

REIQ JOURNAL

FOR MEMBERS OF THE REAL ESTATE INSTITUTE OF QUEENSLAND

Women in Real Estate

MEET THE US CEO OF
BETTER HOMES & GARDENS
SHERRY CHRIS! BH&G REAL
ESTATE IS COMING! (P. 16)

BUSINESS BROKERS - AVOID THESE ROOKIE
MISTAKES. BY MICHELLE WRIGHT (P. 18)

CARTER NEWELL - THE IMPORTANCE OF
DISCLAIMERS IN ADVERTISING (P. 36)

DON'T JUST LIKE US,
FOLLOW US ON FACEBOOK!

 Liked  Follow 

JULY 2018


REIQ
REAL ESTATE INSTITUTE
QUEENSLAND

100
YEARS OF REIQ

renew. reposition.



**INDUSTRIE
MEDIA**

your creative media partner

industriemedia.tv

In this edition:

Feature

A better opportunity with Better Homes & Gardens Real Estate?

16

Sherry Chris



Starting out in business broking?

Avoid these rookie mistakes!

18

Business brokers brush up on digital skills

20

Research

Herston Quarter is Brisbane's world-leading health precinct

30

Avoid a tax fright when splitting blocks

32

Risk Management

QCAT update: tenant's claim for compensation fails

34

Do you disclaim?

36

Tech Update

Rex launches new digital advertising product

38

Regular:

From the Chairman 3

From the CEO 5

Industry News 7

Chapter News 22

Training 24

Turner's Tips 28

Secret Life of a Real Estate Agent 39

Events 40

What's on at the REIQ 43

REIQ Award Winner 44

Social Snapshot 46

Supplier Directory 47

Welcome to our new agencies! 48

Who's Who at the REIQ? 49



The REIQ Journal is proudly produced on paper manufactured under an ISO14001 Environmental Management Program, using fibres from certified forests and audited sources. The REIQ Journal is printed with soy based inks.



SAFEGUARD YOUR COMMISSION FOR LESS THAN \$2

An agreement of more than 90 days renders your Form 6 invalid.*

Get it right every time with the REIQ's 90 Day Ready Reckoner.

*Applies only to residential property sales.



www.reiq.com

REIQ Mission Statement

To remain the State's peak real estate organisation, universally recognised for its leadership of the profession and its relevance to real estate practitioners, governments and the community.

Board

REIQ Chairman
Peter Brewer

CEO
Antonia Mercorella

Directors
Linda Bland, John Newlands,
Julie Boyd, Rob Honeycombe, Mark
Brimble, Anita Brown, Eddie Chung,
Damien Keyes

Contact us

PO Box 3447, Tingalpa DC Qld 4173
50 Southgate Ave, Cannon Hill Qld 4170

T 07 3249 7347

F 07 3891 5359

Advertising

T 07 3249 7374

E journal@reiq.com.au

W reiq.com

Publisher

The REIQ Journal is published by
The Real Estate Institute of
Queensland Ltd
ABN 49 009 661 287

Managing Editor
Felicity Moore
T 07 3249 7300
E editor@reiq.com.au

Production Coordinator
Anna Green
T 07 3249 7374
E journal@reiq.com.au

Graphic Designer
Holly Williams
T 07 3249 7312
E hwilliams@reiq.com.au

REIQ Journal is published 11 times a year.
We publish 3,500 copies each edition with
an estimated readership of 10,000.

Disclaimer

Articles printed and opinions expressed in the REIQ Journal do not necessarily reflect the views of the REIQ. All statements are believed to be true and accurate, but cannot be guaranteed and no liability will be accepted for any error or omission. Information appearing in the REIQ Journal may not be reproduced without the written permission of the Managing Editor.

Advertisements must comply with the relevant provisions of the Competition and Consumer Act 2010 and other relevant legislation. Responsibility for compliance with legislation rests with the person, company or advertising agency submitting the advertisement. Neither the REIQ nor any of its employees accepts responsibility for advertisements.

Advertising in the REIQ Journal does not necessarily reflect the views of the REIQ.

©Copyright REIQ 2018. ISSN: 1442-9683

Business broking in the spotlight

A WORD FROM THE CHAIRMAN

We've just hit the halfway mark of 2018. The footy's on and the weather is magnificent. Wherever you are in this great state, isn't it great to be a #Queenslander?

#YourREIQ offers local representation to every real estate professional across Queensland. Last year, the REIQ held 52 local zone events right across Queensland and beamed hours of digital content to the more remote areas to ensure every member had an opportunity to learn. If we haven't reached you or your area yet, please let me know, and I'll be sure I speak personally with you in 2018. Your voice is important.

In our quest to be sure every member's voice is heard, each of our Zone Chairs meets with the Board every two months to share your views. It's important to us that we hear everyone's views and that means real estate practitioners who aren't members yet. We need everyone's voice. If you know someone who isn't a member yet, please let them know it's important they support their professional body. Government consults with #YourREIQ.

Speaking of the Government, the CEO, Antonia Mercorella, and I continue our door-knocking and prospecting of George Street and our strategic partners to create opportunities for every REIQ member.

Our recent meeting with Queensland Attorney-General Yvette D'Ath was positive and I am extremely confident the ultimate results of this meeting will benefit every REIQ member, so stay tuned.

One of the beauties of the REIQ is that it provides representation across all aspects of real estate. Contrary to the misconception that #YourREIQ only represents residential real estate agents, the REIQ is also the voice of commercial and industrial agents, auctioneers, buyers agents, property managers, and business brokers.



At the recent business brokers' networking event, I had the opportunity to thank Ron for the 18 selfless years he's given to his craft, his colleagues, and the REIQ as the Chair of the business brokers' chapter. I want to take this opportunity to thank Ron in front of the broader REIQ membership for his contribution.

Ron, you're a credit to the profession, and I wish you well as you go back to drive your own business. Michelle has big shoes to fill.

Peter Brewer – Chairman

In this month's Journal we take a look at the wonderful world of business broking and we offer some tips and insights from our newly inducted Chapter Chair, Michelle Wright. Business broking is now a much more respected and taxing craft than it was when I fumbled my way through selling the Tingalpa Fruit Shop for \$12,000 in 1987. Our business brokers are transacting multimillion dollar enterprises and dealing in numbers that would leave some of our residential members green with envy.

In talking about our business brokers, it would be remiss of me to not acknowledge the long-standing Business Broker Chapter Chair Ron Frank, who recently stepped down from the role.



Ron Frank

Professional indemnity claims: A real risk for real estate professionals

When you're focused on racing to property inspections, managing tenants and negotiating contracts, professional indemnity risk is probably the last thing on your mind. But the reality is that these everyday real estate scenarios can expose you to risks that could lead to a compensation claim.

Professional Indemnity insurance can act as a safety net to provide protection from the costs associated with any claims, including legal costs and any damages awarded.

If you would like to find out more or discuss your insurance needs, please contact Aon today.

1300 734 274

au.realestate@aon.com

aon.com.au/realestate



Aon

Empower Results®

* Conditions apply. For full policy wording please contact 1300 734 274. © 2018 Aon Risk Services Australia Limited | ABN 17 000 434 720 | AFSL 241141. This information is general in nature and should not be relied on as advice (personal or otherwise) because your personal needs, objectives and financial situation have not been considered. So before deciding whether a particular product is right for you, please consider the relevant Product Disclosure Statement or contact us to speak to an adviser. AFF0987 0618

Embracing change and ushering in a modern REIQ

A WORD FROM THE CEO

The REIQ works to a strategic plan, as many businesses do, and we are now at the start of a new three-year strategic plan that has been developed over the past few months, seeking input from our membership community and other key stakeholders.

The strategic plan is our roadmap that sets the direction for the business, charting a new vision, our mission and our values.

Our new plan involves some bold, innovative, and dramatically different activities that are removed from anything we've done before.

What will remain the same is our unwavering commitment to our membership, our fervent advocacy for the rights and the needs of all real estate practitioners, and our determination to raise the bar and improve the standard of professionalism across the entire real estate profession.

The plan is driven by the motivation to serve you better and meet your needs as you build your own business and career in the Queensland real estate landscape.

We are examining all areas of the REIQ's operations and modernising.



We are becoming easier to deal with in a range of ways. You'll be able to register for events at the click of a button, buy products and services with one tap of the screen through our responsive e-commerce site, manage your own membership details without the need to ring during business hours to retrieve or confirm information. You'll see us become more responsive, more helpful and more available using the powers of digital technology, automation and A.I.

Information, training and member services will be packaged in ways to better meet your needs, adapting to the way *you* want to use your REIQ, rather than the way *we* allowed you to engage with us.

Our new plan has a range of short-term, medium-term and long-term goals and it's going to be an exciting time throughout the entire three-year journey as we step our way through the process.

This strategy will help us leverage our century of experience and prepare for the next 100 years.

Changes to the Constitution

In addition to all of that, as you may already be aware, we are updating our Constitution so that it better reflects the needs of a modern organisation and a modern membership group.

At time of writing, the vote to approve the changes has not yet happened.

We are now mandating that two Board Directors must be women and one Board Director must be under the age of 35.

The changes will be voted on by the membership at an Extraordinary General Meeting June 29.

If approved, this is a step forward that ensures that a range of voices are heard at the highest level of your peak body.

I welcome your feedback on these major developments and hope you will join me in embracing the opportunities ahead of us.

Best wishes,

Antonia




Introducing the St.George Home Loan Referral Program

Join our referral program and you could secure new benefits for both your clients and your business.

**Ask me
how**

Phil Soper
Business Development Manager

 0466 353 255

 phillip.soper@stgeorge.com.au



New GST-withholding rules start now!

Earlier this year the Federal Government passed legislation requiring purchasers of 'new residential premises' and 'potential new land' to withhold the goods and services tax (GST) on the contract price at settlement and pay it directly to the Australian Tax Office (ATO).

Originally announced as part of last year's Federal Budget, this reform is designed to improve the integrity of GST on property transactions, and to assist with recovering significant GST missed as a result of phoenix activity.

Key requirements

The key requirements are as follows:

- sellers of all 'residential premises' and 'potential new land' subject to these GST withholding rules will be required to provide purchasers with notification to assist with determining whether the withholding rules apply. The Reference Schedule of all REIQ sale contracts will contain a section for the seller to notify the purchaser whether GST is to be withheld in accordance with these new rules;
- notification is not required when:
 - the premises are commercial residential premises; or
 - the transaction involves the supply of 'potential new land' and the purchaser is both registered for GST and acquiring the land for a creditable purpose;
- notification must include the following information:
 - the seller's name and ABN;
 - the amount to be withheld; and
 - when the amount is to be withheld;
- purchasers of 'new residential

premises' or 'potential residential land' will be required to withhold at settlement 1/11th of the contract price, or 7% of the contract price if the parties have agreed to a margin scheme, and then pay this directly to the ATO;

- a failure by the seller to provide notification to the purchaser will not affect the purchaser's obligation to withhold GST under these rules; and
- if these GST withholding rules apply, the seller will receive a credit for GST withheld by the purchaser and paid to the ATO after reporting in its BAS.

Generally, a purchaser will have to withhold GST when:

- the sale or transfer is a 'taxable supply' as defined under relevant legislation;
- the transaction involves the supply of a 'new residential premises' subject to GST withholding rules, which may include:
 - a 'residential premises' that has never been sold or subject to a long-term lease as 'residential premises'; or
 - a 'residential premises' built to replace demolished premises on the same land and
- the transaction involves the supply of 'potential residential land'

subject to GST withholding rules.

Purchasers of 'new residential premises' created by substantial renovations are excluded from these GST withholding rules.

Transitional arrangements

GST withholding rules will apply to all agreements entered into on or after 1 July 2018, or to agreements entered into prior to 1 July 2018 but where payment occurs (not deposit) after 1 July 2020.

REIQ contracts incorporating GST withholding obligations will be released prior to the 1 July 2018 commencement date.

Given the substantial penalties that may apply for failing to provide notice or withhold and pay GST if required, it is strongly recommended that independent legal and/or taxation advice is obtained from a qualified professional about these obligations before entering into a contract.

Training session

A detailed training session on this topic was hosted by REIQ at its Brisbane office on 28 June 2018. The session was recorded and is now available to members free of charge. Visit REIQ.com to access this video in the members' area.



Record median house price for Brisbane LGA

WORDS BY REIQ MEDIA AND COMMUNICATIONS MANAGER FELICITY MOORE

The Brisbane LGA annual median house price grew 3.1 per cent to a new record of \$670,000 in the March quarter, the REIQ announced in its March Quarter Queensland Market Monitor report.

Against a backdrop of cooling southern markets and falling listings volumes, the Brisbane house sales market demonstrated admirable resilience, buoyed by steady population growth driving demand and underpinned by good economic fundamentals.

The falling listings volumes is going to be an issue for this market, which is down 6.4 per cent compared with March 2017. As a consequence, stock on market has fallen to just 6.1 per cent, the lowest in the state. Buyers have to move fast and are snapping up properties when they find the right one, making this market the fastest-selling market in the report, at 32 days on market.

REIQ Media and Communications Manager Felicity Moore said anyone thinking of selling was going to find willing buyers in good supply.

“In this market we could potentially see a rise in off-market sales as eager buyers pressure sales agents to see property before it hits the market,” she said.

The unit market eased over the 12 months to March 2018, losing 1.8 per cent off the annual median price of \$442,000.

Ms Moore said that the unit market was at the tail end of an unprecedented level of supply. Rising demand would undoubtedly absorb

excess stock, the only question remaining was just how long that would take, she said.

“Queensland has become the number-one destination for internal migration, taking over from Victoria in the latest ABS Census data, and our overseas migration is at its highest level in years, which means demand for accommodation will continue,” she said.

The rental market is operating in the healthy range, with vacancies at 3.1 per cent for the March quarter and rising demand levels easily absorbed almost 3200 new rental properties hitting the rental pool this quarter.

OUTER BRISBANE

Ipswich

The Ipswich house market grew 3.0 per cent, to a new annual median house price of \$340,000. March was a quiet quarter for this market, falling 1.5 per cent, but over the year it performed well.

