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# Position Description

## Real Estate Authority

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<b>POSITION TITLE</b>	Complaints Assessment Committee Panel Member
<b>REPORTS TO</b>	The Real Estate Authority (REA)
<b>LAST REVIEW DATE</b>	June 2023

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## About REA

The Real Estate Authority (REA) is the independent government agency that regulates New Zealand licensed real estate professionals. We are a Crown entity established under the Real Estate Agents Act 2008.

Our purpose is to promote and protect the interests of consumers in respect of transactions that relate to real estate and to promote public confidence in the performance of real estate agency work. We aim to promote high standards of conduct in the real estate industry and help provide increased levels of protection for buyers and sellers of real estate. As part of this role we:

- Oversee the regulatory framework for real estate professionals including licensing people and companies working in the real estate industry, and overseeing a continuing professional development programme for licensees
- We maintain Professional Conduct and Client Care Rules setting out the professional standards licensed real estate professionals must follow, and provide information and guidance to support them to meet their obligations
- Deal with complaints about the conduct of real estate agents
- Provide information for consumers about the real estate transaction process
- Maintain a public register of real estate agents which includes information about any upheld complaints.

## Role Purpose

As a member of Complaints Assessment Committees (CAC) appointed by REA under s75 of the Real Estate Agents Authority Act 2008 (the Act), the role is required to perform the functions set out in s78 of the Act, including inquiring into and investigating complaints and allegations about any licensee, laying and prosecuting charges before the Real Estate Disciplinary Tribunal, and making final determinations about complaints, inquiries or investigations.

## Relationships

The position is required to build and maintain the following relationships:

### Internal (within REA)

- Chief Executive
- Senior Leadership Team
- REA Board
- Regulatory Services Team
- Legal Team
  
- Complaint Assessment Committee panel members

### External

- Real Estate Disciplinary Tribunal
- External legal providers
- Parties to the complaints, investigations, and inquiries
- Other government and non-government stakeholders engaged in real estate

## Key accountabilities

The accountabilities for of the CAC panel members are to:

- perform the key functions of Complaints Assessment Committees in accordance with agreed timelines which are:
  - Inquire into and investigate complaints made under section 74 of the act.
  - On its own initiative, inquire into and investigate allegations about any licensee.
  - Make final determinations in relation to complaints, inquiries or investigations.
  - To lay, and prosecute, charges before the Disciplinary Tribunal.
  - In appropriate cases, to refer the complaint to another agency.
  - To inform the complainant and the person complained about of its decision, reasons for the decision, and appeal rights.
  - To publish its decisions.
- work as a committee to make and return timely decisions and determinations to REA
- ensure observance of the rules of natural justice, procedural fairness and evidence
- ensure decisions and processes are in accordance with the object and purpose of the Act
- ensure that all written decisions and determinations are in compliance with REA guidelines and the Act
- be available for all scheduled CAC remote hearings and any face-to-face meetings
- participate in induction, training days and keep knowledge up to date
- be responsive to requests and enquiries from REA
- maintain open and regular communication with REA staff in all aspects of CAC processes
- record and submit monthly timesheets to REA

## Qualifications, skills, knowledge and experience

The following qualifications, skills and experience are required:

- experience and knowledge of one or more of the following:
  - law (7+PQE)
  - the real estate industry
  - consumer affairs
- ability to work within tight time frames
- excellent written and oral communication skills,

- plain English, drafting and editing experience
- sound reasoning and logic
- ability to make decisions that may be subject to review
- collective decision-making and/or decision writing experience
- strong leadership and communication skills
- a good understanding of Microsoft products and ability to manage electronic documents
- Knowledge and commitment to Te Tiriti o Waitangi and an understanding and awareness of the needs of New Zealand's diverse communities

Belinda Moffat  
Chief Executive /Registrar  
Dated: 28 June 2023