

COMPLAINT NUMBER	18/003
COMPLAINANT	G Laking
ADVERTISER	Fairfax Media
ADVERTISEMENT	Print
DATE OF MEETING	10 January 2018
OUTCOME	No Grounds to Proceed

Advertisement: The advertisement for a beachfront property in Whagaparoa in the Real Estate Outlook magazine showed an aerial view of a house and said, in part: “Absolute Beachfront, yours ... Forever!”

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

Complainant, G. Laking, said: “The cover illustration on the 14th - 21st December edition of Fairfax Media’s Real Estate Outlook North Shore / Rodney / Hibiscus Coast shows a photo of an absolute beachfront property with the claim “Yours, ... Forever!”

This claim is untrue, in light of projected sea-level rise in coming decades. The claim about future conditions is made without any awareness or acknowledgment of the reality of future conditions.

The relevant provisions were Basic Principle 4 and Rule 2 of the Code of Ethics.

The Chair noted the Complainant’s concerns the claim the beachfront property could be “yours forever” was misleading due to projected rising sea levels which the advertisement should have acknowledged.

The Chair said the Complainant had taken a literal interpretation of the reference to “yours forever”. The use of “yours forever” is hyperbole and unlikely to mislead consumers. The Chair also noted that the statement “yours forever” was unlikely to be an impediment to the undertaking of any due diligence required as part of making such a significant purchase as a beachfront property.

The Chair ruled the advertisement was unlikely to misled or deceive the consumer and had been prepared with a due sense of social responsibility. It was therefore not in breach in of Basic Principle 4 or Rule 2 of the Code of Ethics.

Accordingly, the Chair ruled the complaint had No Grounds to Proceed.

Chair’s Ruling: Complaint No Grounds to Proceed