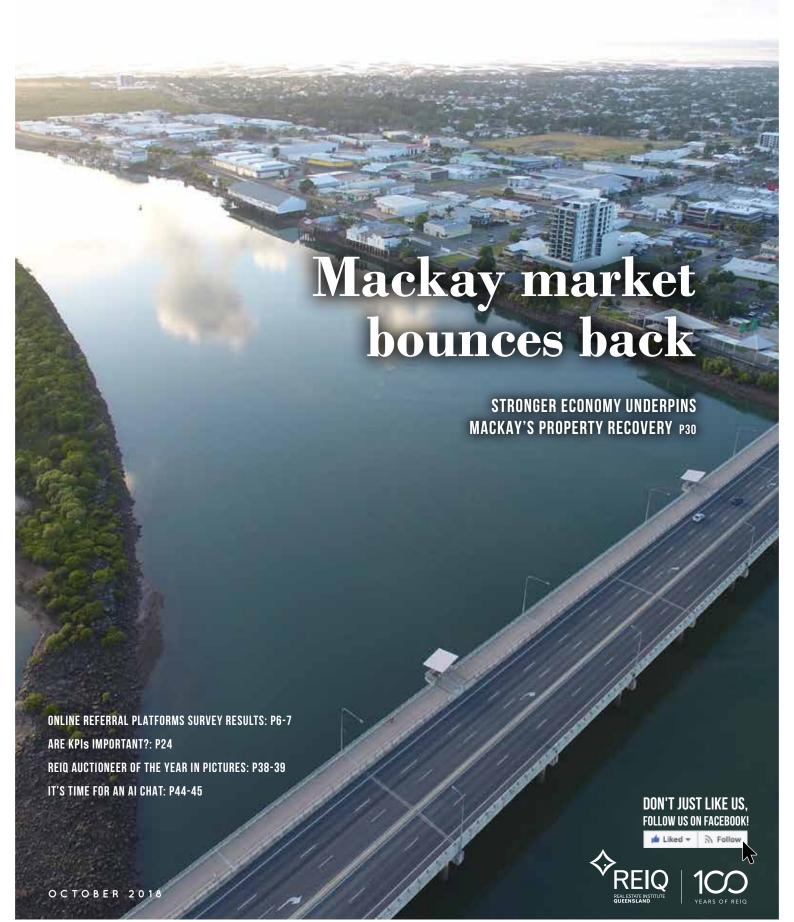
REIQ JOURNAL &

FOR MEMBERS OF THE REAL ESTATE INSTITUTE OF QUEENSLAND



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.

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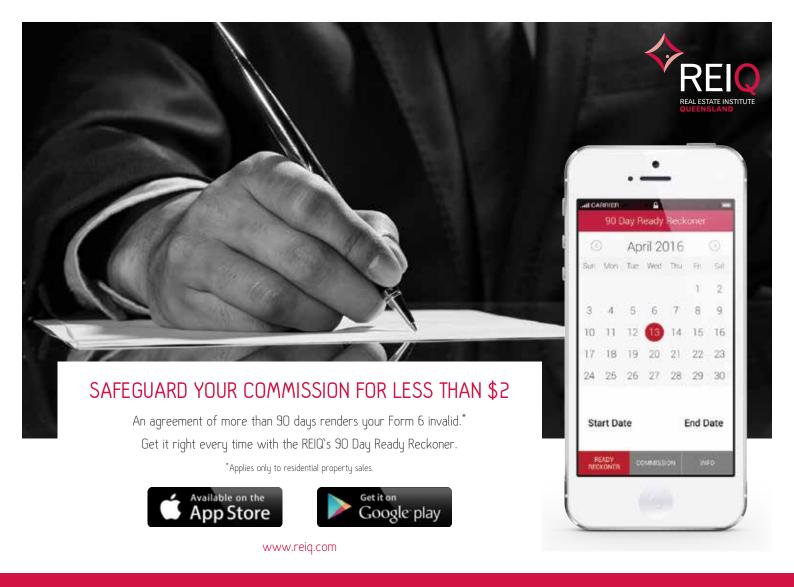
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REIQ Mission Statement

To define the future of real estate in Queensland. We will advance the real estate experience with products and services for real estate professionals and consumers.

