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Simon Shinerock

Chairman at Choices

London, United Kingdom | Real Estate

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Previous AXA, Imperial Life of Canada
Education Bedford College London University
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Jefferies

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lain White

Mentor, non exec,consultant and trainer to the property industry

Reading, United Kingdom | Real Estate

urrent Agency Mentors, Jones Robinson Estate
Agents, Location Location

Previous CAPITAL AND COASTAL LTD,
kaleidescope Group, Countrywide

Education Desborough Maidenhead

Recommendations 58 people have recommended lain

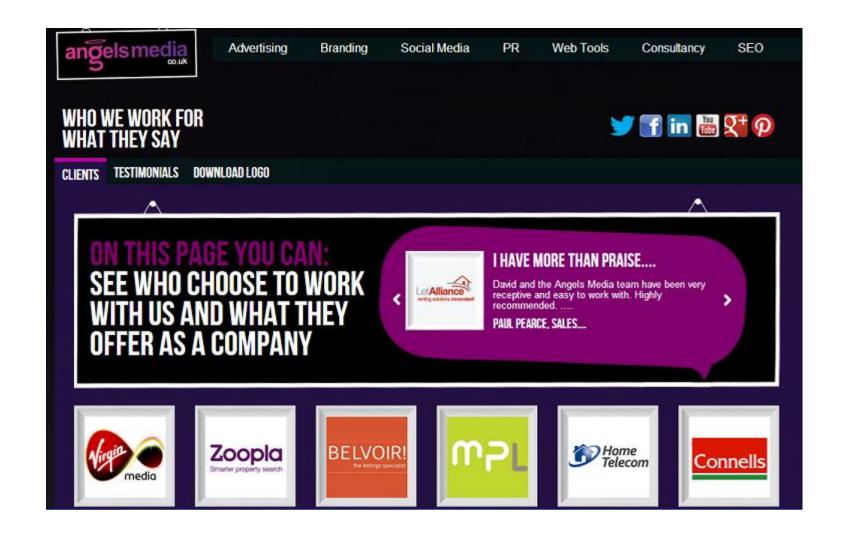
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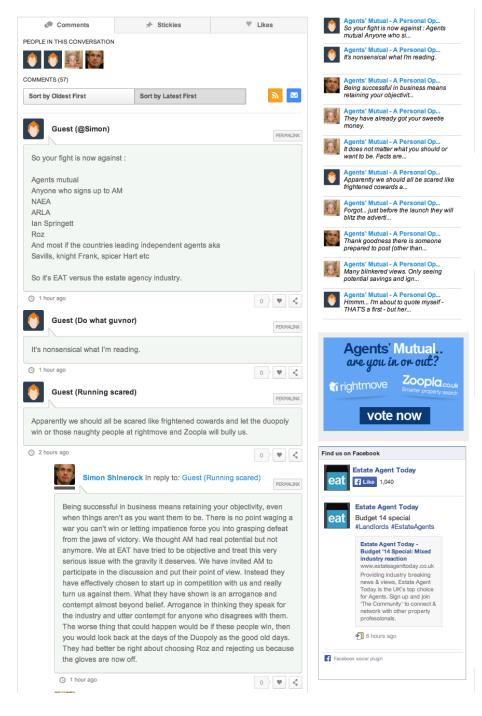
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OnTheMarket: City analysts raise possibility of compensation to agents

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13 April 2016

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Two City consultancies have been quick to interpret the rebellion by OnTheMarket member agents as an indication of dire changes - or worse - facing the portal, including possible claims for compensation.

Credit Suisse, which has a respected team of real estate analysts, titles its note to investors 'Beginning of the end of OTM exclusivity?'

The bank's analysts throw their weight behind the formation of an Action Group - as reported by Estate Agent Today earlier this week - and says in its note: "The formation of an action group for 'disillusioned' OTM members gives a clear and coherent voice to unhappy OTM members and in our view makes a challenge to the enforceability of OTM's Exclusivity Clause more likely. ... Should the action group be able to prove that OTM has broken contracts with member agents, those agents could look for financial recompense; if able to get it this would clearly further hamper the financial position of OTM."

Credit Suisse's note gives its backing to an Action Group, saying: "We have previously argued that dissatisfied member agents could consider fighting back against OTM. However given the typically small size (and correspondingly small financial fire power) of most agents, a legal battle with OTM would likely be unpalatable. We see the formation of a group of agents with a common view as positive as it gives these agents a clear coherent voice and allows them to share any legal costs between them. Beyond that the publicity afforded the action group should also bring forward further dissatisfied agents who have not yet spoken out."

The bank - which has discussed the Action Group with its founder lain White - says: "We are unsurprised to hear that he has had a significant number of responses from agents dissatisfied with the service offered by OTM but unsure of their legal positioning. We believe this gives further credence to our view that agents are in fact dissatisfied but it also raises the probability of an action group launching a legal challenge against the enforceability of the OTM contract."