The growth in the house market was offset by falls in the unit market, contracting 3.0 per cent over the 12 months to March 2018, to an annual median unit price of \$319,900. As with other markets, it is likely that population growth will start to absorb some of this stock soon, however, due to the area's houses being so affordable, units are competing with a range of stock types to find buyers. You can buy a unit for \$319,000 but just \$20,000 more will get you a house.

Logan

The Logan house market delivered among the strongest performances for all markets in the March report, adding 4.0 per cent to the annual median house price, to \$395,000.

The unit market was one of the few markets to grow, adding 0.7 per cent to an annual median unit price of \$271,000. However, over the past five years the unit market has fallen 7.5 per cent.

Moreton Bay

The Moreton Bay annual median house price grew a steady 2.4 per cent over the 12 months to March, to deliver a median house price of \$435,000. This growth is the smallest in Greater Brisbane.

The unit market felt the pain of the combined factors of strong supply and the affordability of houses, with a 3.8 per cent contraction in the annual median unit price to \$346,250, down from \$359,900 this time last year.

Redland

Redland LGA delivered rock star growth of 3.9 per cent for the year to a median house price of \$530,000. The heavy lifting was done in the suburbs of Birkdale and Cleveland which delivered 6.3 per cent and 6.7 per cent growth respectively.

Similar to the house market, the Redland unit market delivered stellar growth over the 12 months to March 2018, adding 3.4 per cent growth to a new median unit price of \$409,500. This was by far the strongest unit growth in all of Greater Brisbane.

GOLD COAST

The Gold Coast has taken the gold medal for annual median house price growth again, adding 6.0 per cent growth to a median house price of \$620,000, the highest growth in the state.

Gold Coast house owners now have an asset that is worth an additional \$35,000 more than it was this time last year, thanks to strong capital growth.

The unit market added 1.9 per cent to deliver a median unit price of \$428,000 for the year.

TOOWOOMBA

The Toowoomba market has been a consistently steady performer, delivering 1.1 per cent growth for the year to March 2018, and a median house price of \$355,000.

The unit market has defied regional trends throughout most of 2016 and 2017, however, gravity is now catching up and this market contracted 2.9 per cent to \$300,000. The market remains 17.6 per cent larger than it was five years ago.

SUNSHINE COAST SD

The Sunshine Coast Statistical Division (SD) (incorporating the Sunshine Coast LGA and Noosa Shire) house market has delivered moderate and sustainable growth for the quarter, the past year and the past five years.

A typical house in the Sunshine Coast SD increased in value \$31,250 for the past year, to reach an annual median price of \$576,250.

In March 2018, the Noosa median house price reached \$665,000 compared to the Sunshine Coast median house price of \$563,000.

The Noosa unit market also performed well for the past 12 months, growing a stunning 7.1 per cent to reach an annual median price of \$525,000 and remaining as the most expensive unit market in Queensland.

Unit prices in the Sunshine Coast local government area increased 2.8 per cent, to \$405,000 in March 2018.

FRASER COAST

The Fraser Coast house market continues to be a steady performer, with annual median prices holding steady for the past quarter and increasing very modestly (only 1 per cent) for the past year. A typical house in Fraser Coast had an annual median price of \$315,000 in March 2018.

The unit market performance was weak in the March quarter. However, its performance for the past year was better compared to the house market as the annual median unit price increased 2.2 per cent. A typical unit in Fraser Coast had an annual median price of \$259,500 in March 2018. Only about 11 per cent of the regional dwellings were units.

BUNDABERG

The Bundaberg house market has held its ground over the past five years, with a house costing about the same today as it did five years ago.

However, the market showed small growth levels of 1.8 per cent over the past 12 months, which is encouraging.

A house in Bundaberg cost an annual median price of \$285,000 in March 2013 and March 2018.

The unit market performed a bit better than the house market over the past five years. A unit in Bundaberg increased in value from \$251,400 in March 2013 to \$259,000 in March 2018.

GLADSTONE

Gladstone has stared down some of the most challenging market conditions in the state. This market lost 8.5 per cent over the 12 months to the March quarter, to a median house price of \$280,000. This market is more than 38 per cent below where it was five years ago.

The unit market fell 36 per cent over the past 12 months to an annual median unit price of \$167,500.

The rental market provided some good news for the region, with vacancies tightening for a third consecutive quarter to 4.1 per cent.

ROCKHAMPTON

The Rockhampton property market slipped moderately for the past year, with house prices falling 1.9 per cent, to \$265,000 and unit prices contracting 1.3 per cent, to \$295,000.

Units continued to outperform houses, as they've done for much of the year, and ended the year more expensive than houses. This atypical performance may be the consequence of the limited unit market, which represents less than 10 per cent of the region's dwellings.

Local sentiment has improved over the past few months. In light of this improvement, the rental market has seen improved market fundamentals as vacancies have followed a downward path for the past four quarters.

MACKAY

The Mackay house sales market has delivered an outstanding 4.1 per cent growth to the annual median house price, to reach \$333,250, and live up to last quarter's forecast of a stronger start to 2018.

This market is now officially in recovery.

However, the unit market performance remained weak as unit prices fell 7.8 per cent, to \$212,000 for the past year. Mackay is the second most affordable unit market in the state.

TOWNSVILLE

Townsville delivered a surprising fall of 3 per cent in the annual median house price for the year to March, to reach \$325,000.

Even more surprising, units grew a massive 5.7 per cent for the year to March, to \$280,000.

House market indicators, such as days on market and vendor discounting all indicate a market on the improve. Days on market have come down from 70 days in 2017 to 62 days in 2018. Vendor discounting has moved from 8.4 per cent to 7.4 per cent, which indicates houses are selling faster and vendors are discounting less to close the sale.

The REIQ is optimistic about the Townsville market through 2018, confident that buyer demand will strengthen and prices will improve and move this market towards a recovery phase.

CAIRNS

Cairns delivered steady growth of 2.5 per cent over the past 12 months, to arrive at an annual median house price of \$410,000 in March 2018.

The Cairns house market has been one of the top-two regional performers (excluding the southeast corner) for the past five years of all the areas analysed in the Queensland Market Monitor. House prices increased 17.1 per cent or \$60,000, from \$350,000 in March 2013.

The unit market was weak in the year to March with the annual median unit price falling 1.7 per cent, to \$232,000.

Cairns is one of the big winners from the announcement of the \$5 billion Land 400 Phase 2 contract. Cairns' Redcat Industries has a teaming agreement with the winning tenderer, Rheinmetall Defence Australia. This means high-skilled jobs will be created in the region and regional businesses will benefit from the transfer of technologies and skills.

Mixed bag Budget for property sector

WORDS BY REIQ MEDIA AND COMMUNICATIONS MANAGER FELICITY MOORE

The property sector received mixed news in the State Budget, handed down by Queensland Treasurer Jackie Trad.

The REIQ welcomed news that the First Home Owners Grant was going to be extended for another 12 months, however, was disappointed that it would be reduced to \$15,000 and would not be extended to include established homes.

“Disappointed, is the best way to describe how we’re feeling about this lack of action from the Treasurer on the grant being applied to established homes.

“Regional Queensland desperately needs buyers to absorb some of that excess supply and the grant could help first home buyers enter the market.

“However, it would be overstating to say there was no good news in this Budget. We are happy the FHOOG has been continued, even though it is at the reduced rate. It will continue to stimulate construction and employment, although this benefit will continue to mostly be felt in the southeast corner,” Ms Mercorella said.

The real estate sector is one of the largest employers in Queensland, with thousands of small businesses throughout the state employing around 50,000 people. These small businesses are the backbone of the Queensland economy and will benefit from the payroll tax rebates available to them for trainees and apprentices.

In addition, the \$45.8 billion spend on infrastructure investment in Queensland over the next four years will benefit the livability factor and improve desirability of real estate in areas where those projects will happen.

The Foreign Acquirer Duty has increased from 3 per cent to 7 per cent, representing a backflip from the 2015 position where then-Treasurer Curtis Pitt declared foreign buyers would not be taxed. In 2016, a 3 per cent tax was introduced and now this tax has more than doubled.

“Taxing foreign buyers is a measure best suited to markets where affordability is an issue. That is not the case in Queensland.

“We have more than 550 suburbs throughout the state where the median house price is \$500,000 or below and more than 132 of those suburbs are in Greater Brisbane.”

“We are very affordable and we welcome all buyers to our real estate markets,” Ms Mercorella said.

The REIQ was also disappointed that the State Government chose to drag its feet on stamp duty reform, ignoring expert advice that the stamp duty was a regressive, outdated form of property taxation that stifled housing mobility.



gil wright & associates
BUSINESS VALUATIONS

Queensland's Longest Established Business Valuation Firm

www.gwabusinessvaluations.com.au

Do you know the value of your Business?

Financial institutions are lending against rent rolls...

Speak to the experts in Real Estate Business Valuations. With over 30 years' experience in valuing businesses, ***Gil Wright & Associates Business Valuations*** has specialised in Real Estate Sales & Rent Roll Business Valuations undertaking in excess of 1,000 real estate business valuations for firms located throughout Australia.

Gil Wright & Associates Business Valuations are panel valuers for the majority of financial institutions of Australia.

Know your position and make your next move!

If you are looking to buy, sell or finance....Contact us on (07) 3342 0160 or valuers@gwabusinessvaluations.com.au

We Know business!

Understand the REIQ Special Terms related to carpet cleaning

WORDS BY REIQ LEGAL COUNSEL
SEAN ROBERTS

The Residential Tenancies Authority (RTA) has successfully prosecuted a property management agency in Townsville for various breaches of the Residential Tenancies and Rooming Accommodation Act 2008 (RTRA).

Following this prosecution social media has been flooded with inconsistent advice and inaccurate commentary about special conditions used in conjunction with the RTA General Tenancy Agreement. Some of this has been incorrectly directed at the REIQ Special Terms about cleaning carpets at the end of the tenancy.

Set out below is a factual summary of the relevant decision delivered in the Townsville Magistrates Court, along with our view of the resulting implications for the REIQ Special Terms about carpet cleaning.

Facts

On 22 March 2018, Vespar Pty Ltd trading as Coral Sea Property Management pleaded guilty in the Townsville Magistrates Court to a number of charges, which included breaches of section 171(1) of the RTRA for requiring a tenant to agree to buy goods as a condition of being accepted as the tenant under an agreement.

Relevantly, Coral Sea Property Management's special condition required a tenant to have carpets dry cleaned by a registered carpet cleaning professional to the satisfaction of the lessor/agent upon vacating, and to provide a receipt to the agent evidencing same. A similar



requirement extended to curtains and blinds made from fabric.

According to the evidence, this special condition was **not** an REIQ Special Term, and contained wording that required the tenant to have carpets, curtains and blinds professionally cleaned at the end of the tenancy if this occurred at the start, in contrast with the REIQ version which instead permits a tenant to shampoo or steam clean the carpets themselves if this was done professionally at the start.

Summary and conclusion

As a result of pleading guilty to these breaches, as well as further breaches of sections 173(4) and 202 of the RTRA, Coral Sea Property Management was convicted by the Magistrate and fined \$8,500.

It is our position that the REIQ Special Term about carpet cleaning can be distinguished from the special condition used by Coral Sea Property Management because it does not oblige a person to buy goods or services as a condition of being accepted as a tenant under a lease agreement.

Over the previous 12 months, REIQ

property management forms have been under review following feedback received from REIQ members, Property Management Support Staff and REIQ trainers with updates to be released shortly. For the avoidance of any doubt this review did not arise as a result of the recent Townsville Magistrates Court decision against Coral Sea Property Management and instead was commenced with the view of enhancing our forms for property managers.

Although we are comfortable with the REIQ Special Terms, if, as a result of this review, it is determined that the REIQ Special Term about carpet cleaning should be clarified to ensure that the intent of the relevant clause remains consistent with the RTRA, it will also be updated at this time.

If property managers remain uncertain about whether special conditions for tenancy agreements comply with the requirements of the RTRA, REIQ members can seek guidance from REIQ's Property Management Support Service. Alternatively, legal advice about special conditions should only ever be sought from a qualified legal professional.

Compliance, the OFT and you

WORDS BY BRIAN BAUER, EXECUTIVE DIRECTOR, OFFICE OF FAIR TRADING

It's a new financial year, and for the Office of Fair Trading (OFT) that means a new compliance and education program begins along with the annual review of industry-specific forms.

Each year the OFT develops and conducts a proactive compliance program that specifically includes the Real Estate Sector. It is developed in two parts, being compliance checks to detect compliance with legislation and industry practices, along with an educational approach to assist licensees and their staff develop steps to implement best practices, and identify and address any potential

compliance issues.

The program consists of visits to agencies across the state, and this year the OFT will endeavour to visit agents that it hasn't seen within two years along with its standard focus on visiting newly-licensed agents. These visits may have a compliance or education focus. At the OFT, we believe proactive compliance allows licensees to mitigate risk and protect your business and customers.

Our aim is to help agents understand their legislative responsibilities to make sure they are compliant with the law and get the right processes and habits in place early.

This program runs parallel to the OFT's 'business as usual' process of responding to complaints from consumers and intelligence sources, including other licensees and auditors. In addition, it provides licensees an opportunity to talk about trends or practices that you're

seeing in the industry.

In developing the new compliance program, we always look to outcomes of previous years' operations. This ensures our resources are directed towards current issues and potential areas for improvement. This year the OFT will focus on:

- the administration of trust accounts, banking of trust monies to trust accounts
- lodgement of audit reports within time
- bait advertising and contracts.

So, if during this financial year you receive a visit from an OFT officer performing their duties, embrace the opportunity to engage with your regulator.

You can find a wealth of information on managing a real estate agency in Queensland at www.qld.gov.au/fairtrading.

Qld businesses save with WorkCover

Queensland businesses have saved more than \$61 million in premium discounts with WorkCover Queensland, with these savings set to continue in the 2018 – 19 financial year.

Small-to-medium size businesses employing apprentices have collectively saved more than \$15 million in the past year on their premiums through WorkCover's discount for employing apprentices.

Industrial Relations Minister Grace said the introduction of this discount by WorkCover in 1 July 2017 has resulted in businesses which employ apprentices saving between 10 and 20 per cent off their premiums.

"WorkCover introduced these premium discounts last year and it's

great to see businesses reaping the benefits," Ms Grace said.

