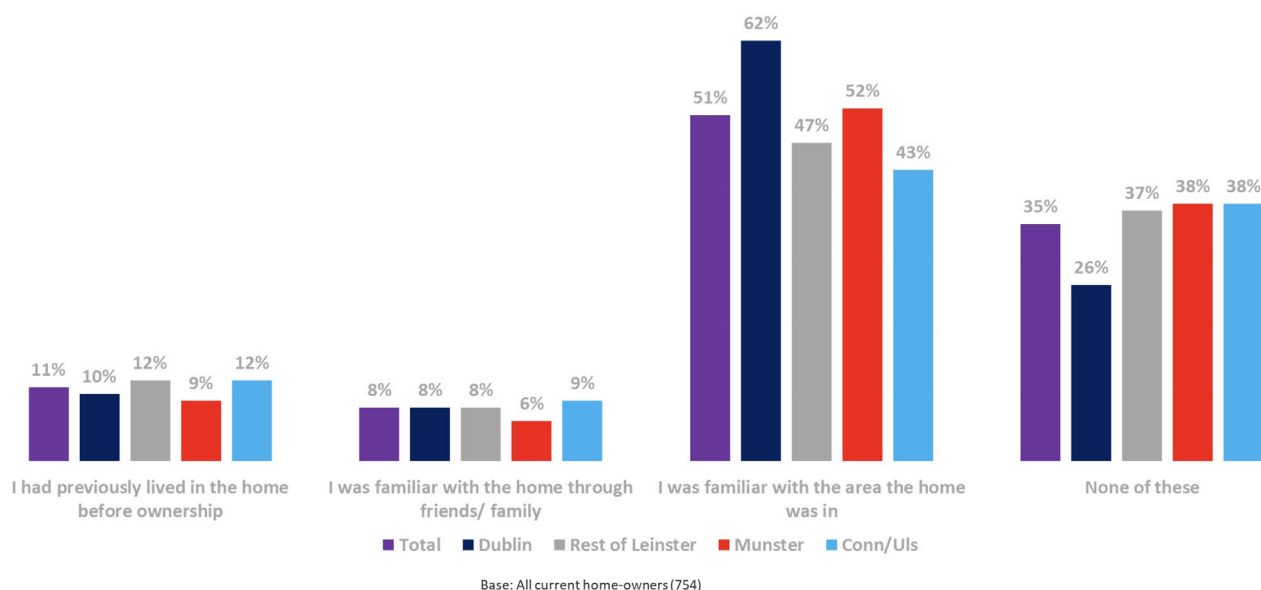
The Seller's Legal Pack may also include documents such as a property surveyor's report or an engineer's report; evidence of safety, building, repair or maintenance work carried out on the property prior to sale and details of any actual or potential environmental hazards, among others.⁷⁴

The documents included in the Seller's Legal Pack must be "dated no earlier than the date that falls one year before the first point of placing the property on the market for sale". If there has been a material change to the "physicality" of the property since the original documents were provided, the seller of the property must provide documents reflecting that change.⁷⁵

The Bill specifies circumstances where a Seller's Legal Pack is not needed. This includes properties where no marketing is required, private sales where the property is not put on the market, unsafe properties and properties for demolition, among others.⁷⁶

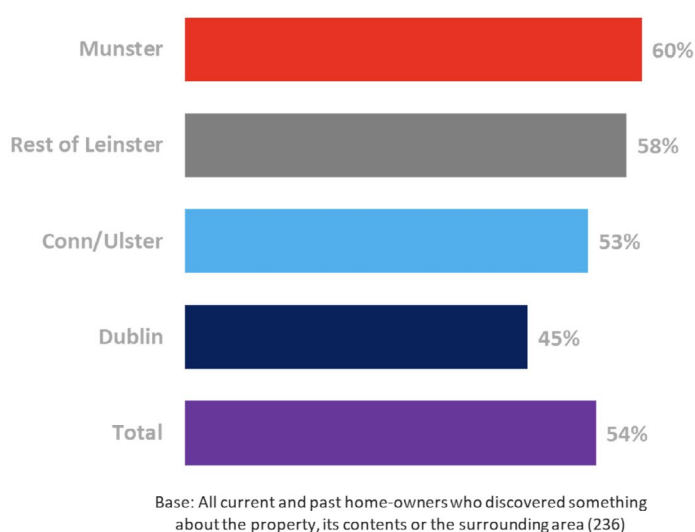
G: Additional Survey Results

Prior knowledge of current home/area by region



- Results by region exhibited some interesting patterns. Dublin homeowners had the highest familiarity with the home before moving in. Just one quarter (26%) of those currently owning a home in Dublin were not in any way familiar with the area or property before purchase. Munster homeowners reported a notably lower than average (15%) level of familiarity with the home (i.e. having previously lived there or aware of it through friends/family). All other regions were consistent with the national average of 19%. Non-familiarity with the area was highest in Connacht/Ulster and Munster, where 38% reported they had no prior knowledge of their home. Knowledge through friends or family was consistent across regions at around 8%.

Structural issues reported by region



- Munster homeowners reported the highest level of structural issues compared to the rest of the country. This is also the region where its homeowners had the lowest level of familiarity with the house in advance of purchasing (15% versus 19% average).

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