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In another note to investors, Jefferies - another independent consultancy, although one which has advised Zoopla in the past - says: "The Action Group may act as a catalyst for the relaxing of the 'one other portal rule', which, in our view is rather anti-competitive and not in consumers' interest. It appears to us that OTM members are increasingly starting to believe it is not in their interests either."

As with much of the past week's debate surrounding OnTheMarket, it is the fees paid by early-joining agents that, in Jefferies' view, marks the likely focus of dissent and possible legal action.

"According to the contracts they signed, Gold and Silver members - who joined OTM before the launch of its consumer facing website in January 2015 - will always be charged at the most competitive rates for OTM's services. However we also understand that as OTM seeks to convert 'Letters of Intent' into signed contracts, it has offered rates in the region of £50 per month as an incentive to join OTM. Clearly many who are paying higher rates than this believe that the mutual's treatment of its members is far from mutual" says the Jefferies note.

Meanwhile yet another City consultancy - the BNP Paribas bank - has written on the subject to its investor clients.

It says it sees the trade publicity surrounding the formation of an Action Group as "a small positive for Zoopla" but cautions against "any imminent major shift of membership back from AM to Zoopla."

It says the reasons behind the caution include the fact that the bank believes most of the agents involved were already considering leaving Agents Mutual, or had chosen to do so, and were facing legal action for reneging on the terms of their contract.

BNP Paribas also says Agents Mutual membership was growing as recently as January "and has lasted well beyond initial consensus expectations" and that it appears only about four per cent of existing members are believed to be involved in the Action Group.

In addition, it says any legal action will take months if not years, limiting any rapid change to the equilibrium.

The bank also reiterates its long-publicised view that the commercial impact of leaving Zoopla "has proven somewhat limited for estate agents" although it goes on to say that "on the lettings side we see Zoopla's impressive lead generation as a more critical factor in agent decision making."

The bank's note to investors concludes by briefly addressing the controversy over an alleged £50 per month contract offered to agents by Agents' Mutual/OnThe Market. "We await further details but would be surprised if AM had pursued a new contract that jeopardised the contractual security of their existing membership base" it says.



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OnTheMarket loses Gold member agency to Zoopla

BREAKING NEWS

10 February 2016 4607 Reads 5 Comments







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It is reported this morning that OnTheMarket has lost one of its key early investors, the Gascoigne Halman agency which is now owned by Connells.

The Cheshire-based firm - an independent when it first bought Gold membership of OTM - was taken over by Connells in the autumn.

One report this morning says the firm suggests OTM's poor reception by the consumer press and some clients objecting to the 'one other portal' rule were key factors in the return of the agency to Zoopla.

Meanwhile the latest testimonials released by OnTheMarket's PR division have a common theme of criticising Zoopla.

James Birt of the three-office Naylor Powell agency in Gloucester says: "For quite some time we had felt that the leads produced by Zoopla were not particularly good quality in the sense that they rarely converted into instructions or viewings. Now that we are listing on both Rightmove and OnTheMarket the volume of leads has increased [and] ... are of a much better quality in that most of them are from committed ready-to-go clients or applicants."













Ben Hudson, director of Hudson Moody in York, another three-branch agency, says: "OnTheMarket currently provides around 25 per cent of our online leads which are of far higher quality than those we received from Zoopla."

And Nick Manson of the single-office Mansons agency in Newcastle says in the testimonial "I decided to join Agents' Mutual as a founder Gold member from the very beginning because I felt strongly about supporting an alternative property portal to challenge the dominance of Rightmove and Zoopla."

Meanwhile a recommendation on the investment website Motley Fool tips Zoopla as one of "three great picks for 2016" with investors told it has some years of growth likely given the continuing recovery in the housing market.

TAGS: OnTheMarket Testimonials Zoopla Portal Wars







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Talks ongoing over independent OTM agents acquired by Connells

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Talks are ongoing about portal choices for Cheshire-based estate agency Gascoigne Halman - acquired by Connells last year - and no decision has vet been taken on portals for Rook Matthews Sayer, a north of England agency acquired by Connells just vesterday.

Gascoigne Halman was an early gold member of OTM and dropped Zoopla as

a result. A Connells spokeswoman has told Estate Agent Today that the continuing talks are between the agency group, Zoopla and OnTheMarket.

Connells' latest acquisition, Rook Matthews Sayer, is a sales and lettings agency with 16 branches operating across Newcastle, Tyneside and Northumberland. At one time it had a representative on the Agents' Mutual board.

Yesterday's acquisition takes Connells Group's high street network to over 560 branches nationwide.

Rook Matthews Sayer, founded in 1990, will continue to trade under its existing brand name although founders Clive Rook, Rod Matthews and Richard Sayer will retire from the business on completion. A current director, Janet Walker, will become managing director of the company's 130 employees.

"This is our largest and most significant acquisition in 2016 and signals that the group remains in expansive mode this year" says David Plumtree, Connells Group estate agency chief executive. "By incorporating Rook Matthews Sayer into our network, we fill a geographical gap in our portfolio which allows us to extend our market leading proposition into new geographical markets" he says.







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