

COMPLAINT NUMBER	17/427
COMPLAINANT	L. Cheatley
ADVERTISER	Hamill Realty Ltd, Harcourts
ADVERTISEMENT	Hamill Realty Ltd, Harcourts Digital Marketing
DATE OF MEETING	30 November 2017
OUTCOME	No Grounds to Proceed

Advertisement: The website for Harcourts, www.harcourts.co.nz, offered a free Ipad, coffee machine or android tablet for listing and selling your home with them.

The Chair ruled there were no grounds for the complaint to proceed.

Complainant, L. Cheatley, said: Harcourts is offering a free ipad, coffee machine or android tablet if you buy or sell with them. Upon further inquiry it's only the chance to win one not a free gift like the ad claims.

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 2.

The Chair noted the Complainant's concern the advertisement is misleading as to whether consumers are being offered a free gift or just the chance to win a prize.

The Chair said that having examined the terms and conditions, it was clear there was a free gift being offered to customers entering a contract with the Advertiser to list and sell property, rather than the chance to win a prize.

The Chair acknowledged the use of the words 'winner' and 'prize' in the terms and conditions was not the clearest terminology to use for what was a gift incentivise arrangement and this had contributed to the Complainant's confusion about the offer.

However, the Chair ruled there had been no breach of Basic Principle 4 or Rule 2 of the Code of Ethics.

Accordingly, the Chair ruled there were no grounds for the complaint to proceed.

Chair's Ruling: Complaint No Grounds to Proceed