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Technically speaking ...

A WORD FROM THE CHAIRMAN

It was inevitable that one of my early columns as your Chairman would have a technology focus. I'm especially enthused, as we're looking forward to our upcoming RealTech event on October 10.

Ithough many of you may have heard me wax lyrical about this in person, I'm here today to advocate not only your attendance at RealTech but also your acceptance of some of our upcoming initiatives.

Recently, I had the opportunity to hear a real estate leader from the United States, Gary Keller, speak onstage about the difference between agents who are wisely using technology in their business, and those who are allowing technology to run their business. He pointed out that traditionally run real estate businesses across the world are currently under fire from new players, new models, new consumer behaviours, and new marketing methods. His conclusion? Unless real estate practitioners embrace technology in their business, they're in trouble.

What does that mean for us here at the REIQ?

Well, you may or may not have already noticed how we've started to better use our CRM through targeted marketing and focussed more on our advertising via mediums like Facebook and Instagram. That in itself is a huge change from how we've done business even 5 years ago, and is a reflection of what we see as the channels of choice for the majority of our current members and all emerging members in the future.

Our focus on emerging tech continues with the second REIQ RealTech event. What you'll hear on that day is how to use technology like 360 degree stills and video, what is Artificial Intelligence, how does Virtual Reality work in real estate, as well as hearing the advancements from Google, all offered as ways to enhance and better



your clients' experience...as well as your own real estate business.

You'll also see something completely unique from The REIQ - our own Shark Tank. We've invited 3 startups in the PropTech space to pitch their product to members identifying the problem they're trying to solve for you in the real estate world. Based on your feedback, we'll then choose which, if any, of those startups the REIQ should consider partnering with for mentoring or your benefit for the future.

Our feeling here is that if a 100-yearold organisation can change *and* benefit from those changes, our members should be able to too.

My personal mantra has always been that technology is important in real estate, but that how you use that technology is even more important for the continued success of your business. To that end, I still will advocate that you use your CRM to the utmost of its capability. That we all get over ourselves and use video as one of your main marketing mediums.

That you learn about and use targeted Facebook ads on a regular basis. That you continue to fight the good fight in the online war by providing content that showcases your unique local expertise. And, finally, that you still remember to pick up the phone and meet people face to face. We're always going to be a people business. Use the tech to create and manage those relationships.

Technology may not solve everything, and it shouldn't. However, if you learn the pain points it can solve to make both your and your clients' experiences better in this industry, I know you will continue to be in this business for another 100 years...just like the REIQ.

I look forward to seeing all of you at RealTech!

Peter Brewer
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Advocacy, it's what we do

A WORD FROM THE CEO

The REIQ lobbies and advocates for the needs of the profession on behalf of all real estate practitioners.

ur goals in the advocacy space include:

- Raising the standard of professionalism across all real estate sectors
- Introducing mandatory CPD to ensure all practitioners are educated and compliant
- Lobbying for legislative reforms to support the best interests of the real estate profession and the regulatory framework for real estate transactions. Currently, this includes the review of residential tenancy laws and the Property Law Review.

We have spent three years working towards the introduction of mandatory CPD for all real estate professionals.

Mandatory CPD is an important consumer protection measure and will enhance consumer confidence. It will also help real estate practitioners to develop and maintain the knowledge and skills they need to keep up to date and informed in an always changing landscape that spans over 40 pieces of legislation.



We know the majority of responsible working real estate agents support this. They are tired of labouring under the poor reputation that consumers have formed through interactions with the unprofessional few who fail to maintain their professional knowledge.

The REIQ's position is that education is crucial for compliant, professional agents and requires all members to complete 100 points of CPD each year as a condition of membership.