"WorkCover also continues to offer employers who pay their annual premium before 16 September extra incentives to meet the deadline.

"With the early payment discount increasing from 3 per cent to 5 per cent, this has resulted in savings of \$46 million for businesses in the 2017 – 18 financial year.

"For small businesses with between five and 20 workers, this early payment discount could mean more than \$1,000 saved each year."

Minister Grace said WorkCover Queensland continued to be Australia's leading scheme, again delivering the lowest premiums in the country.

"Not only has WorkCover introduced and is continuing these new

incentives for businesses, it continues to deliver the lowest premiums in the country," she said.

"Combined with a stable financial position and positive investment yields, these factors have helped WorkCover to retain the lowest average premium rate in the country.

"For the fifth year in a row, WorkCover's average premium rate is being maintained at \$1.20 per \$100 in wages paid for the financial year commencing 1 July 2018 – down from a peak of \$1.45 in 2013 – 14.

"This is good news for more than 159,000 Queensland employers and it makes WorkCover Queensland the best workers' compensation provider in Australia."

For more information visit <https://www.worksafe.qld.gov.au>

Contesting RTA Penalty Infringement Notices

Did you know that contesting a Penalty Infringement Notice (PIN) issued by the Residential Tenancies Authority (RTA) may require you to incur increased expenses, lead to criminal convictions and the loss of an agent's licence?

There are many ways the RTA works to ensure stakeholders understand and comply with rental regulations to help keep renting fair for everyone. Historically, the RTA focused on educating and cautioning offenders who breached the Residential Tenancies and Rooming Accommodation Act 2008 (Act). While the RTA is still committed to educating the rental sector, it is now taking a more proactive approach to compliance due to a significant increase in complaints and repeated offences.

Last year the RTA investigated over 800 matters for over 2000 offences. This year this figure will approach 100 investigations. The majority of the RTA's recent investigations have involved real estate agents, landlords and property managers, with only a very small number involving the prosecution of tenants. The RTA can issue PINs for one or multiple offences, and PINs can be issued against individuals or companies.

When a PIN is issued a property manager/owner or tenant has the option to pay the fine (either wholly or in instalments), or contest the matter in the Magistrates Court.

So, what happens when you decide to contest RTA PINs in Court?

Although agents and landlords have the right to do so, it is important to understand that contesting a PIN may carry additional risks and consequences. Some agents and

landlords mistakenly believe that contesting a PIN will involve a quick trip to the Queensland Civil and Administrative Tribunal (QCAT) to briefly explain why they should be let off the hook. This is not the case. If an agent contests a PIN in Court, they are essentially escalating the offence to one that might result in a significantly higher fine and potentially a criminal conviction in the Magistrates Court.

The amount of a PIN is stipulated in the State Penalties Enforcement Regulations (SPER), and amounts can range from several hundred dollars per offence for an individual, to thousands of dollars for each offence by a company. Contesting a PIN can also result in up to ten times the financial penalty, depending on the outcome.

For example, conducting an open house without a tenant's written permission carries a PIN fine of \$1261 for a company, but if the company elects to have the matter determined in court and is unsuccessful, the maximum penalty is \$12,610. Although it is unlikely that a Magistrate would impose a maximum penalty, following a conviction the court is likely to impose a penalty of several times the original PIN fine. Should the court convict an offender, they may also have the RTA's costs awarded against them, and they are of course liable for their own legal costs.

On top of the financial repercussions, the person or company is also now being charged with a criminal offence. The process is exactly the same as when police prosecute regular criminal matters in the Magistrates Court, and as such the court also has the ability to record a criminal conviction, the consequences for which can be far-reaching. This might make it difficult to obtain a visa to travel to certain countries, and can even result in the loss of an agent's licence.

It is important to note that only a company director is able to sign notices to contest PINs in court. If they are signed by anyone other than a director, these election notices will be deemed invalid and returned to the company. If this happens, the election period could expire and the opportunity to contest the matter in court would be lost.

RTA Chief Executive Officer Jennifer Morgan said a high level of compliance was expected, especially from property managers. "Lodging bonds, entering premises lawfully and exercising obligations in relation to providing documentation are the basic rules for property managers, yet we have no shortage of breach investigations," Ms Morgan said.

"Ignorance of the law is not acceptable or tolerated as an excuse. These are serious matters; if you think receiving a PIN is unfair, you need to determine whether your actions amount to a breach of the law. You are strongly advised to obtain legal advice, and if you are certain that you have a defence at law, you can submit a written explanation of your defence to the RTA. In some cases, investigations may result in the PIN being withdrawn."

Any person or company that receives a PIN from the RTA is strongly encouraged to seek legal advice before electing to contest the matter in court. To read more about penalties, prosecutions and offences relating to the Act, visit the RTA's website (www.rta.qld.gov.au) or call the RTA on 1300 366 311.

Sleep rough for a good cause

The Auction Group's Gordon Macdonald hopes that the Brisbane Real Estate Sleep Out is bigger than Sydney and Melbourne's because, well, it is rugby league season.

Mr Macdonald said he hoped that Brisbane would actually attract the largest numbers of property people prepared to spend the night under the stars for a very good cause.

"The sleep out is smack-bang in the middle of State of Origin season, so it seems sensible to me to win on the field as well as for the generosity of the Queensland property profession," he said.

But Mr Macdonald better wear a beanie or two when he takes part in the Real Estate Sleep Out in late July because the event promises to be a tad colder than

he's used to up on the Sunshine Coast.

That said, he didn't hesitate when the call went out to bring the annual fundraising initiative to Brisbane because the interstate event raises much-needed funds for Father Chris Riley's Youth Off The Streets program.

"As real estate agents and auctioneers, we put people in homes every day so who better than to raise awareness for those people who simply don't have a roof over their head," Mr Macdonald said.

"For the team at The Auction Group, we are in a position where we communicate and work closely with multiple agencies along the east coast and are passionate about shining a light on this issue, so we had no hesitation in spearheading the Brisbane event."

The inaugural event in 2016 raised more

than \$134,000 with about 100 attendees sleeping out on the night in Sydney.

This year, however, the Real Estate Sleep Out organisers are aiming to attract more than 500 people across three states to hopefully raise \$500,000.

Mr Macdonald said the Brisbane event was an opportunity for property professionals to give back to the community.

"The real estate industry lists and sells houses for a living, while Youth Off The Streets work to put a roof over the heads of Australia's homeless youth," he said.

People interested in being involved in Real Estate Sleep Out can register online at realestatesleepout.com.au and then start fundraising for the event.

The Real Estate Sleep Out is on Thursday 26 July at Reddacliff Place in Brisbane.

2 WEEK FREE TRIAL

SWEEP BRIGHT™

One App To Run Your Agency

Your customers have changed.
Has your real estate agency?

- Create immersive listings in minutes.
- Publish on social media, property portals and your own website in 1 tap.
- Your own mobile responsive website. Future proof and customisable.
- Automate your sales process. Deliver quality experiences.

www.sweepbright.com

Partners
REIQ
REAL ESTATE INSTITUTE OF QUEENSLAND

Going, going, gone: Don't let professional indemnity risk ruin your business

(SPONSORED CONTENT)

When you're focused on racing to property inspections, managing tenants and negotiating contracts, professional indemnity risk is probably the last thing on your mind. But the reality is that these everyday real estate scenarios can expose you to risks that could lead to a compensation claim – causing financial and reputational harm to you personally, and to the business you've worked so hard to build.

Despite your best efforts to provide a quality service to your clients, the reality is that mistakes can happen. It's therefore important to be aware of the risks involved with your line of work, so you can put steps in place to help avoid them and ensure that you're protected with the right insurance cover.

The top risks facing real estate professionals

Some common risks and claims relating to professional indemnity for real estate professionals include:

- **Misrepresentation:** Disputes arising when the purchaser feels they have been misled by advertising – such as describing a property with 4 bedrooms (instead of 3 + study)
- **Mismanagement:** Rental property mismanagement claims occurring when a Landlord incurs costs due to a loss of rent or damage



to property – this could be due to a tenant skipping town without paying their rent, or causing malicious damage to their rental property.

- **Employment Practices Liability:** EPL claims arising from outgoing or current employees. These can be very costly – proven Unfair Dismissal claims can lead to payment of up to 26 weeks salary, and claims relating to bullying, underpaying and sham contracts are uncapped.
- **Personal injury:** Claims arising from a client or employee being injured at your workplace or anywhere you do business, including property inspections and auctions.

How can you prevent falling victim to a claim?

While it's important to be aware of the risks impacting your professional practice, it's even more important to be diligent and put steps in place to avoid or minimise them. We've compiled some tips to help minimise some of the most common real estate risks:

- **Complete thorough and regular property inspections** with supporting documentation and photos
- **Implement electronic systems**

to ensure timely follow ups of properties and maintenance

- **Ensure the accuracy of advertisements** by vetting the wording and accuracy of information supplied by vendors or landlords
- **Implement policies, training and procedures for staff** including social media and email policies
- **Be proactive to staff matters** involving bullying or harassment, and seek immediate advice from your broker or insurer if an issue arises

Protect your finances, your business and your livelihood

Even if you implement all the risk minimisation strategies, accidents and mistakes can still happen. That's where **Professional Indemnity insurance** can act as a safety net to provide protection from the costs associated with any claims (including legal costs and any damages awarded). With cover options tailored to the unique requirements of real estate professionals, Professional Indemnity insurance provides peace of mind and security – so you can keep focusing on what you do best.

We're by your side

To learn more about minimising risk or to discuss your insurance coverage please contact Aon on 1800 466 894.

A better opportunity with Better Homes & Gardens Real Estate?

Better Homes & Gardens Real Estate is launching in Australia and the REIQ is thrilled to welcome the CEO of the Better Homes & Gardens Real Estate franchise, Sherry Chris to deliver the keynote presentation at our annual Women In Real Estate lunch, 9 August.

A brand with a difference and “a brand with a soul”. That’s how US CEO Sherry Chris describes the BH&G brand in the US. And it’s also how Australian project lead Simon Cashman would like us to think of the franchise as it is poised to roll out in Australia.

“When we think about Better Homes & Gardens as a brand, it’s a lifestyle brand,” Ms Chris told the Elevate podcast.

“Today’s consumer is buying lifestyle and community, and so we see ourselves as the most relevant brand in real estate and that’s because we’re able to capture the interest of the consumer at a very early stage based on the wonderful content in the magazine and video content and online content,” she said.

“We’re a lifestyle brand but we go well beyond the transaction itself and really help people move onto the next phase of their life,” she said.

Mr Cashman, who is driving the roll-out in Australia, has secured a dream content-sharing arrangement with Pacific Magazines. The synergies between real estate and the brand properties in Australia are the stuff dreams are made of, with an eye-popping range of opportunities for both the real estate brand and the broader media extensions to open up their reach into virtually every home in the country.

“From January the Better Homes & Gardens magazine, which has 2.5 million readers every month Australia-wide, will start carrying

property listings in its pages,” he said. “That sort of reach and exposure is unattainable by any other real estate magazine. There’s a great future for real estate to flourish in the magazine,” he said.

In exchange, the real estate franchise will deliver new readers, offering a free three-month magazine subscription to every visitor who attends a BH&GRE open home plus more for those who are part of the transaction itself. Of course, the very successful *Better Homes & Gardens* TV show is an obvious piece of the media offering, so it must be asked, how could it tie in with the bigger plans?

“We are in conversation with the network (Seven) and things look promising,” Mr Cashman said. “Our immediate focus is establishing the foundations of our real estate business to ensure we have everything in place, plus our commitment to Pacific Magazines.”

Launching a brand in a busy real estate landscape is not without risks, but Ms Chris is confident that the BH&GRE brand has got the goods.

“When we think about ourselves as a real estate brand, we’re a values driven brand,” she said. “So our values, our passion, authenticity, inclusion, growth and excellence - that’s unique within our industry as well.

“Our promise to our consumer is that they should expect better and our promise to our agents and brokers is to be better for them.

“Our promise to our consumer is that they should expect better and our promise to our agents and brokers is to be better for them.”



“Finally, I believe that we’re a brand with a soul. We have a strong relationship with a charity that builds homes around the world for homeless people and families, called New Story, and we have a very strong relationship with them and of giving back not only to our own communities but giving back to the world.”

Mr Cashman said the focus in these early days before the official launch is targeting real estate influencers and ensuring the brand attracts the right people.

“We’re very focused on finding just the right people, real people who love being real estate practitioners, where empathy with home owners comes naturally. They are service-driven people who will want to work with us as they will see BH&GRE as that breath of fresh air that’s been a long time coming,” he said.

All Women In Real Estate event ticket-holders will also have the opportunity to meet Ms Chris in an intimate meet-and-greet cocktail session immediately following the lunch.

WIDE DEEPER wonder in state

**KEYNOTE SPEAKER: FROM THE US,
BETTER HOMES & GARDENS CEO SHERRY CHRIS**

**“WOMEN IN LEADERSHIP —
HOW THE REAL ESTATE LANDSCAPE HAS CHANGED”**

Date: Thursday, 9 August

Time: 12pm – 2pm

Venue: The Marquee, Victoria Park
309 Herston Road, Herston



REIQ
REAL ESTATE INSTITUTE
QUEENSLAND

100
YEARS OF REIQ

Starting out in business broking? Avoid these rookie mistakes!

WORDS BY BUSINESS BROKERS CHAPTER CHAIR MICHELLE WRIGHT

Business broking can be a very rewarding and lucrative career path and I'm quite sure that real estate professionals often forget that they can also sell businesses with their real estate licence!

However, specialising in this area does require some additional knowledge. If you're thinking of working in business broking or perhaps starting out, here are some common mistakes and tips on how to avoid making them!

Look for quality listings

This is an issue common to all areas of real estate, but it's especially critical with business sales. New business brokers keen to grow their listings should be very wary! There are some important factors that make a business saleable, the most critical in my opinion is to ensure that the business owner has their financial information in order and up to date. It still surprises me how many sellers don't see the importance of this; it is of course the first thing a buyer asks for. There are other essential factors in assessing a new listing, but in my opinion if a business owner doesn't have their financials in order you are better off directing them to a good accountant and asking them to come back when it's all up to date. There is nothing worse than trying to sell a business based on what happened three years ago. I also believe that by not having recent financials on hand you will lose credibility fast with any serious buyers. I have a simple rule now: no current financials, no listing!

