**VERIFIABLE TRAINING TOPIC 2 FOR JARED**

**Topic 2 – Communication (1.5 hours)**

***VIDEO 2A***

*‘Tick’ question – course book only*

Please answer the following question in your downloaded booklet:

**Communication exercise – Interpersonal skills when carrying out real estate agency work**

Tick the relevant communication skills you will need to carry out each type of real estate agency work:

|  |  |  |  |
| --- | --- | --- | --- |
| Real estate agency work | Oral | Non-verbal | Written |
| Prospecting |  |  |  |
| Pre-listing/networking |  |  |  |
| Appraisals |  |  |  |
| Listing |  |  |  |
| Agency agreement |  |  |  |
| Marketing/advertising |  |  |  |
| Viewings/open homes |  |  |  |
| Offers |  |  |  |
| Sale and purchase/lease agreement |  |  |  |
| Negotiations/closing |  |  |  |
| After sales/lease service |  |  |  |
| Settlement |  |  |  |

*We don’t have the answers for this question yet*

***VIDEO 2B***

*True or false question*

Questions:

Read the following statements and decide whether they are true or false.

1. Occasionally, licensees may disagree with agency policies and procedures. Licensees are entitled to disregard policies and procedures they feel are inappropriate when carrying out real estate agency work.

False

1. Policies, procedures and associated documentation provide clear boundaries for processes and lines of communication within the agency to ensure all licensees work collaboratively.

True

***VIDEO 2C***

*Text box question*

Please type your answer in the text box below.

Question:

1. What sections of the Act or Rules, if any, did the licensee breach?

Answer should relate to the following:

Licensee 1: Unsatisfactory conduct; breach section 72(a)

Breach of Rule 6.2 (act in good faith and deal fairly with all parties)

Breach of Rule 9.1 (act in the best interests of a client…)

***VIDEO 2D***

*Text box question*

Please type your answer in the text box below.

Question:

1. What sections of the Act or Rules, if any, did the licensee breach?

Answer should relate to the following:

Licensee 1: Unsatisfactory conduct; breach section 72(a)

Breach rule 5.1 (skill, care, competence)

Breach rule 6.1 (comply with fiduciary obligations to client)

Breach rule 6.2 (act in good faith and deal fairly)

Breach rule 6.4 (must not mislead a customer or client)

Breach rule 9.1 (must act in the best interests of a client…)

Agent Licensee: Unsatisfactory conduct; breach section 72(a)

Breach rule 5.1 (skill, care, competence)

Breach rule 6.1 (comply with fiduciary obligations to client)

***VIDEO 2E***

*True or false question*

Questions:

Read the following statements and decide whether they are ‘True’ or ‘False’.

1. Any non-documented property specific information (for example, sensitive issues, issues beyond the boundary) provided to prospective purchasers in casual conversation at viewings or open homes should always be followed up with written clarification and verification by the licensee concerned (e.g. email), along with a corresponding dairy note for further reference.

True

1. At all times ensure your message is scripted in a professional manner, maintaining the same standards of professionalism online as you would in person.

True

1. At times you may receive a strongly worded or aggressive message which causes a significant negative reaction. Talk to a colleague or supervising agent about the issue and script a strong, aggressively worded response back.

*False*

1. Text messages should not be used as a formal means of communication (for example, compliance-related matters).

True

1. The Unsolicited Electronic Messages Act 2007 (UEM Act) establishes clear guidelines around commercial electronic messages (e.g. emails) in response to members of the public being inundated with emails. It is now a legal requirement to have an individual’s authority prior to sending any commercial electronic messages.

True

1. Social media platforms which include reference to real estate agency work are not required to comply with section 121 of the Real Estate Agents Act 2008.