An examination of all disciplinary proceedings against real estate agents from January 2013 to August 2015 shows that not once has an REIQ member been found guilty of breaching the relevant legislation.

This is compelling evidence that speaks to the power of education.

Ongoing education teaches agents how to operate professionally and within the law and this is a win for consumers.

This is a common sense measure that most can see will raise the standard of professionalism and improve the quality of service.

It will also bring Queensland into line with many other states that have already, or are in the process of, introducing mandatory CPD.

We look forward to working closely with all key stakeholders to usher in a new era of professionalism for this sector.

Best wishes,

Mydonia

Antonia

MONTHLY GIVEAWAY

A gift for your client!

In The Freedom Formula (Michael Hanrahan Publishing, \$37.97), award-winning property investment specialist Bushy Martin provides a practical guide to property investment.

The author is a finalist in the 2018 Australian Broking Awards and has been named by the Australian Property Investor magazine as one of the country's top 10 property specialists.

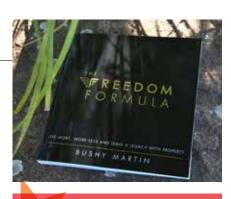
The Freedom Formula will be handy

gift that sales agents or PMs could give to a client looking for more information about investing.

SPECIAL OFFER FOR REIQ

MEMBERS: REIQ members qualify for a 20% discount sitewide on https://majorstreet.com.au/ by using the code REIQ20 at the checkout.

TWO LUCKY READERS can win a copy of *The Freedom Formula*. Send email with your name and contact details to agreen@reiq.com.au with October Giveaway in the subject line before or on Friday, 19 October.



Congratulations to the winner of our September Giveaway! A copy of Agent's Handbook is on its way to **Viv Robinson**.

Online referral platforms have limited market impact: survey

Results of an exclusive REIQ survey into online referral platforms indicate that these platforms have a low market penetration rate, are perceived to deliver unreliable leads, and demand an unfair fee amount, according to more than 400 surveyed Queensland real estate agents.

REIQ CEO Antonia Mercorella said the survey results were revealing.

"We hear from our members about these online referral platforms and now our own research supports the anecdotal evidence.

"Our members tell us regularly that these platforms don't add value to their business and now we see that experience is across the board," she said.

The survey results revealed that the revenue added by online referral platforms to real estate agencies in Queensland may be "insignificant".

Only about 7 per cent of agents using online referral platforms derive any significant income from these platforms, achieving from 10 to 50 per cent of their revenue this way.

"The survey reveals that these referral platforms promise a great deal, may demand a significant cut of the agent's commission, and appear to deliver to only a very small number of agents," Ms Mercorella said.

The survey, **Tenders and Online**Referral Platforms, ran from
August to September 2018 and
was conducted to help the REIQ
understand two areas of the market
– online referral platforms, and the
tender process for real estate services
and how much this process is used by
Queensland agents.



Online Referral Platforms

Online referral platforms for real estate services in Queensland have limited market penetration. The survey results revealed that less than 40 per cent of agents have used or use online referral platforms in Queensland.

About 57 per cent of Queensland agents surveyed do not support online referral platforms. The main reason for this is a lack of knowledge about how they operate and what value these sites could add to their business.

According to the survey, Queensland agents see online referral platforms as unreliable, with about 16 per cent of respondents indicating that referrals are not reliable.

Survey results revealed that the value added by online referral platforms to the Queensland real estate industry may be insignificant. About 7 per cent of agents supporting online referral platforms derive between 10 and 50 per cent of their revenue from this means.

About 6 out of 10 Queensland agents supporting online referral platforms are multiusers and have access to at least two referral platforms.

The survey results revealed that Queensland agents generally find the rental and sale referral commission charged by online referral platform unfair and expensive.

In about 70 per cent of the cases, property managers and sales agents supporting online referral platforms perceived the referral commission as unfair and expensive.

