



15 July 2011

Community Affairs Committee
ATTN : Stephanie Cash
Sent via email :

Dear Sir/Madam

Thank you for the opportunity to submit information and feedback regarding your review of the Property Agents and Motor Dealers Act. Real Estate Dynamics has been involved in the Real Estate landscape for over 7 years, providing industry specific training, products and brokerage services for Real Estate businesses throughout Queensland. With over 1000 subscribed Property professionals including Principals, Property Managers, Sales Agents and Administration Staff, our business has worked with some of the Real Estate Industry's industries best and most respected Agencies. As a member of the Real Estate Institute of Queensland, our business works with many Agencies, both privately owned and franchised, allowing us to capture a wide range of feedback and advice.

We welcome your invitation to submit our points of interest in your review and have summarized these accordingly.

1. As you may be aware, the Queensland Real Estate industry is predominantly split into two businesses structures: Sales and Property Management. I am sure you are aware that the current legislation and licensing covers both these areas, but sadly the Licensing content has a focus of less than 10% on Property Management legislation and compliancy. How is it that one the most important legislation for Property Management is overlooked in the training and licensing requirements. In some cases, reference to the PAMDA 20a is almost non existent in the classroom, and in essence delivers licensed professionals to the marketplace without actually having read the Agreement or being aware of the Government's guidelines and requirements. In considering this and in particular the fact that many Agencies are operating as Property Management only, it is clear that the Property Management sector needs more emphasis within the Act and its practices. You only have to refer to the OFT's own statistics for the past 3 years to see that the Property Management sector has consistently placed in the Top 5 most complained about sectors through the Office of Fair Trading Consumer service section. By increasing the licensing and training content to reflect Property Management practices, it can only flow down to the Consumer with benefits.

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2. Property Management Agreements (PAMD 20a's) fail to provide the full scope of services to be provided by a Real Estate Agency in comparison to Sales Agreements. The major area of confusion is the omission Sole or Exclusive listings for Property Management services. This confusion is further enhanced with limited reference to Property Management Agreements within the current Code of Conduct, although clearly references Sales Agreements. It is suggested that the Committee consider the inclusion of Sole or Exclusive referencing within the newly drafted Property Management Agreements (PAMD20a's). While this is not intended to restrict the Consumer's choice of service, as is the case with Sales Agreements, failure of the Agent to perform duties as listed can allow the Consumer to consider exit options from the Agreement. It is also suggested that dual reference to Property Management be introduced into the Code of Conduct, side by side with Sales referencing.

Real Estate Dynamics will continue to provide the industry with training and information to both its members and the industry as a whole as the reform changes to the Act are introduced by Parliament. We welcome any feedback you have regarding this submission and thank you for the opportunity to submit these to the Committee.

Regards

REAL ESTATE DYNAMICS



SIMON COX

Consultant and Trainer