False

***VIDEO 2F***

*Pick and choose question – course book only*

Please answer in your downloaded booklet:

Questions:

1. Complete the following table by matching the interpretations below with the correct entity. You can do this by writing the correct letter in the middle column (not sure about this part).

|  |  |
| --- | --- |
| Interpretation | Entity |
| 1. Two or more people jointly own a property and their names are recorded on the certificate of title with no mention of separate shares; each tenant has equal rights to possession with rights of survivorship |  |
| 1. An independent legal entity treated as a separate ‘person’ from its directors and shareholders |  |
| 1. A relationship between people carrying on a business in common, with a view to profit |  |
| 1. Not a legal person in its own right; owned and managed on behalf of beneficiaries through a trust deed |  |
| 1. A natural person deemed to have capacity |  |
| 1. Two or more people jointly own a property with defined shares, proportioned either equally or disproportionately for each tenant but with no right of survivorship |  |
| 1. A group or organisation that has been registered under the Incorporated Societies Act 1908 and, when incorporated, is authorised by law to run its affairs as though it were an individual person |  |

Answer:

|  |  |
| --- | --- |
| Interpretation | Entity |
| 1. Two or more people jointly own a property and their names are recorded on the certificate of title with no mention of separate shares; each tenant has equal rights to possession with rights of survivorship | Joint tenancy |
| 1. An independent legal entity treated as a separate ‘person’ from its directors and shareholders | Company |
| 1. A relationship between people carrying on a business in common, with a view to profit | Partnership |
| 1. Not a legal person in its own right; owned and managed on behalf of beneficiaries through a trust deed | Trust |
| 1. A natural person deemed to have capacity | Individual |
| 1. Two or more people jointly own a property with defined shares, proportioned either equally or disproportionately for each tenant but with no right of survivorship | Tenancy in common |
| 1. A group or organisation that has been registered under the Incorporated Societies Act 1908 and, when incorporated, is authorised by law to run its affairs as though it were an individual person | Incorporated societies |

***VIDEO 2G***

*Text box question*

Please type your answer in the text box below.

Questions:

1. What sections of the Act / Rules, if any, did the licensee breach?

Answer should relate to the following:

Licensee 1: Unsatisfactory conduct; breach section 72(a)

Breach rule 5.1 (skill, care, competence)

Breach rule 6.1 (compliance with fiduciary obligations to a client)

Breach rule 9.1 (to act in the best interests of a client)

Breach rule 9.15 (not engage in business that would/could/ reasonably expected to compromise discharge of licensee obligations)

Breach rule 10.6 (what must be explained and set out in writing before an agency agreement is signed)

***VIDEO 2H***

*True or false question*

Questions:

Read the following statements and decide whether they are ‘True’ or ‘False’.

1. A licensee must communicate regularly and in a timely manner and keep the client well informed of matters relevant to the client’s interest, unless otherwise instructed by the client. (refer Rule 9.3)

True

1. In a recent CAC decision, the Committee stated:

Any licensee when listing a property for sale has an absolute obligation to verify the identity and bona fides of the person who is their client (Complaint number: C07683).

True

1. Clients price expectations can be effectively managed by a competent licensee through a robust appraisal of the subject property, space or business that is completed prior to the agency agreement being signed.

True

1. Each real estate transaction involves relationships with multiple parties representing the vendor/lessor and purchaser/lessee (e.g. individuals in a relationship, trustees, directors, executors of deceased estate).

It is essential that a licensee:

* clearly identifies ALL parties involved.
* communicates directly and consistently with ALL parties involved.

True

***VIDEO 2I***

*True or false question*

Questions:

Read the following statements and decide whether they are ‘True’ or ‘False’.

1. Where records may need to be produced for judicial bodies, they must be captured and maintained in a form that meets the legal requirements of reliable evidence.

True

1. An agent must retain, for a period of 24 months, a copy of every written offer submitted. This rule applies regardless of whether the offer was submitted by the agent or by a licensee employed or engaged by the agent and regardless of whether the offer resulted in a transaction [refer Rule 10.12]

False

1. Section 85 of the Real Estate Agents Act 2008 grants Complaints Assessment Committees ‘Powers to call for information or documents’.

True