

18pt



# How to make a complaint about a real estate professional to the Real Estate Authority

Adapted in 2024 by Accessible Formats Service,  
Blind Low Vision NZ, Auckland

**TN:** The logo on the top of the page is **REAA: Real Estate Authority | Te Mana Papawhenua**.

**TN:** Information from the flowchart of **The REAA complaints process – Overview** has been listed.

# How to make a complaint about a real estate professional to the Real Estate Authority

This guide explains how you can complain about the conduct of a real estate professional, what you can complain about and what happens after you make a complaint.

## What can you complain about?

You can complain about the conduct of any salesperson, agent, branch manager or director.

Conduct can include:

- How a real estate professional carries out or manages real estate agency work.
- The standard of personal behaviour of a real estate professional.

Real estate professionals are bound by a Code of Conduct (<https://www.rea.govt.nz/real-estate-professionals/obligations/the-code-of-conduct/>) which is developed and overseen by REA and all real estate agencies must have procedures to deal with complaints.

# **Resolving problems before they become complaints**

It's a good idea to talk to the agency first as this may be the quickest way to resolve the problem. If you are not satisfied, then you can complain to us.

## **What can we help with?**

We are responsible for dealing with complaints about the conduct of real estate professionals. You can complain to us about:

- Work that does not meet reasonable expectations or that is incompetent or negligent.
- Work that breaches the Real Estate Agents Act 2008, or any related regulations or the Code of Conduct.
- Conduct outside of work that would be regarded as disgraceful.

## **What can't we help with?**

There are some issues we're not able to help you with.

- We can't get involved in a real estate transaction or stop a sale going through. If you find yourself in that situation, you need to talk to a lawyer.

- We can't assist with complaints about residential property managers, unless they are also licensed real estate professionals.

If we're unable to help you with your complaint, we'll explain why and help you decide what else you can do.

## **Making a complaint**

You can make a complaint by yourself, with another person, or on behalf of another person. We have a complaint form to help you as complaints must be received in writing.

Download the form from this web address

[www.rea.govt.nz/make-a-complaint/](http://www.rea.govt.nz/make-a-complaint/)

Make sure to:

- Write clearly about what happened.
- Include dates where known.
- Supply supporting evidence and relevant documents.

We can support you to make a complaint. This may include recording the details of the complaint, arranging translation services or other support that you may need. If you need help to make a complaint, contact our team on 0800 367 7322 or by email at [complaints@rea.govt.nz](mailto:complaints@rea.govt.nz)

# **What happens after you make a complaint?**

We will let you know we have received the complaint within three working days:

- We will consider the issues raised in the complaint.
- We may contact you to make sure we've understood the complaint.
- If we cannot deal with the complaint, we'll let you know why.
- If we can deal with the complaint, we'll let you know the next steps.

## **The REA complaints process – Overview**

### **REA receives a complaint in writing**

Understand who and what the complaint is about

### **REA considers complaint**

Determine if REA can look into the complaint

## **REA understands all sides**

Ask the licensee for their perspective to help REA decide how to deal with the complaint

## **REA assesses complaint**

Consider the concerns raised, any harm caused, the seriousness and any public Interest concerns

## **REA Registrar may decide:**

- Not to pursue the complaint if it discloses only an inconsequential matter
- Not to pursue the complaint if it is frivolous or vexatious or not made in good faith
- To refer the complaint to another agency
- To help the parties resolve the complaint

## **REA Registrar may decide: To refer the complaint to a Complaints Assessment Committee (CAC)**

The CAC may decide:

- to investigate the complaint
- to take no further action
- to make a finding of unsatisfactory conduct

- that the conduct may be misconduct, and lay a misconduct charge with the Real Estate Agents Disciplinary Tribunal

If a complaint is upheld, the CAC may make a penalty order, that may:

- censure or reprimand
- require an apology
- require further training or education
- order fees to be reduced, cancelled or refunded
- order an error or omission to be rectified
- fine up to \$10,000 for an individual or \$20,000 for a company
- order costs incurred in the complaint process be paid to the complainant
- refer the complaint to the Real Estate Agents Disciplinary Tribunal to decide whether compensation should be paid

**End of How to make a complaint about a real estate professional to the Real Estate Authority.**