Setting a realistic price for the business

This can be one of the hardest parts of business broking. Unfortunately we do not have any way of knowing what comparable sales might be. I have a background in accounting, however the standard formulas of

pricing a business with accounting methods do not always work. Each industry can be different and achieve different multiples. Pricing is also based on the demand for the type of business. Certain types of businesses are flooding the market which means the price goes down. Business finance can also be hard to obtain on certain types of business which again brings the price down. There are so many factors to consider when providing clients with business appraisals and new business brokers should be very careful with their feedback to clients. It's very tempting when starting out in the industry to price the business at a level that the clients need and want. If this is unrealistic based on the financial performance of the business I believe you are better off walking away from the listing as it will never sell anyway. Overpricing a business is another fast way to lose the all-important credibility with buyers.

To specialise or not?

Many business brokers choose to specialise. When I started business broking I decided I would be a general business broker and take on all types of businesses. As time goes on I certainly see the appeal in specialising as you can build up your database quickly and also have access to those elusive 'comparable sales' mentioned above. If you choose to specialise, find a business type that you enjoy talking about and are interested in. People will respond to your passion.

Educate your clients

I believe one of the keys to my success has been the amount of time that I spend educating my sellers (and often buyers) on not only the sale process but also some of the additional expenses they may expect in the future. For instance, a common expense forgotten by potential sellers is that staff entitlements need to be adjusted on settlement day. This applies to annual leave, sick leave and also long service leave (which includes casuals). I also ask them to see their accountant so they are aware of any tax payable and also speak with their solicitor about any additional costs. Be wary though, it's important to remember that it's not the role of the business broker to advise on these items, merely send them off to a professional which will ensure they are well informed and also gives you a greater chance of having a happy seller on settlement day.

Communication

The biggest complaint I hear about business brokers is that we take the upfront fee and clients never hear from us again. Whilst I acknowledge that it can be difficult to keep in regular contact particularly if there isn't much action, it's a very important and basic part of providing a good service to clients. Often it can take an extended period to achieve a business sale and keeping the lines of communication open is critical. Keeping communication going also 'should' help the broker learn about any changes to the trading conditions of the business.

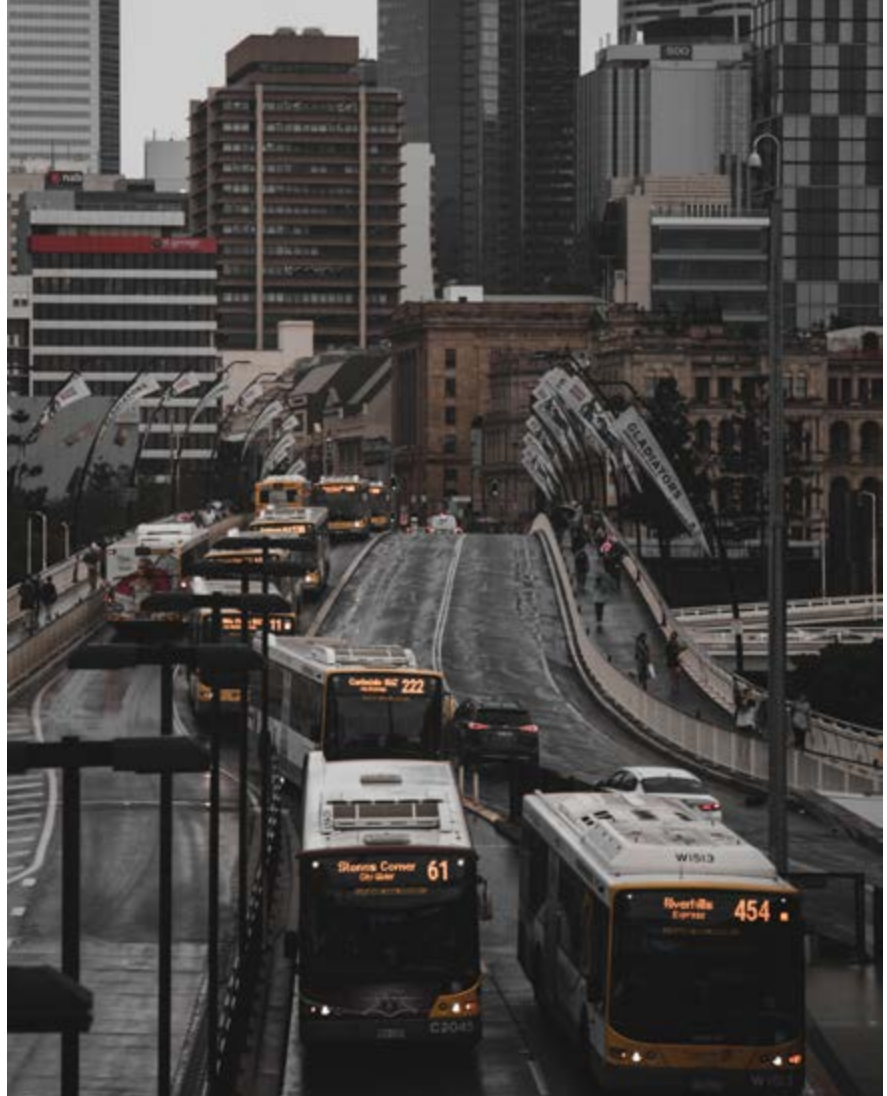
I say 'should' because I have certainly had quite a few clients that I have had excellent communication with that haven't advised me of critical changes to their business until I actually had a buyer for them. Again this loses credibility with a buyer. The best advice is to keep talking to your clients and asking them about if there has been any changes to their business (i.e. loss of key people) and make sure their revenue is remaining steady. Sellers need to understand that it only takes a bad 3 – 6 months to significantly impact the pricing of the business.

Network

I have found a lot of my success has been a result of the networking I have done with other professionals. I have made an enormous effort to network with solicitors and accountants in particular. On many occasions I have had solicitors ring me if they have had issues with something in the contract, they have allowed me to explain what everyone has agreed on and as a result they have not raised their concerns with their clients as I have been able to explain things thoroughly enough to appease them. Any business broker should be networking and building relationships with solicitors and accountants as it's the input from a third party that quite often makes buyers and sellers terminate the contract. Building trust and doing the right thing by all parties will ensure your success as a broker for many years to come!

Get involved with the industry

Networking with solicitors and accountants is obviously very important, however I think it's equally important to network with others within the business broking industry. I have met some amazing business brokers who were more than willing to share their stories and provide guidance and advice. Building trust amongst other business brokers can help your career, particularly if you are specialising in different areas. I am often passing new clients to other brokers that I know are specialising in a certain area. Don't be afraid to reach out to others in the industry – you will meet some amazing people and can share war stories along the way!



Don't underestimate the power of client reviews

Like with other areas of real estate, social media is creeping into the way we do business. It's part of my process to ask my clients to review the service they have received when a business settles. It's been amazing to see how many new clients I have engaged based solely on the 'I saw your reviews so I'm happy to proceed with you'. I would encourage every business broker to take the time to understand how this works! You will engage new clients from it for sure!

Keep learning

I just can't imagine a day when I will have seen it all and know everything. Every business sale has been so different for me and I think it's important to make a commitment to keep learning! If you don't, I can guarantee you will fall behind the others that do.

Every business sale has been so different for me and I think it's important to make a commitment to keep learning!



Business brokers brush up on digital skills

WORDS BY TARA CHRISTIANSON

I had the recent honour of speaking at the REIQ Business Brokers Breakfast, where I shared the four ways a business broker could increase their digital footprint with a view to better lead generation.

With the increase in online searches and research by potential clients to learn who you are and what value you've provided similar businesses in the past, it's imperative that you not only have an online presence, but that it's a narrative you carefully craft and control. Here are four ways you can start to do this:

Create a Google Business profile

Creating a profile for your business starts with making sure Google can find you, and one of the easiest ways to do that is by creating a Google Business Profile. Go to <https://www.google.com/business/> and fill out the pertinent information.

This not only helps a potential client find and locate your business; it also gives immediate access to important information like your phone number, website, and previous client testimonials via Google Reviews.

Leverage your LinkedIn

One of the strongest social platforms for business, LinkedIn is a perfect place to create business to business opportunities, even for those who are less sure about maintaining a presence on social media. There are several ways you can really leverage LinkedIn. First is ensuring that your LinkedIn profile is up-to-date with a recent picture, information about what you specialise in, and recommendations from people you've worked with.

It's important to note that LinkedIn has recently changed the layout of its profiles, so if you haven't logged in a while, now's the time to revisit it.

Next, you'll want to not only write posts (you can also upload pictures and video). You'll also want to take advantage of LinkedIn Pulse, which is their version of blogging. Extra points if you link the article back to your own website!

Finally, you'll want to utilise LinkedIn's advanced search to find more contacts to add to your network. Why? Not only is it good to have a strong network on LinkedIn, you can also export your contacts on LinkedIn to include them as an audience on the next platform...



It's imperative that you not only have an online presence, but that it's a narrative you carefully craft and control.

Focus on Facebook ads

While you can absolutely create a variety of ads on LinkedIn, one of the most cost-effective ways you can still target and reach people is through Facebook ads (<https://www.facebook.com/advertising>). All you need to get started is a Facebook page. Here's where you can upload your LinkedIn contacts as a Custom Audience for further retargeting of your message, as well as creating a Lookalike audience to find similar clients.

Maximise value through video

There are any number of ways you can take advantage of video. Some of the ways that will probably be most useful to you and your business are: creating a profile video that includes

1 – 2 testimonials from happy clients; creating videos of the business for sale, perhaps even with an interview of the current owner; testimonial videos from former clients that you can include on your About page; and creating a series of Frequently Asked Question videos that effectively answer common questions that arise in your daily business.

Having an ongoing digital strategy for your business is more important than ever. If you have any questions about how to implement one for your business, please don't hesitate to reach out to me at E: Tara@TechWithTLC.com



But one thing that hasn't changed are the auction terms and conditions in Queensland.

Auction terms and conditions reviewed

WORDS BY JUSTIN NICKERSON, CHAIR, REIQ AUCTION CHAPTER

Over the past 10 or so years, there have been many changes in the Queensland real estate profession, particularly in the realm of legislation.

There was the new Legal Professions Act in 2007, then the Residential Tenancies and Rooming Accommodation Act in 2008, and then the Australian Consumer Law in 2011.

Then there were various changes to the Property Agents and Motor Dealers Act over the years until we welcomed the Property Occupations Act in 2014.

Property practitioners had to come to grips with these new pieces of legislation very quickly to ensure they were operating within the regulated boundaries.

Over the past decade, we've also seen the rise and rise of online listing sites as well as specialist apps like Gav1, for example.

But one thing that hasn't changed is the auction terms and conditions in Queensland.

In fact, I don't think they've even been reviewed in all of that time, which is why the REIQ Auction Chapter has committed to doing just that.

The review aims to modernise the terms and conditions as well as to simplify the language used.

This is because, while the use of the auctions as a selling method has increased dramatically in Queensland over the past 10 years, there are still many first-timers on auction day.

And those people are probably nervous enough without having to contend with unfamiliar real estate jargon as well as what sounds like legislative mumbo-jumbo to them.

The way that we buy and sell property has changed so much in a relatively short period of time that it makes no sense to have terms and conditions that belong in the dark ages.

The process will be long as once we've made our recommendations, they will need to go through the correct channels at the REIQ as well as the Queensland Law Society.

But at least the long overdue update is underway.

Meet the residential and commercial crossover agent

WORDS BY RAUHENA CHASE, CHAIR, REIQ COMMERCIAL CHAPTER

I have attended a few REIQ events and property functions of late and have been pleasantly surprised by the number of agents I have met who are, as I like to call them, crossovers.

Crossovers are agents/agencies who deal mainly in residential properties but have the odd commercial property in the mix. This usually occurs when a residential property management rent roll is acquired and in the mix is a small sprinkling of commercial properties. Or this may come about when a client asks their agent to sell or lease their commercial property.

Do you fall under this category? How do you tackle this opportunity when you have no experience with commercial properties? Some agents consider commercial as a different beast from residential and in some ways it is. But there are also many similarities.

I have more than 13 years' experience in commercial property management. In my time I have come across instances where a lack of commercial property management knowledge has been a stumbling block for resi-agents. Limited knowledge of commercial leases and retail leases can be daunting to some. As a result the problem is masked by adapting residential rules, dialogue and understanding to the commercial world (round hole, square peg) and has caused problems for tenants and landlords.

We strongly suggest training is the key to overcoming these commercial hurdles.

As a Chapter we encourage residential agents/agencies to find out more about the commercial world so they can sail uncharted waters with ease. We, as agents, should be striving for professionalism and the more we learn, the more professional we can become.

REIQ offers commercial training. However, if you are not looking for formal training then perhaps an alternative is to seek out an experienced agent who is willing to mentor.

The Commercial and Industrial Chapter has been set up to guide agents when they find themselves in these circumstances. The members of our Chapter come from varying roles in the commercial world with a wealth of industry knowledge. So, make use of us and our experience.

If you find yourself or your agency in the crossover space then remember – knowledge is power! You will become a stronger, more professional agent when you have more knowledge in the commercial space.

You are welcome to call or email me if you have any questions!

Rauhena Chase
E: Rauhena@rnhcommercial.com.au





THE PRACTICAL PROPERTY MANAGER

This feature day will give property managers the tools to formulate practical solutions to the common (and not so common) situations that arise as part of tenancies.

Special guest speakers will share their knowledge and experiences to arm property managers with the confidence to represent their clients:

- at QCAT,
- to understand and interpret the key legislative requirements of the RTRA Act and Regulations, and
- to prevent common disputes in community title properties.

