



Estate Agents Act 1979

1979 CHAPTER 38

Orders by ^[F1]Office of Fair Trading

4 Warning orders.

- (1) If the ^[F1]OFT] is satisfied that—
- in the course of estate agency work any person has failed to comply with any such obligation as is referred to in section 3(1)(c) above (in this section referred to as a “relevant statutory obligation”) or has engaged in such a practice as is referred to in section 3(1)(d) above, and
 - if that person were again to fail to comply with a relevant statutory obligation or, as the case may be, were to continue to engage in that practice, the ^[F1]OFT] would consider him unfit as mentioned in subsection (2) of section 3 above and would proceed to make an order under that section,
- the ^[F1]OFT] may by order notify that person that ^[F2]it] is so satisfied.
- (2) An order under this section shall state whether, in the opinion of the ^[F1]OFT] , a further failure to comply with a relevant statutory obligation or, as the case may be, continuation of the practice specified in the order would render the person to whom the order is addressed unfit to carry on estate agency work generally or estate agency work of a description specified in the order.
- (3) If, after an order has been made under this section, the person to whom it is addressed fails to comply with a relevant statutory obligation or, as the case may be, engages in the practice specified in the order then, for the purposes of this Act, that fact shall be treated as conclusive evidence that he is unfit to carry on estate agency work as stated in the order in accordance with subsection (2) above; and the ^[F1]OFT] may proceed to make an order under section 3 above accordingly.

Textual Amendments

- F1** Word in s. 4 substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\), s. 279, Sch. 25 para. 9\(3\)\(a\)](#); [S.I. 2003/766, art. 2, Sch.](#) (with art. 3) (as amended (20.7.2007) by [S.I. 2007/1846, reg. 3\(2\), Sch.](#))

Status: Point in time view as at 19/09/2007. This version of this provision has been superseded.

Changes to legislation: Estate Agents Act 1979, Section 4 is up to date with all changes known to be in force on or before 14 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

F2 Word in s. 4(1) substituted (1.4.2003) by Enterprise Act 2002 (c. 40), s. 279, Sch. 25 para. 9(3)(b); S.I. 2003/766, art. 2, Sch. (with art. 3) (as amended (20.7.2007) by S.I. 2007/1846, reg. 3(2), Sch.)

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