



CASE REPORT

1. Complaint reference number	106/09
2. Advertiser	Williams Real Estate
3. Product	Real Estate
4. Type of advertisement	Outdoor
5. Nature of complaint	Violence Other – section 2.2
6. Date of determination	Wednesday, 8 April 2009
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This Real Estate Billboard promotes the Auction for a two bedroom residence at 55 Charlotte Street Newport.

The title of the signage is “Renovate or detonate” and provides details of the potential opportunity from the property.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

I find the word 'detonate' to be violent and offensive and disrespectful to the memory of the previous owner (recently deceased), her family and our neighbourhood. In our multifaith, multicultural neighbourhood, it is unacceptable, inflammatory, and horrible. The real estate agency has agreed to alter the wording on the internet site. ...

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

Our company changed wherever possible, print media after receiving this complaint that had not already gone to print.

Please note that the heading used is also “Renovate or detonate” and our company, until now, has never received a complaint of this nature.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainant's concern about the use of the word 'detonate' in relation to the advertisement for a property and that the use of the word contravenes section 2.2, 2.5 and 2.6 of the Code.

The Board considered whether the advertisement depicts or suggests violence in the suggestion that the house can be 'detonated'. The Board considered that the term 'detonate or renovate' is in common usage in the real estate sector and is used to mean that the property is in poor condition and that potential purchasers may consider knocking down the structure and rebuilding. The Board considered the term to be an exaggerated term that would not realistically suggest violence to most consumers. The Board determined that the advertisement did not breach section 2.2 of the Code.

The Board considered whether the use of the term 'detonate' was appropriate in the circumstances. Again the Board considered that the term was in common usage in the real estate sector, that in the advertisement the term was used in a manner consistent with real estate usage and that most people would not find this language inappropriate, strong or obscene.

The Board also considered whether this advertisement depicted material contrary to prevailing community standards on health and safety. The Board considered that the advertisement did not depict material that is contrary to health and safety standards.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.