This is an information packed day for hands-on-property managers and not to be missed!

easyBondpay
making moving easier for you

rockend
The leader in property software

**DIRECT
CONNECT**
MAKES MOVING EASY

 **REIQ**
REAL ESTATE INSTITUTE
QUEENSLAND

100
YEARS OF REIQ

BRISBANE 50 Southgate Ave Cannon Hill | **FRIDAY 24 August** 9AM - 4PM

Members \$200 | Non-member \$250 (inc GST)

For more information P. 3249 7373 E. jmccuire@reiq.com.au | REIQ.com


CPD
100 POINTS

Registration and Licensing Courses
July 2018

COMPREHENSIVE 4 DAY REGISTRATION CLASS
Training times for all sessions:
9am – 4.30pm

BRISBANE	11 – 13 July
	25 – 27 July
	8 – 10 August
	28 – 30 August

GOLD COAST	10 – 12 July
	31 July – 2 August
	22 – 24 August

SUNSHINE COAST	18 – 20 July
	15 – 17 August

TOOWOOMBA	14 – 16 August
------------------	----------------

TOWNSVILLE	1 – 3 August
-------------------	--------------

CAIRNS	10 – 12 September
---------------	-------------------

INTENSIVE WEEKEND REGISTRATION CLASS
Saturday and Sunday: 8.30am – 5.30pm

BRISBANE	25 – 26 August
-----------------	----------------

Career Networking Events

BRISBANE LUNCH	10 August
-----------------------	-----------

GOLD COAST LUNCH	2 August
-------------------------	----------

Specialised Courses
July 2018

Practical PM Feature Day: 24 August 2018

PROPERTY MANAGEMENT		
Property management documentation and legislation refresher	GOLD COAST: 21 August 9am – 12pm	\$150 members \$200 non-members

SALES AND AUCTION		
Sales and auction documentation and legislation refresher	GOLD COAST: 21 August 1pm – 4pm	\$150 members \$200 non-members

REALWORKS		
Realworks induction	BRISBANE: 9 August 1.00pm – 3.00pm	FREE for REIQ members \$99 non-members

Go to REIQ.com for more information.





Property management insurance referrals

WORDS BY KIM COFFEY, PROPERTY MANAGEMENT SUPPORT SERVICE

In the financial and insurance services industry, government regulation applies and relevant licences and permits are required for providing product advice.

Financial product advice generally involves providing a qualitative judgement about the product (e.g. making a recommendation), seeking to influence a person's decision, or providing an evaluation, assessment, or comparison of policy product features. Licences in the financial services industry are quite distinct from real estate licences.

ASIC provides 'Regulatory Guide 244' which indicates that providing a list of insurance products that are available from a third-party provider, and sharing factual information that will help a client make their own decision, is not necessarily considered to be providing financial advice. Every business should seek their own advice to ascertain what regulations and obligations are relevant to the particular financial services or advice being provided by the agency. As mentioned, ASIC is the relevant regulatory authority.

In relation to real estate industry legislation, if the agency may receive any reward from an insurance company resulting from client expenses incurred in connection with agency services being provided to the client, the Property Occupations Act does require disclosure on the agent's appointment. The word 'may' is understood to indicate that even if this is a possibility, disclosure is required. The relevant legislation is section 104 (1) (c) (v) of the Property Occupations Act. On the Property Occupations Form 6, it's part 8 section 4 that is used for this purpose.

When making this disclosure, the agent is required to indicate the service it relates to (e.g. insurance), the source (e.g. ABC Insurance), and the amount (e.g. \$10 per policy per annum). Best practice would be to include all possibilities, given that the client could potentially make a different insurance choice sometime after the PO Form 6 is already in place.

The Agents Financial Administration Act section 23 (2) (c) also requires a disclosure to be made by the agent in relation to any rewards that have actually been received in relation to expenses or referrals when accounting to the client – for example on the client's monthly statement.



Changing agents and tenants paid-to dates

WORDS BY NICK BROWN, PROPERTY MANAGEMENT SUPPORT SERVICE

Too often when we collect a management file from another agency we find ourselves in a position that the previous agent has created a rent adjustment with the tenant, having their final rent paid-to-date line up with date the management is being handed over.

If you were to do a rent adjustment, the tenant could be faced with having to pay rent on a different day than what their tenancy terms state or start showing on the arrears list is they slip behind due to this unnecessary change.

This is something that does NOT need to be done and can affect the tenant's rent ledger and tenancy terms in a negative way.

Management agreements allow you to collect rent for the period you are the managing agent, there is absolutely no need to do an adjustment of rent and put in a dummy "vacate" date in the system that coincides with a handover date. Doing this changes the day the tenant is required to pay rent (compared with what is noted on their general tenancy agreement) and ultimately means that you have changed the terms of the tenancy agreement without notifying the tenant.

Example:

If you are handing over the management of a property on 30 May 2018 and the tenant has paid rent up to 15 June 2018 then you don't need to do a rent refund, provided the tenant paid this rent in the period you were the effective managing agent (they paid rent on 29 May 2018 which took them through to 15 June 2018).

When you are handing over a management you should always provide a rent ledger as of the day of handover, showing all rent received in the period you were the agent and showing until when the tenant is paid up to. This way the tenant will continue to pay the rent each week, fortnight or month (whatever the terms of their tenancy agreement are) to the new agent and the tenant doesn't see any change in the pattern of rent. If you were to do a rent adjustment, the tenant could be faced with having to pay rent on a different day than what their tenancy terms state or start showing on the arrears list is they slip behind due to this unnecessary change.

Turner's Tips!

No rabbits in a hat or magic wands



WORDS BY KEVIN TURNER ,
HOST, REAL ESTATE UNCUT

Last month, I interviewed auctioneer James Bell from The Auction Group and I asked James to speak to me about managing buyer expectation, getting the seller to see reality, where auctions go wrong and what great auction agents do that others don't.

James made the point that “the auctioneer is simply there to facilitate the open negotiation – the auction platform – and read the buyer behaviour to execute the auction call”. The auctioneer is not there to wave a magic wand and facilitate a sale if the groundwork has not been done.

I actually heard an auctioneer relay a story recently that had him as the genius behind pulling it all together and if it wasn't for him there would not have been a sale. I am reminded of the expression, “If you are the smartest person in the room you have a problem”. In this case I believe he thought he was the smartest person in the room. Ego!

James records an astounding success rate under the hammer but he acknowledges that his success is totally reliant on the good work of the listing agent before he gets there. He says “agents should handle the bidders and owners prior to the auctioneer arriving”.

I asked James what he considered to be the single biggest reason auction properties do not sell: “Poor feedback and unrealistic expectations given to the owner based on feedback that has been designed to either back up the agent's original appraisal to get the listing or a need to have the owners happy throughout the campaign”.

“I've often arrived at the auction 15 to 30 minutes prior to it commencing, and have the agency say to me, ‘Look I'm going to ask you to be quite hard on our owners today’ which leads me to my favourite question: ‘why?’. A lot of the times it's that the owner's expectations are too high, and I ask,

“Well, why is that?”

Great auction agents work very closely with their buyers to the extent they almost know where the bidding will open and where it will get to. They also know, before the auctioneer arrives, exactly where the seller is in terms of price.

Sorry – but there is no magic dust that auctioneers carry with them. They can't pull a rabbit from the hat. Great auction agents deserve the success they achieve because they do the ground work, deliver the hard news when necessary and get the buyers ready for the day of auction.

Smarter auctions happen when auction agents get smarter about how they do their job.

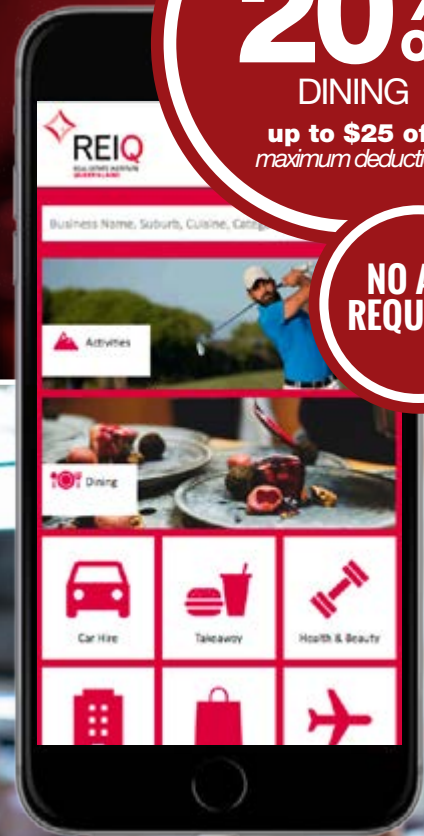
Kevin Turner hosts a free daily podcast for real estate agents, business owners and property managers – Real Estate UNCUT.



WELCOME TO REIQ MEMBER REWARDS REDEEMING MADE EASY

ENJOY
20% OFF
DINING
up to \$25 off
maximum deduction

**NO APP
REQUIRED**



VISIT REIQ.COM ON YOUR SMARTPHONE OR DESKTOP

As a valued REIQ member you have access to over 4,500 offers from dining, accommodation, travel, activities, gift cards, movie tickets and much more. Search and redeem all offers on a smartphone right around Australia and New Zealand.

ACTIVITIES

UP TO
50% OFF
OFFERS

HOTELS & TRAVEL

UP TO
50% OFF
ACCOMMODATION

E-GIFT CARDS

UP TO
10% OFF
E-GIFT CARDS



VISIT REIQ.COM AND BEGIN ENJOYING THE REWARDS

Refer to the website for the most up-to-date listing and offers in your city. Offers correct at time of printing. For the terms and conditions please refer to the website.


REIQ
REAL ESTATE INSTITUTE
QUEENSLAND

Herston Quarter is Brisbane's world-leading health precinct

WORDS BY KARINA SALAS, REIQ RESEARCH ANALYST

The \$1.1 billion redevelopment of the five-acre Herston Quarter into a world-class health precinct is one of Brisbane's largest infrastructure projects and will propel the city higher up the list of the world's most liveable cities.

This project will have implications for real estate professionals who operate in surrounding suburbs, such as Kelvin Grove, Bowen Hills, Newstead, Fortitude Valley, Spring Hill, Red Hill, Newmarket, Wilston, Windsor, and Ashgrove. But it will also have implications for Brisbane agents more broadly due to the impact on all Brisbane residents, through the thousands of jobs created during construction and in the operational phase, through the university and research facilities that will welcome thousands of medical students and researchers, and through the specialist areas of health that will have residents from all over Brisbane, (and Queensland), travelling.

The Australian Unity project will create an intergenerational community able to integrate second-to-none healthcare facilities with residential accommodation and retail and restaurant facilities.

The 10-year project will create 700 jobs during construction, add hundreds of jobs once operational and build tangible and intangible legacies for the sunshine state.

The Herston Quarter PDA Development Scheme

Australian Unity, as the successful tenderer and developer for the project, has partnered with Watpac to build the proposed Herston Quarter. The construction phase just commenced in June 2018 and will extend for 10 years until late 2020s.

The development proposes the construction of four precincts, which will have their own precinct intent,

preferred land uses and precinct plan:

- **The health precinct**
- **The gateway precinct**
- **The heritage precinct**
- **The lifestyle and care precinct**

The redevelopment or construction phase is expected to include the following facilities:

- the construction of the \$300 million Specialist Rehabilitation and Ambulatory Care Centre (SRACC);
- a new private hospital including medical suites and commercial and biomedical spaces;
- adaptive re-use of the heritage buildings including the Lady Lamington buildings to transform them into student accommodation;
- aged care and retirement living;
- high-density residential accommodation;
- childcare facilities to replace the Lady Ramsay Childcare Centre;
- retail and food and drink outlets and restaurants;
- functional and modern public spaces to connect the different precincts and access to public transport, and
- potential research and commercial areas.

According to the development plan, about 50 per cent of land use has been allocated to health, education and science purposes. Residential accommodation comprises about 24 per cent of the land use.

This composition reflects the intent of the Government to develop a

state-of-the-art health facility, raise the standard of health and related-research activities and integrate this precinct with mixed-use buildings and public spaces.

Project legacy

Australian United will finance the project and it will be completed at no cost to the State Government and tax payers.

The development will deliver international-standard research opportunities and educational facilities which will contribute to knowledge development in Australia and worldwide.

Implications for real estate sector

Due to the calibre of this city-changing project, implications for suburbs surrounding the project (Herston, Kelvin Grove, Red Hill, Newmarket, Wilston, Windsor and Bowen Hills) include rising demand for housing.

The annual median house price in surrounding suburbs is in the range of \$770,000 to \$985,000. These suburbs recorded a five-year median price growth in the range of 10 per cent and 34 per cent to January 2018.

Jobs in the project will attract workers who want to own and rent within reasonable proximity to work. The Herston Quarter development will deliver units and apartments over 10 years, however, demand for houses will have to be met by existing supply in those suburbs.

We expect house prices will continue an upward trajectory in the years ahead.

The Herston Quarter is now one step closer to reality as the development scheme has been documented and approved.

However, our expectation is that more tangible capital growth will become evident once project is fully completed and operational by late 2020s.

In the case of units, the story is different due to the current and prospective increase in supply of medium to high density dwellings in inner Brisbane and surrounding areas.

In the short term, demand for accommodation will likely be focused on rentals, which will suit the temporary and medium term workers on the construction project.

However, over the longer term, as the 10-year project unfolds and beyond when it reaches operational stage, we expect the desirability of the project and the retail and restaurant facilities included will drive demand from those who want to live within close proximity of the project.

The annual median unit price in the surrounding suburbs is in the range of \$380,000 to \$495,000. With strong levels of supply coming from the project, it's possible that the market will not grow significantly in the short term, however, over time that will change and as the market matures, demand will match or exceed supply.

Summary

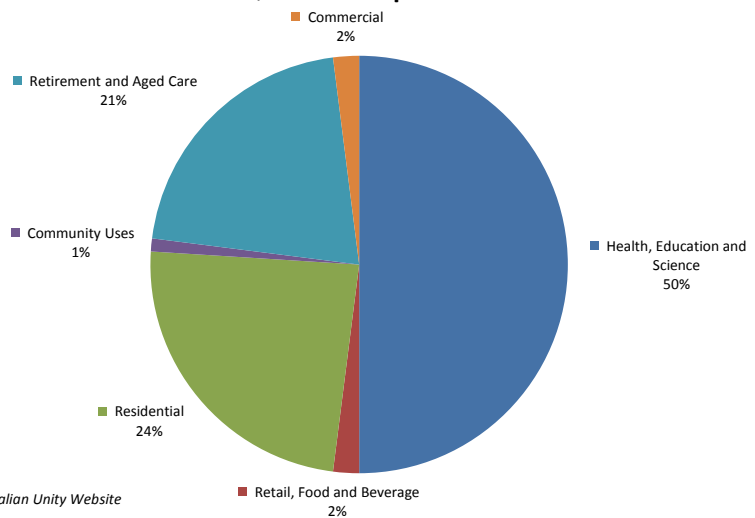
Brisbane is a city in transformation and has a pipeline of game-changer projects, which will not only inject investment in the billion-dollar brackets, but also build infrastructure and facilities that will improve the lifestyle and create multiplier effects on the economy.

