

COMPLAINT NUMBER	20/337
ADVERTISER	Harcourts Real Estate
ADVERTISEMENT	Harcourts Kapiti Coast, Radio
DATE OF MEETING	20 August 2020
OUTCOME	Settled, advertisement removed

Advertisement: The radio advertisement promotes the Harcourts Kapiti Coast real estate team. The advertisement introduces the sports news on the radio station and says "Sport with Harcourts. The most trusted real estate team on the Kapiti Coast".

The Chair ruled the complaint was Settled.

Complaint: The advert runs for approx. 5 seconds & makes the following statement.

"Harcourts the most trusted real estate team on the Kapiti Coast"

It appears on the hour & half hour following each news bulletin between 6.00 am - 9.00 am Monday - Friday. - 89.5 FM frequency.

Rule 2(b) of the Advertising Standards Code requires any advertising to be truthful and any claims made to be supported by evidence. I understand that Harcourts may have evidence from a national survey but in this ad they are making a specific statement about a specific location which no national survey can substantiate.

My complaint is quite simple, the advert clearly gives the impression that some kind of recent local survey may have been completed by Harcourts Kapiti, involving all agencies in the area & the results concluded that Harcourts was voted the most trusted real estate team on the Kapiti Coast.

I don't believe this has been done & further I don't believe a nationwide or Auckland based survey conducted many years ago through a medium such as the Readers Digest or something similar, should qualify them to make such an unsubstantiated statement.

If Harcourts has proof of a recent local survey specific to the Kapiti Coast to support such a statement & I mean most trusted team & not a nationwide brand, then I will retract my complaint.

I would appreciate you looking into this.

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b);

Principle 2: Truthful Presentation: Advertisements must be truthful, balanced and not misleading.

Rule 2(b) Truthful Presentation: Advertisements must not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission, false representation or otherwise. Obvious hyperbole identifiable as such is not considered to be misleading.

The Chair noted the Complainant's concern the claim in the advertisement that Harcourts is the most trusted team on the Kapiti Coast is misleading.

The Chair acknowledged that after receiving the complaint the Advertiser had withdrawn the advertisement.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in withdrawing the advertisement, the Chair said that it would serve no further purpose to place the matter before the Complaints Board.

The Chair ruled that the matter was Settled.

Chair's Ruling: Complaint **Settled – advertisement removed**

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.