

**Annual Report and Resource Accounts 2008-09 – Annexe A**

**Consumer law casework 1 April 2008 to 31 March 2009 – excluding consumer credit**

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**Enterprise Act 2002: Enforcement action taken by Consumer Protection Group**

**Undertakings:**

<b>Date</b>	<b>Company/individual names</b>	<b>Underlying legislation</b>
12 May 2008	Sports World International Ltd	CMARs
02 June 2008	Next Generation Clubs	UTCCRs
05 September 2008	McCarthy & Stone plc	UTCCRs
13 October 2008	Sky Connection BV	CPRs
13 October 2008	Priority Mail Ltd	CPRs
13 October 2008	Mr Gerard du Passage	CPRs
03 December 2008	Fitness First	UTCCRs

**Undertakings to the High Court:**

<b>Date</b>	<b>Company/individual names</b>	<b>Underlying legislation</b>
03 October 2008	Denis McCarthy	CMARs

**Injunctions Directive – injunctions:**

<b>Date</b>	<b>Company/individual names</b>	<b>Underlying legislation</b>
09 July 2008	Best Sales BV (Netherlands)	Misleading Advertising Directive

**Estate Agents Act 1979**

Between 1 April 2008 and 31 March 2009 the OFT's Adjudicators (those appointed by the OFT to act on its behalf) notified five people that the OFT was considering issuing Prohibition Orders against them. There were also four proposals to issue a Prohibition Order in parallel with proposals to issue a Warning Order. Eleven Prohibition Orders and four Warning Orders were made during the period, one of the Prohibition Orders being subject to appeal. Twelve Prohibition Orders have come into force during this period. Two people received a favourable determination allowing them to continue doing estate agency work following a proposal to issue a Prohibition Order in parallel with proposals to issue a Warning Order.

From 3 May 1982, the date the Act came into force, up to 31 March 2009, a total of 323 people have been prohibited from doing estate agency work under the Act. When a notice of proposal has been issued against an individual the OFT may, in lieu of making a Prohibition Order, accept undertakings from that person not to engage in estate agency work. The total number of undertakings accepted under the Act since 3 May 1982 is 90.

**Determinations under the Estate Agents Act:**

<b>Date of order</b>	<b>Case title</b>	<b>Type of order</b>
23 April 2008	Gem Shevket	Prohibition
20 May 2008	Roderick Yule	Prohibition
23 May 2008	Patrick French	Prohibition
23 May 2008	Lloyds Residential Property Services	Prohibition
19 June 2008	Daniel Elliot Zane	Prohibition
13 August 2008	Raja Padcham Sriranga Padcham	Warning
27 August 2008	Malcolm Green	Prohibition
02 September 2008	Colm McGeown	Warning
02 September 2008	Maneely & Co Limited	Warning
26 September 2008	Imperial Homes UK Ltd	Warning
26 September 2008	Luke James Morris	Prohibition
26 September 2008	Charles Grizzle	Prohibition
09 October 2008	Simon Bews	Prohibition
01 January 2009	Ambreen Gul	Prohibition
24 March 2009	Mark Frederick Howe	Prohibition
10 March 2009	Mokshud Ali	Prohibition

**Determinations where an appeal was pending on 31 March 2009:**

<b>Date of determination</b>	<b>Case title</b>	<b>Type of order</b>
05 May 2008	Niall Maneely	Prohibition

**Inspection and information-gathering**

During the year we conducted five on-site inspections under Regulation 22(1) CPRs. In addition we issued 23 notices under Regulation 21 CPRs.

**Please note:**

- i) Most complaints and enquiries are now dealt with by the OFT's Enquiries and Reporting Centre. The Consumer Protection Group only deals with the most complex complaints and enquiries regarding consumer law.

ii) This year we have arranged the enforcement outputs under enforcement tools: undertakings, undertakings to the Court and Court Orders rather than by legislation. This is partly because of the introduction of the Consumer Protection from Unfair Trading Regulations 2008 in May 2008, which repealed 22 other pieces of consumer protection legislation including the Control of Misleading Advertising Regulations (CMARS), makes comparisons with the number of cases previously taken under such legislation difficult.