The Herston Quarter is one of those key projects and it is now one step closer to reality as the development scheme has been documented and approved. The development scheme creates speed up the development approval process and reduce red tape.

The legacy of this project extends beyond tangible benefits and opens the doors for Brisbane to become a hub for health-related research activities in the southeast corner.

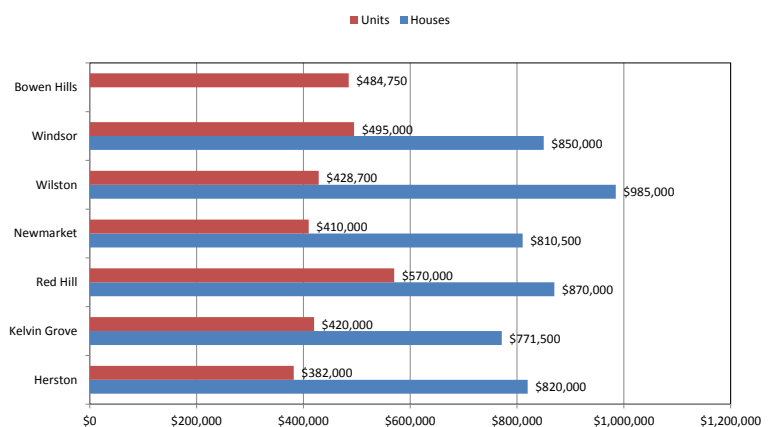


Herston Quarter - Proposed Land Use



Source: Australian Unity Website

Annual Median Price at Surrounding Suburbs to Herston Quarter



Source: Corelogic Suburb Scorecard, data for the 12 months to January 2018



Avoid a tax fright when splitting blocks

WORDS BY BDO PARTNER, EDDIE CHUNG

As more and more land around city centres is becoming scarce commodity, many people who own homes on large blocks are entertaining the idea of subdividing their land as a one-off project to make money. Generally, once you have subdivided land from your block, the subdivided blocks will no longer be treated as your main residence. Therefore, their sale will generally be subject to tax. However, the manner in which any gain you derive will be taxed depends on your specific circumstance.

Capital gain or income?

The threshold question in determining the tax treatment of a subdivision and development project is whether any gain or loss you make will be taxed as a capital gain or income.

As a general proposition, any gain you make from the mere realisation of a capital asset is taxed as a capital gain. If the property has been held for at least 12 months by an individual or a trust by the time it is sold, the capital gain will be eligible for the 50% CGT discount, which will effectively halve the tax liability on the gain.

In contrast, if the gain you make constitutes a one-off profit-making undertaking, it will be fully taxed as income without any CGT discount.

Mere realisation or a one-off profit-making undertaking?

So how do you work out if your arrangement is a mere realisation of a capital asset or a one-off profit-making undertaking?

As with many tax issues, there is no hard and fast rule in drawing that distinction. It is a question of fact and you need to consider all the facts and weigh them to reach an 'on balance' conclusion. No one factor is determinative.

Thankfully, various tax cases in the past provide some guidance on where the line of demarcation is drawn, which is supported by a taxation ruling issued by the Commissioner of Taxation.

The indicia to look out for include the following:

- **Your intention for the subdivision** – the absence of a profit motive (e.g. you subdivide the land to reduce it to a manageable size) may cast doubt as to whether the project is a profit-making undertaking, but the presence of a profit motive does not by default preclude the possibility that the project represents a mere realisation of a capital asset;
- **The extent of work done** – the less you physically do in subdividing and developing the property before it is sold, the less likely it is that it will be treated as a profit-making undertaking, even if professional advice has been sought;
- **The level of sophistication in which the project is handled** – the more systematic and business-like the project is conducted (e.g. selling the property under an elaborate sales campaign through a project marketer as opposed to selling it via a local real estate agent), the more likely that it is treated as a profit-making undertaking;
- **The manner in which the activities are conducted** – the more contractors and professionals are involved in the project, the more likely that the project would be characterised as a profit-making undertaking;
- **The size, extent, and complexity of the project** – the larger the scale and complexity of the development (e.g. a development that involves multiple stages), the more likely it is treated as an isolated profit-making arrangement;
- **The amount of borrowed funds committed to the project** – the more borrowed funds are committed to the project, which means that you are exposing yourself to more risks, the more likely that you are carrying on a one-off profit-making undertaking;

- **The ownership period of the property** – the longer the property is owned, the stronger the argument that the sale only constitutes a mere realisation of a capital asset; and
- **The history of the developers' activities** – the more extensive your history is of developing properties in the past, the more likely that you will be seen to be undertaking a one-off profit-making undertaking; in fact, if you continuously undertake one project after another, you may even be treated as carrying on a recurrent property development business.

In conclusion, if your situation is less than clear cut, it may be advisable to work with your tax adviser to formulate a 'reasonably arguable position' paper, which may substantially reduce your exposure to potential penalties if the tax office successfully challenges your tax treatment of the project.

Important disclaimer: No person should rely on the contents of this article without first obtaining advice from a qualified professional person. This article is provided on the terms and understanding that the author and BDO (QLD) Pty Ltd are not responsible for the results of any actions taken on the basis of information in this article, nor for any error in or omission from this article. The article is provided for general information only and the author and BDO (QLD) Pty Ltd are not engaged to render professional advice or services through this article. The author and BDO (QLD) Pty Ltd expressly disclaim all and any liability and responsibility to any person in respect of anything, and of the consequences of anything, done or omitted to be done by any such person in reliance, whether wholly or partially, upon the whole or any part of the contents of this article.

Generally, once you have subdivided land from your block, the subdivided blocks will no longer be treated as your main residence. Therefore, their sale will generally be subject to tax. However, the manner in which any gain you derive will be taxed depends on your specific circumstance.



QCAT update: tenant's claim for compensation fails

WORDS BY CARTER NEWELL SPECIAL COUNSEL, ANDREW PERSIJN

*In this article, we consider the recent decision of **Stone v Grundy [2018] QCATA 68**, which demonstrates the importance of understanding the operation of the Residential Tenancies and Rooming Accommodation Act 2008 (**RTRA Act**) when seeking an order for compensation from the Tribunal.*

Background

The Appellant (the tenant) and the Respondent (the lessor) had entered into a two year fixed term tenancy agreement for a property, which commenced in December 2015.

After being made redundant in May 2016, the Respondent decided to sell the property and commenced negotiations with the Appellant, which included compensating the Appellant if she vacated the property. However, before any agreement was reached, the Respondent entered into a contract to sell the property wherein she agreed to provide the buyer vacant possession. The contract was initially due to settle on 12 October 2016.

The Appellant was served with a Form 12 Notice to Leave on 12 August 2016. The grounds for the Form 12 were simply stated as 'sale contract' and the handover date was listed as 14 October 2016.

On 4 October 2016, prior to the handover date, the Respondent applied to the Tribunal seeking an order terminating the tenancy agreement on the grounds of excessive hardship under section 295 of the RTRA Act.

The Tribunal heard the matter on 7 November 2016 and after considering the evidence presented by both

parties, the Adjudicator was satisfied that the Respondent would suffer excessive hardship if the tenancy agreement was not terminated. Accordingly, the tenancy agreement was terminated and a warrant of possession was issued.

The Appellant vacated the property in accordance with the Tribunal's order and the contract subsequently settled on 6 December 2016.

On 21 December 2016, the Appellant applied to the Tribunal for compensation as a result of her tenancy being terminated.

In her application, the Appellant relied upon two sections of the RTRA Act:

1. Sections 419 and 420 – which, amongst other things, provide that a lessor or tenant may apply to the Tribunal seeking an order for compensation as a result of a breach of tenancy agreement; and
2. Section 350(2) – which provides that the Tribunal may make any order it considers appropriate when making a termination order due to excessive hardship.

The Appellant's application was heard by the Tribunal on 17 January 2017, by the same Adjudicator who heard the Respondent's termination application. The Adjudicator held that in circumstances where the tenancy agreement had already

come to an end by order of the Tribunal, there was no breach of the agreement. The Adjudicator also held that she had no jurisdiction to hear the application under section 350(2) of the RTRA Act, as such an application needed to be brought at the same time as the Respondent's application for termination. Accordingly, the application for compensation was dismissed.

On Appeal

The initial matter considered by Member Gordon was whether the appeal filed by the Appellant was in relation to the Respondent's termination application, the Appellant's compensation application, or both. Member Gordon reviewed the material filed by the Appellant in support of her appeal and concluded that the appeal was limited to the decision made by the Tribunal on 17 January 2017, dismissing the application for compensation.

The Appellant submitted, amongst other things, that:

1. The Adjudicator erred in her interpretation of section 419 of the RTRA Act; and
2. The Adjudicator erred in determining that she could not make an order under section 350(2) of the RTRA Act to compensate the Appellant on a subsequent application by the Appellant.

Section 419

In her initial application for compensation, the Appellant alleged that the Respondent had breached the tenancy agreement by 'terminating earlier than the end date'. In circumstances where the Respondent had successfully applied to the Tribunal for the tenancy agreement to be terminated, this could not be a breach of the tenancy agreement and the application for compensation was bound to fail as held by the Adjudicator.

On appeal, Member Gordon considered the Appellant's submissions in support of her application for compensation and whether alleged intimidation by the Respondent may have amounted to

a breach of the tenancy agreement in relation to the Appellant's right to quiet enjoyment of the property.

Member Gordon considered that the Adjudicator 'made sufficient attempts to clarify' the Appellant's allegation and it was 'sufficiently clear' that the Appellant was not relying on any alleged intimidation as a breach of the tenancy agreement. Member Gordon stated at [41] that:

"The Adjudicator was not obliged to advise the tenant that she could have a claim for compensation for breach of the term as to quiet enjoyment when the only factual basis for a breach that the tenant identified was the early end of the fixed term tenancy. Indeed, if the Adjudicator had done so, the lessor would have reason to complain that the tenant was being helped to get her case in order and this was unfair."

Section 350(2)

Member Gordon held that central to the success of the appeal in relation to this section of the RTRA Act, was whether a tenant can apply to the Tribunal for an order under Section 350(2), after a tenancy agreement has been terminated due to excessive hardship by an application from the lessor.

At [65] Member Gordon held that:

"There is nothing in the RTRAA which permits a tenant to apply to the tribunal for compensation because the lessor has, in previous proceedings, successfully applied to terminate the tenancy on the grounds of excessive hardship. Section 350(2) itself does not permit such an application. It only permits the tribunal of its own motion to make an order compensating the tenant. And necessarily this would be when the tribunal is dealing with the lessor's termination application on the grounds of excessive hardship."

Accordingly, Member Gordon held that the Adjudicator was correct in her consideration of sections 419, 420 and 350(2) of the RTRA Act.

Member Gordon also considered whether it would be appropriate to treat this appeal as one in relation to the Respondent's termination

application, particularly where the Appellant's submissions in relation to the Adjudicator's decision in that application had some justification.²

However, Member Gordon held that the Appellant "made it clear in her application to appeal and in her submissions that she is not appealing against that earlier proceeding."³ Member Gordon added that:

"Although the tribunal has an obligation under section 29 of the QCAT Act to ensure that a party understands the legal implications of assertions made, I do not think the obligation requires the issue about whether the appeal should be enlarged in this way to be raised before deciding this appeal."⁴

In circumstances where none of the grounds of appeal had a chance of success, Member Gordon refused leave to appeal the application for compensation and the appeal failed.

Conclusion

The appeal decision is a timely reminder to property managers to ensure that they familiarise themselves with all aspects of the RTRA Act. Further, whilst all parties involved in residential tenancy disputes before the Tribunal must represent themselves (some exceptions apply), they are, of course, able to seek legal advice in regard to all aspects of a dispute.

If property managers have any concerns about a residential tenancy dispute, including compliance with the RTRA Act and any other relevant legislation, it is strongly recommended that they seek legal advice.

¹ To do this would be going too far to help a party: *Harrison & Anor v Meehan* [2017] QCA 315, [13].

² *Ibid* [23] to [27].

³ *Ibid* [72].

⁴ *Ibid*.

Do you disclaim?

WORDS BY CARTER NEWELL PARTNER, MICHAEL GAPES

Most real estate agents include a disclaimer clause in their advertising and marketing material which is distributed to potential buyers. These clauses usually purport to absolve agents from any responsibility for the truth or accuracy of the information being conveyed. As the cases below demonstrate, the issue as to whether a disclaimer clause will operate to protect an agent from liability in respect to any representations that are being made is a complex one, and one that will depend upon the specific circumstances of the particular transaction.

In *Benlist Pty Ltd v Olivetti Australia Pty Ltd & Chesterton International (NSW) Pty Ltd* (1990) ATPR 41-043, an agent produced a brochure promoting the sale of a building in NSW. The brochure noted that there was potential to strata title the building, when in fact a survey report (which was available to the agent) stated that the building encroached beyond its boundaries and was unable to be strata titled. Despite the existence of a disclaimer clause in the brochure, the court found that the disclaimer did not lessen the overall misleading nature of the conduct engaged in by the agent.

Similarly, in *John G Glass Real Estate Pty Ltd v Karawi Constructions Pty Ltd* (1993) ATPR 41/429, a brochure prepared by an agent contained a representation about the net lettable area of a property, which subsequently proved to be incorrect. Despite containing a comprehensive disclaimer, the claim for damages alleging misleading or deceptive conduct on the part of the agent was successful. The court found that the agent was liable because it had held itself out as being "consultants to institutional investors and to developers of major properties". Furthermore, the court found that something such as the lettable area of the property was "one of hard physical fact" and went well beyond mere puffery which often accompanies the marketing of properties.

