



CASE REPORT

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| 1. Complaint reference number | 328/09 |
| 2. Advertiser | Professional Burnie Real Estate |
| 3. Product | Real Estate |
| 4. Type of advertisement | Radio |
| 5. Nature of complaint | Discrimination or vilification Other – section 2.1 |
| 6. Date of determination | Wednesday, 22 July 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

Radio commercial commences with Male voice “Oh, the living room light isn’t working”. Female voice “the kitchen tap drips all the time”, Male voice “the neighbour does burn outs every night in front of my house. Female voice “my cat peed in the ceiling and now it stinks”. Male voice “you need to do something to fix this”

Voice over “Hang on, is this what you wanted when you bought an investment property? As an investor, isn’t there three things that you really want? Good return on your investment, peace of mind and hassle free management. For professional property management, call Shane and the team at Professionals today”. Jingle “Doing it Better.”

THE COMPLAINT

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

The portrayal of renters is very negative and extremely offensive. There is one whiny voice that states "my cat pissed in the roof and now it stinks" which I find particularly offensive. None of the other voices representing renters are in any way positive nor is what they have to say. The inference is that if you are a renter you are by definition a difficulty and will become a problem to your landlord by allowing your "cat to piss in the roof" among other suggested transgressions. I believe this ad breached the advertising standards for its portrayal of people.

THE ADVERTISER’S RESPONSE

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

We understand this complaint has been made by a tenant who believes it portrays renters as negative.

The words used in the ad are not the words described by the complainant. We do not condone the use of profanity in any way and we openly apologise if there has been any perceived offence. However the profanity as described in the ad was not used nor would it have been condoned.

The advertisement was designed to highlight to our clients and prospective landlords that we set a very high standard for the assets we manage on behalf of our clients. We have very strict selection criteria to place tenants in our clients homes. We have had numerous instances of wilful damage to properties by tenants which, while in the minority, is a legitimate concern for all landlords and we are really stating that we will not tolerate that behaviour from any tenant. The vast majority of tenants do care for and maintain the homes they rent and these are the people we are seeking to

attract.

Again, we apologise for any offence which may have occurred as no offence was intended nor implied.

I would be happy to answer any further questions the bureau might have.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Sections 2.1 and 2.5 of the Advertiser Code of Ethics (the “Code”).

The Board considered the complainant’s concerns that the advertisement represented tenants in a negative manner and was therefore discriminatory and in breach of the Code. The Board also considered the language used and reference to the "cat peeing in the roof".

Members of the Board were of the view that the advertisement was merely a humorous and exaggerated portrayal of the experiences of some dissatisfied landlords and was not indicative of all tenants and or landlords.

The Board reviewed the use of language in the advertisement and determined that the word “pee” , was not in itself a breach of Section 2.5 of the Code.

In finding that the advertisement did not constitute discrimination or vilification, the Board dismissed the complaint.