

CPA imposes extra inspection duties on the estate agent

 By [Stanley Watson](#)

26 Mar 2014

Estate agents selling a home will inevitably find themselves intruding on the seller's privacy and this can cause annoyance.

It is for this reason that estate agents have to learn to be extremely tactful, if possible phoning or visiting sellers only at times that genuinely suit them. Nevertheless, it is the estate agent's duty these days to examine the home thoroughly and to take nothing for granted.



There have recently been a number of cases where the estate agent has taken a home 'on trust', only to find out after the buyer has moved in that it does indeed have serious problems: the geyser may not be working as it should; stains on the carpets have been hidden by furniture; windows and doors do not open, shut or lock as they should; the electric stove has one or two malfunctioning hot plates; the swimming pool filter is on its last legs and the roof leaks badly in wet weather. In many cases, the list of problems can be very lengthy indeed.

What's new?

Previously the seller or estate agent was able to avoid any responsibility for such matters by 'hiding behind' the Voetstoots clause, and if the seller dealt directly with the buyer without the involvement of an estate agent, he was very adequately protected by this clause.

Today, however, if the sale has involved the services of an estate agent, that agent is obliged to look for and report faults and if this is not done and faults do become evident after the sale, the buyer can invoke the Consumer Protection Act and call either for the sale to be cancelled or for all repairs to be paid at the seller's cost.

As a link in the supply chain and as a person involved full-time in the selling of homes, the estate agent is by law today obligated to carry out a very thorough inspection and in cases of doubt to get, from the seller, a written guarantee that to the best of his knowledge the home is in good working condition and does not have faults.

ABOUT

My career objective is to develop my existing skills in the field of Project Management and implementing technology (incl social media initiatives) to improve business processes (and exposure). I am a deep thinker; very approachable - trustworthy and trusting. High work ethic - I take pride in what I do, and hate to see a job done poorly.

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