In the High Court decision of *Butcher v Lachlan Elder Realty Pty Ltd* [2004] HCA 60, an agent included a survey diagram which showed an incorrect boundary in a brochure advertising a prestige residential property. The brochure included a disclaimer which noted that "all information contained herein is gathered from sources we deemed to be reliable. However we cannot guarantee it's [sic] accuracy and interested persons should rely on their own enquiries".

Following settlement, the buyer discovered that some aspects of the survey diagram were inaccurate and sought to recover damages from both the seller and the agent. The High Court referred to the particular circumstances of the case itself and held that the agent had not engaged in conduct that was misleading or deceptive. In addition to the fact that the nature of the survey diagram suggested that the agent was not the source of the information (and did not purport to do anything more than merely pass on information supplied by someone else), the court found that the buyers themselves were "intelligent, shrewd and self-reliant" and had engaged "appropriate professional advisers" to assist them.

In *Dalton v Lawson Hill Estate Pty Ltd* [2005] FCAFC 169, the agent was engaged to market and sell a vineyard. The sales brochure had advertised that there were 20 acres of vines on the property, when in fact the property only contained about 14 to 16 acres of vines. The brochure also contained a disclaimer clause which stated that "whilst every care has been taken in respect of the information contained therein no warranty is given as to the accuracy and prospective buyers should rely on their own enquiries".

The Full Bench of the Federal Court applied the reasoning in *Butcher v Lachlan Elder Realty* and found that where it is clear that the person making the statement is not the source of the information (but is merely passing it on), then they will not likely be found to have engaged in conduct that is misleading or deceptive.

The court found that whilst the agent had held itself out as having local knowledge regarding the area in which the vineyard was situated, it would be unreasonable to expect the agent to have "specific knowledge of the area of the plantation of vines on particular properties". Accordingly, the court held that it should have been clear to buyers that the agent was doing no more than passing on information from the sellers and that it was not vouching for the accuracy of that information.



Conclusion

What is evident from the cases above is that there is no hard and fast rule when it comes to determining whether a disclaimer clause will protect an agent from claims of misleading or deceptive conduct, with the courts assessing each case on its own facts.

Whilst the passing on of information is an integral part of an agent's business, they should take great care to consider any disclaimers which appear in their marketing and advertising material and should never assume that they will automatically be able to avoid allegations of misleading or deceptive conduct by the inclusion of such clauses.

It is also important to remember that disclaimers are only one small component of an overall risk management strategy that should be employed by agents and must be consistently and properly backed up by the agent's everyday business practices. Even a comprehensive disclaimer clause may be rendered completely ineffective if the advice by the agent is inconsistent with the disclaimer.

There is no hard and fast rule when it comes to determining whether a disclaimer clause will protect an agent from claims of misleading or deceptive conduct, with the courts assessing each case on its own facts.

REX launches new digital advertising product

(SPONSORED CONTENT)

Rex's newest product, Spoke, has been built to change the way real estate agents advertise on social media and across the web.

Rex is a 60-person product house, building software solutions for the property sector. The company's leading product is the Rex CRM – a Customer Relationship Management system used by thousands of real estate agents and agencies across Australia, New Zealand and the UK.

Spoke helps agents streamline ad creation for listings, agencies and their personal brands by using specially optimised campaign workflows.

Early testers have been amazed at the simplicity of publishing dozens of automatically created ads to multiple networks – Facebook, Instagram and the Google Display Network – with a single click.

"There's industry recognition that a portal upload is not enough. Agents are expected to design and execute subtle and effective digital campaigns for clients, and demonstrate real results," said CEO and co-founder Anton Babkov.

"Targeted (and re-targeted) social media and Google marketing allows you to showcase a property to up to 79% of the population of a suburb. This type of digital advertising is far more powerful than a letterbox drop or local newsletter," he said.

"Social ads expose listings to different people – even those that aren't necessarily active in the market but actually make good candidates for buyers. From the standpoint of generating local leads for appraisals, social is incredibly effective and less intrusive."



After spending significant time talking to agents and agency owners, it became apparent to the Rex team that digital advertising was a very difficult process for many agents.

"They told us it was hugely time consuming for them to come up with ads, have them designed, and then upload them to the networks. There was even more time involved in monitoring their performance so that they're actually effective, and updating them continuously so they're fresh," Chief Technology Officer and alternate co-founder Alex Babkov said.

"That can add up to a lot of extra costs – not just in terms of agents' time, if they're going to do it themselves, but also in terms of training, or hiring dedicated personnel, or outsourcing the work to a marketing agency," he said.

The company says one of the main goals for Spoke was that users can take care of their online advertising in minutes, at a substantially lesser cost.

"Once the Agent enters the minimum amount of information, Spoke serves dozens of ad variations to

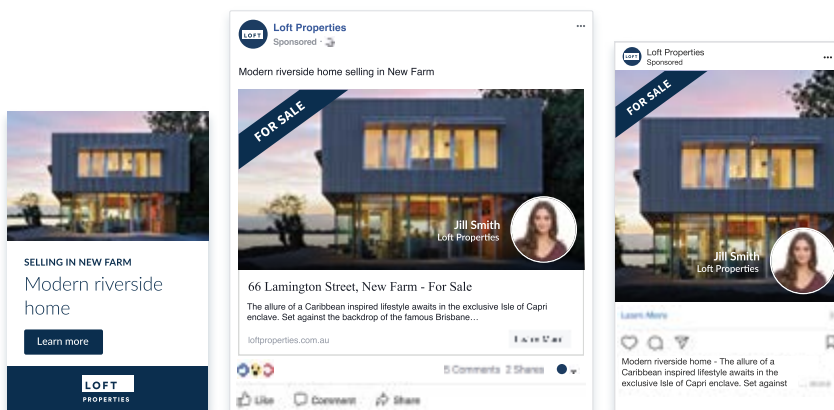
a highly targeted audience of local buyers and sellers. Agents can pinpoint the most valuable customers with Spoke's real-estate specific audience segments – first home buyers, investors, upgraders and more," Product Manager Konrad Kaczmarczyk explained.

Then, over the course of each campaign, Spoke's ad performance formula continues to show the ads that are generating the best results, tweaks those that could perform better and turns off any that aren't getting enough traction to save marketing spend," he said.

After running a campaign, users can provide sellers with access to real-time reports that show how the campaign has performed.

"It's a great way to let vendors know you're getting the absolute most out of their marketing spend, and make a solid case for an increased spend when needed. It's also a powerful listing tool to wow potential sellers," Kaczmarczyk said.

Spoke is currently in its beta phase. Visit to register your interest: spokeapp.io.



Murder, he wrote

The Secret Life of a Real Estate Professional is a series of articles showcasing the diverse and surprising activities that some real estate professionals engage in when they're away from the office. This month we meet Greg Reed, better known as the mystery author CT Mitchell. Greg is a Business Growth Manager with First National Real Estate and an Amazon bestseller of mystery and crime stories that keep thousands of readers worldwide on the edge of their seat.

It took Queensland Business Growth Manager Greg Reed more than 20 years to publish his first story novella, *Rejection*, but now he has a total of 25 books to his name, more than 30,000 followers on Facebook and over 10,000 subscribers to his weekly newsletter.

Mr. Reed, an avid Agatha Christie fan, said he had always been interested in writing and publishing, but he only got around to writing his first book in 2015 because he was a “terrible procrastinator”. An online writing group provided the necessary motivation, and now he has discovered a part-time activity that he simply loves.

A collection of the thrilling adventures of main character Jack Creed - a 50-something Ford Mustang driving Kingscliff detective with a few unorthodox ways of getting the job done - were contained in a box set that became a best-seller in the United States and the UK.

“Other people play golf; I write books!” Mr. Reed joked. Mr. Reed said he is motivated by the success he's had with his books, and that getting up at 5 am to write is nothing but a joy. “I am always busy at the office,



so I do my writing between 5:30 am and 7:30 am in the morning, and for another hour in the evening. I write six days a week.”

The decision to write under a pseudonym was made on advice from the writing group, who advised that a first novel is best published under another name just in case the first book is not well accepted. But any such fears are long forgotten - CT Mitchell has outsold in category the likes of Stephen King and Jeffrey Archer on occasion!

Mr. Reed said the experience he gained in marketing has been valuable in establishing himself as an author. “I was working as a host writer for a real estate blog for more than 10 years, and this really helped me to understand the importance of email marketing and forming a relationship with my readers.” Today he personally replies to over 350+ emails a week from his reader database.

He firmly believes that proper marketing is essential for any modern writer, and he spends a lot of time on engaging with readers on social media and his weekly newsletter. He has appeared in a number of local newspapers as well as Britain's largest writing magazine along with author talks, including one on a US radio station.

Cabarita Beach and the Northern Rivers region, NSW, has been a big source of inspiration for Mr. Reed's

novels with many of his novels taking place in this area. This is also where he got married in 2005 - in front of the then Hideaway Motel (now Halcyon House).

“Inspiration and ideas are all around us,” said Mr. Reed. “I wrote *Dead Shot* after seeing an insert on TV news about a shooting at a US university.” He also loves travelling, and often makes his experiences abroad part of the story. “I've recently visited Thailand and Singapore, so my next book might have a bit of an Asian twist.” This would complement Mr. Reed's exposure in India; a 25 book publishing contract he has with the innovative Juggernaut Books group.

For Mr. Reed the real pleasure of writing lies in entertaining people. “I realise that I will probably never win the Pulitzer Prize or anything like that, but it's not about that. My advice to young authors is to not fret about what others might think of it. You are not writing for a literature professor, you are writing to entertain. Once you can overcome that hurdle in your head, it's half the battle won.”

Mr. Reed also believes that self-publishing is the way to go but has also adopted a hybrid approach to getting his books into the market. Amazon has tipped the publishing world on its head but Mr. Reed still has a traditional publishing contract with UK publishers Austin Macauley as well as a US literary agent, Williamson Literary. He hires editors for the final touches, designers for the covers and even digital formatters in Russia. “The days of waiting for a publisher to approve your manuscript are long gone,” he said.



Property Insider Lunch

The amazing infrastructure projects that are happening right now in Brisbane, transforming the city into a dynamic, livable, modern world city and how those projects will affect the real estate sector, was the major topic discussed at the REIQ Property Insider Lunch.

Keynote speakers Lord Mayor Graham Quirk, CoreLogic Head of Research Cameron Kusher, and Realestate.com.au EGM Residential Real Estate Andrew Rechtman shared their insights into the way we live and move around the city today, and how that will change into the future.

More than 160 guests learned about the Queens Wharf, the new airport runway, the Howard Smith Wharves, the new mega cruise ship terminal, the Brisbane Metro transport service and how all of this will impact property prices and the supply and demand of real estate.



Impact PM Feature Day

More than 150 property managers keen to learn new skills and gain new knowledge attended the REIQ PM Feature Day: Impact PM.

Topics included knowing property management law crucial to every PM role, hot topics around the RTRA Act, QCAT update, Form 6 compliance issues, helping owners and tenants avoid conflict, and more.



Australia's Biggest Morning Tea

The REIQ staff slaved over hot stoves and hot ovens to deliver a hot competition all in the name of raising funds for the Cancer Council.

An incredible feast was prepared with prizes on offer for the most popular dish, as voted by the staff. Former chef turned ICT manager Stephen Collins won the top gong with his beef and pork sausage rolls with chilli and a hint of truffles!





Australia & NZs best property research and insights

CoreLogic's new Report Store is the one stop shop for all your property and real estate industry research.

Our reports include property market updates, insights from our leading research team and the latest white papers and thought leadership providing you with an understanding of the challenges the industry faces across real estate, finance and construction.

Reports available as subscription or as one-off purchases



Contact us today on **1300 734 318**
or go to corelogic.com.au/reportstore

Our **Insights.** Your **Story.**



What's on at the REIQ



2019 REIQ Auction Competition

Entries for the 2019 REIQ Auction Competition have opened and these events will pit the best auctioneers in Queensland against each other to be crowned the 2019 REIQ Auctioneer of the Year. Entries close Friday 13 July.

Auction Draw & Masterclass

Date: Monday 23 July 2018
Venue: REIQ Cannon Hill

Auction Heats

Date: Tuesday 24 July 2018
Venue: REIQ Cannon Hill

Auction Sale Session & Finals Competition

Date: Thursday 23 August 2018
Venue: Victoria Park, Garden Marquee

More detail at <https://bit.ly/2sl6SgE>



Women in Real Estate Luncheon

The annual Women in Real Estate Luncheon celebrates the success of women in our profession and provides a platform for women to come together to be motivated, network and grow. We have a very exciting panel of speakers who will share their stories of success that will be sure to inspire.

Date: Thursday 9 August 2018

Location: Victoria Park, 309 Herston Road, Herston QLD

Time: 11.30am – 2.00pm

Cost: Members: \$160 (inc GST)
Non-members \$190 (inc GST)

More detail at <https://bit.ly/2vgamUk>



Real Tech 2018

Designed to bring technology and real estate professionals together. With sessions covering the future of real estate, new technologies and an interactive Innovation lab where you can ask the questions. Attendees will walk away inspired to implement new digital tools and strategies in your business. Please don't miss out on this not to be missed event!

Date: Wednesday 10th October

Location: Brisbane Convention & Exhibition Centre

Time: 9.00am – 4.00pm

Further details to come shortly – <https://bit.ly/2u31IaJ>

Upcoming REIQ Zone Events & CPD

Date	Zone	Breakfast/Lunch	CPD	Venue
18 July	Zone – Southern	12.00 – 1.30pm	2.00 – 3.30pm	Runcorn Tavern
19 July	Zone – Mackay	12.00 – 1.30pm	2.00 – 3.30pm	Harrup Park Country Club
25 July	Zone – Ipswich	12.00 – 1.30pm	2.00 – 3.30pm	Brothers Leagues Club
1 August	Zone – Gladstone	12.00 – 1.30pm	2.00 – 3.30pm	The Oaks – Gladstone
2 August	Zone – Rockhampton	12.00 – 1.30pm	2.00 – 3.30pm	Rockhampton Leagues Club
8 August	Zone – Eastern	12.00 – 1.30pm	2.00 – 3.30pm	East Leagues Club Coorparoo
16 August	Zone – Toowoomba	12.00 – 1.30pm	2.00 – 3.30pm	Middle Ridge Golf Club
22 August	Zone – Gold Coast	12.00 – 1.30pm	2.00 – 3.30pm	Currumbin RSL
29 August	Zone – Western	12.00 – 1.30pm	2.00 – 3.30pm	Indooroopilly Golf Club

A lionheart for animal rights

When Tracy Leske is not busy in her Brisbane office as buyer's agent and director at Cherish Property, you will find her working hard at her other passion – to drive positive change to protect the wildlife and our environment.

Ms Leske, who was named the Community Service Award winner of the 2018 REIQ Awards of Excellence, has been passionate about animals since she became affiliated with the Dolphin Research Institute in Melbourne at the age of 12. "31 years later, my desire to help animals is still paramount," she said.

Ms Leske and her sister and business partner, Cassie Smith, founded the volunteer based organisation Oceans 2 Earth in 2011.

This was shortly after returning from an Elephant & Wildlife Rescue Centre in Thailand (Wildlife Friend Foundation Thailand) where she cared for elephants and other wildlife

that had been rescued from being overworked, maltreated, neglected and/or injured.

Ms Leske described this as a confronting time as she was transported into the unfortunate world of corruption, abuse and animal exploitation and was schooled on the real cost to animals as by-products for human gratification, entertainment and conflict.

The emotional impact of her service at the rescue centre instilled in her a desire to continue the work once she returned to Australia, and the Oceans 2 Earth Foundation – Oceans 2 Earth Volunteers was born as a result.

Since then the organisation has facilitated 444 volunteering placements to date in support of wildlife and conservation initiatives.

Oceans 2 Earth is a not for profit organisation that only works with animal welfare and wildlife habitat conservation volunteer programs in Australia and abroad. They collaborate with organisations all over the world so that animal and environmental lovers can travel, experience and contribute in a meaningful way in Australia and abroad.

Oceans 2 Earth have also become involved with numerous campaigns aimed at abolishing practices that abuse, enslave and exploit animals including factory farming, animal circuses, jumps racing, over fishing and the fur and cosmetics industries.

"The organisation reaches out to people of all ages and offers unique opportunities that encourage them to move outside their comfort zone to be challenged, learn, protect, sustain and improve."

Ms Leske is very aware of the important role volunteering plays in the lives of young people. "90% of volunteers are aged between 18 and 35 years of age, I have carefully considered the role that this diverse and dynamic generation of young people will play in the future.

"They are a significant resource and if we can connect with them in the right, meaningful way, they will make an incredible impact."

Ms Leske's aim is to inspire young people to step up, innovate and engage to become these agents of change. We are all part of the ecosystem and must continue the fight for our precious animals and the environment they live in.

Ms Leske's personal volunteering pursuits have also taken her to Africa, Asia and South America where she has met many like-minded animal lovers and conservationists. "I hold both warm hearted and sad memories of caring for rescued elephants, rehabilitating orphaned kangaroos and providing care for animals who have been victims of abuse."

Campaigning for the rights of animals as individuals and sentient beings is a long, uphill battle as changing attitudes, beliefs and practices is a continuous task, she said.

Though Australia's demand for more ethical practices, laws and practices are improving slowly, there's still a lot of work that needs to be done.

"My conscience commands that I must do my part to end the suffering as best I can, even if it makes a small difference.

And a small difference can mean a life."



WHY CHOOSE THE REIQ FOR REGISTRATION AND LICENSING TRAINING?



Fast and flexible options



Competitive prices



Better outcomes: We deliver well-trained, knowledgeable graduates ready to work



We support and mentor graduates



Our expert trainers work in the profession right now



Free assessment support service to help students qualify



24hr marking guarantee available

Get in touch for a consultation anytime via

Email: courses@reiq.com.au

Phone: 1300 MYREIQ

www.myrealestatejobs.com.au/reiq-student-support/



MY REALESTATE JOBS.COM.AU

Thinking about a career change? **Think about real estate.**

Social Snapshot for June

facebook



REIQ Area Managers Karen and John have met an inspiring group of potential future real estate agents this morning at the Careers Expo at Morayfield State High School!

Did you know that you can enroll in REIQ courses from the age of 16 and then get your licence to practice from the OFT as soon as you're 18?



We had a great turn out at the Gold Coast Zone Event this morning, hosted at the wonderful @southportsharks leagues club. Thanks to our all of our speakers and sponsors!

It was great to see so many new and familiar faces there, including Andrew Bell from @raywhitesurfersgroup and John Newlands from @professionals_surfersparadise.



Instagram



Which cover did you receive in the mail? We changed things up for the May edition and published four kinds of covers, featuring different regional locations. REIQ members download your copy at REIQ.com, link in bio.



Tune in to @9news tonight to hear REIQ Chairman @thatpeterbrewer share the latest insights on #Brisbane apartment market – could it be time to bag a bargain?!

REIQblog.com

CoreLogic: Brisbane booming or stalled?

The value growth performance of the Brisbane housing market has lagged substantially behind that of Sydney and Melbourne over recent years. Given that values are now falling in Sydney and Melbourne and migration to Queensland is accelerating could a reversal of fortunes be in store?

REIQ reassures members following REIV forms issue

Real estate agents in Victoria are waiting to find out if their commissions have been jeopardised following the Victorian Court of Appeal's decision to uphold a ruling whereby a real estate agent lost commission as a result of using a non-compliant appointment form.



WE KNOW YOU LIKE US, BUT IF YOU WANT TO KEEP UP WITH ALL THE LATEST REAL ESTATE NEWS, WE NEED YOU TO FOLLOW US!

Facebook has tweaked its algorithm (again) and is focused on minimising content from businesses like us in favour of showing you content from friends and family.

We think that's great. You should keep in touch with friends and family. They're important. But if you're also interested in keeping up with real estate news from REIQ, simply click 'Follow' on our Facebook page and you'll still see our content in your news feed. Easy!

Go to www.facebook.com/theREIQ and click Follow.

Supplier Directory

BANKING



Start Something with
St. George Bank

Call 13 33 30 or
visit www.stgeorge.com.au

AGENCY SOFTWARE



The leader in property software

Rockend, the leader in property software, provides property solutions REST Professional, fileSMART and PropertyTree to real estate agents in Australia and New Zealand.

www.rockend.com.au
sales@rockend.com.au
1300 657 700

REAL ESTATE APP



SweepBright empowers real estate agencies to deliver exceptional customer experiences and become significantly more efficient.

14-day Free trial Available at
www.SweepBright.com

Schedule a demo or contact:
Lisa@sweepbright.com

AGENCY FUNDING



- ▶▶ Advances in 4 hours
- ▶▶ Personal service
- ▶▶ Confidential
- ▶▶ Come & go as you please

1300 738 211
www.expresscommission.com.au

AGENCY SOFTWARE



Rex is the real estate CRM powering Australia and New Zealand's leading real estate agencies.

sales@rexsoftware.com
www.rexsoftware.com

PRINTING SUPPLIES



PrintForce is the largest provider of Real Estate printing in Australia and offers the widest range of products available in the country.

Call 07 5556 9777 or
email_qld@printforce.com.au

AUTOMOTIVE



Reward yourself with the many benefits of our Mercedes-Benz Corporate programme.

Find out if you are eligible today by visiting your authorised Mercedes-Benz dealership or www.mercedes-benz.com.au/corporate

AGENCY SOFTWARE



Agency Window is a software solution providing real-time, automated, property listings, images and videos streamed directly from your CRM System – it's your 24/7 digital display for Real Estate Agencies.

www.agencywindow.com
0449897037

PROPERTY PORTAL



Find the exact property you're looking for at the only industry-backed listings portal:

view.com.au

Corporate Sponsor

DATA SERVICES



Australia's #1 provider of property data and insights to help real estate agents prospect, list and sell.

1300 734 318
www.corelogic.com.au

SMOKE ALARM COMPLIANCE



Smoke Alarm Solutions is Australia's leading provider of smoke alarm compliance services to the real estate industry.

Don't delay, comply with legislation today!

1300 852 301
www.smokealarmsolutions.com.au

UTILITY CONNECTION



MAKES MOVING EASY

We arrange hassle-free connections for electricity, gas, phone, internet, pay TV and other moving services for your customers. Experience the difference with us today.

Call us on 1300 664 715

Promote your product or a special offer directly to members of the REIQ 3249 7374 journal@reiq.com.au

FOR CONTRACTS AND AGREEMENTS YOU CAN RELY ON.

Order only what you need, we cater for businesses of every size. Plus special offers for REIQ members!

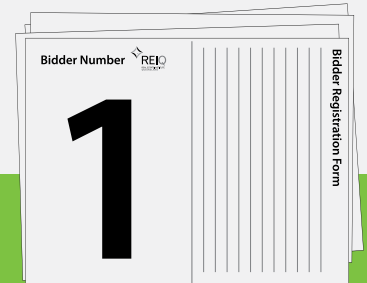
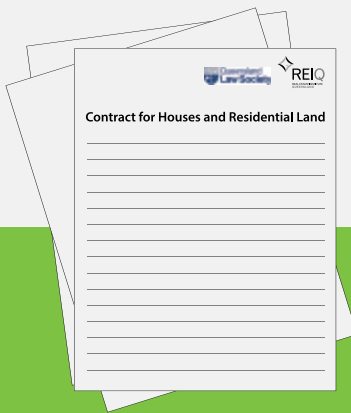
Want compliant, up-to-date documents you can trust?
 We cater for many aspects of the profession, with best sellers including:

Real estate contracts

Commercial tenancy agreements

Business contracts

Bidder registration and number cards



THE BEST PRODUCTS FOR THE BEST IN REAL ESTATE.

Buy online at REIQ.com/store | Phone: (07) 3249 7344

Welcome to our new agencies!

Ray White Pacific Pines	RUNAWAY BAY 4216	Ian Spurle
Pettit Group Australia	HOPE ISLAND 4212	Fadwa Pettit
Harcourts Coastal Robina	ROBINA TOWN CENTRE 4230	James Massey
Karalis Real Estate	MOUNT GRAVATT 4122	John Karalis
Leighton Jones Real Estate	KENMORE 4069	Leighton Jones
LJ Hooker Burleigh Heads	VARSITY LAKES 4227	David Manby
Revolution Property Group	WEST END 4101	Richard Blanchard
Analysis Realty	PROSERPINE 4800	Annette Stripeikis
Raine & Horne Rockhampton	ROCKHAMPTON 4700	Joseph Ireland
Think Pink Property	TOWNSVILLE 4810	Amanda Carr

Who's Who at the REIQ?

Zone Chairs

Zone	Contact	Office	Email
BUNDABERG	Le-Anne Allan	Richardson & Wrench Bargara Beach	l.allan@randw.com.au
CABOOLTURE / REDCLIFFE	Joshua Kindred	Kindred Property Group	Joshua@kindred.com.au
CAIRNS	Thomas Quaid	Quaid Real Estate Pty Ltd	Thomas.quaid@quaid.com.au
EASTERN SUBURBS	Peter Barrett	Pat Barrett Realty	peterb@patbarrettrealty.com.au
FRASER COAST	Damian Raxach	One Agency Damian Raxach	damianraxach@oneagency.com.au
GLADSTONE	Alicia Williams	Locations Estate Agents	alicia@locationsestateagents.com.au
GOLD COAST	Andrew Henderson	Professionals John Henderson	andrew@prohenderson.com.au
IPSWICH	Darren Boettcher	Boettcher Realty	darren@boettcherrealty.com.au
MACKAY	Peter McFarlane	Mackay Property & Management Services	peter@mprs.net.au
NORTHERN SUBURBS	Martin Millard	Harcourts Solutions Group	martin.millard@harcourts.com.au
ROCKHAMPTON	Noel Livingston	Professionals Livingston & Molloy R/E	noellivingston@professionals.com.au
SOUTHERN/LOGAN	Nick Brown	Edge Property	nick@edgeproperty.com.au
SUNSHINE COAST	Damien Said	Century 21 On Duporth – Maroochydore	Damien.c21@century21.com.au
TWB/DARLING DOWNS	David Snow	Peter Snow & Co	david.snow@petersnow.com.au
TOWNSVILLE	Wayne Nicholson	First National Nicholson	wayne@fnnicholson.com.au
WESTERN SUBURBS	Phill Broom	Harcourts Solutions	phill@phillbroom.com.au

Chapter Chairs

Residential Sales

Rebecca Herbst

Commercial & Industrial

Rauhena Chase

Property Management

Clint Dowdell-Smith

Buyer's Agents

Meighan Hetherington

Auctioneers

Justin Nickerson

Business Brokers

Michelle Wright

Area Managers

Karen Woodworth – South East of SEQ

0400 722 183
kwoodworth@reiq.com.au

John McSpedden – North East of SEQ

0411 606 999
jmcspedden@reiq.com.au

Les Freeman – Far North Queensland

0488 168 052
lfreeman@reiq.com.au

Kate Cross – Central Queensland

0488 246 588
kcross@reiq.com.au

Board Directors

Chairman

Peter Brewer

Director

Linda Bland

Director

Damien Keyes

Director

Robert Honeycombe

Director

Mark Brimble

Director

John Newlands

Non-Member Director

Julie Boyd

Non-Member Director

Anita Brown

Non-Member Director

Eddie Chung

Senior Management

CEO

Antonia Mercorella

CFO

Rod Facey
rfacey@reiq.com.au

Training Services Manager

Anna MacMaster
amacmaster@reiq.com.au

Media and Communications Manager

Felicity Moore
media@reiq.com.au

Membership and Marketing Manager

Sheila Andrews
sandrews@reiq.com.au

Legal Counsel

Sean Roberts
sroberts@reiq.com.au



IT'S A MINEFIELD.

DON'T LET IT BLOW UP.



We'll help you navigate the real estate employment minefield.

By joining REEF, you'll have free access to our award-winning People Management System to help your agency better manage its most important asset - it's people. Available online 24 hours a day, seven days a week, the People Management System allows you to access critical advice and effectively manage your employees.

You can access more than 100 employment documents, including contracts, commission structures, job descriptions, fact sheets, rates of pay, workflows and more for every stage of the employment lifecycle.

Join REEF today

Call **1300 616 170** or email admin@reef.org.au.
Download an application form at www.reef.org.au.

We'll defuse your potential workplace explosions.