Real Estate Services via Tenders

Real estate services tender opportunities do not generally seem to attract attention from the Queensland real estate industry. The survey results revealed a low level of awareness of tender opportunities, with only about 2 out of 10 Queensland agents aware of tender opportunities offered by the Queensland Government via OTender.

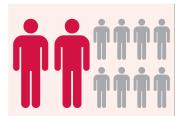
The survey results also revealed that only about 1 agent out of 10 has secured a real estate service opportunity via a tender process. Most of these opportunities were associated with mortgagee-inpossession and State Government tenders for sales or property management services.

In instances when agents have the knowledge of business opportunities advertised via QTender, the verbal feedback provided by survey participants indicates that the tender process may be too overwhelming and costly, discouraging participation.

See infographic on facing page for a summary of the results.

Tenders & Online Referral Platforms for Real Estate Services Survey Results¹ September 2018

Tenders



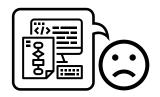
About 2 in of 10 Qld agents are aware of QTenders real estate services opportunities



About 1 in of 10 Qld agents have secured a real estate service opportunity via a tender



Most of the successful tender opportunities for Qld are associated to mortgagee in possession and state government tenders



Complexity of Govt tenders may discourage participation

Online Referral Platforms



Limited penetration of online referral platforms in Qld. Only about 40 per cent of Qld agents used or have used online referral platforms



About **57 per cent** of Qld agents do not support online referral platforms. The main reason for this decision is the lack of knowledge as to how they operate and what value they add to their business

Revenue added by online referral platforms appears to be insignificant.



About **56 per cent** of agents using referral platforms source less than 1 per cent of revenue



About **28 per cent** of agents using referral platforms source between 1-10 per cent of revenue



In about **60 per cent** of instances, Qld agents supporting the use of online referral are multiusers, having access to at least two different platforms



In about **70 per cent** of the cases, property managers and sales agents using online referral platforms perceived the rental referral commission as unfair and expensive

¹ With a total of 412 responses to the survey distributed to a REIQ membership population of about 8,300, the results of the survey are accurate at the 95 per cent confidence level plus or minus a 5 percentage points margin error



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Noosa the new leader for house price growth



Noosa has delivered the strongest growth in the state, with the median house price growing 6.9 per cent over the 12 months to June, and units growing 10.2 per cent, according to the latest REIQ Oueensland Market Monitor.

Noosa steals the title from Gold Coast, which has led the state for house growth for the past two quarters. Noosa's annual median house price, from 862 sales in the year to June, is \$695,000. The annual median unit price is \$540,000.

Noosa is now Queensland's most prestigious market, eclipsing the Brisbane LGA median house price of \$673,000 and the Gold Coast LGA of \$622,031.

REIQ CEO Antonia Mercorella said Noosa had all the ingredients for price growth.

"This is a highly desirable part of the world, with stunning natural features, world-class beaches, beautiful climate year-round, outstanding shopping and dining precincts, and, crucially, exclusivity.

"There is limited housing supply being added to Noosa and competition is obviously driving price growth.

"Looking forward, once the Bruce Highway upgrades are completed and commuting to Brisbane becomes more feasible, it's likely we'll see added demand for Sunshine Coast living," Ms Mercorella said. "This area would benefit from greater supply levels, undoubtedly."

The rest of the Sunshine Coast region delivered similarly strong results for the year to June 2018. The Sunshine Coast LGA grew 6.5 per cent to a median house price of \$575,000, from 4381 sales.

The traditional state leader, the Gold Coast, continues its strong growth trajectory, although it has slowed somewhat. Growth of 4.5 per cent delivered an annual median house price of \$622,031 to Gold Coast house owners

"This is not a completely unexpected result in the post-Games period as we see normal activity resume," Ms Mercorella said.

The Gold Coast is the biggest apartment market in Queensland, selling more than 10,000 units in the 12 months to June 2018. It was also one of the few unit markets in Queensland to deliver positive growth, adding a slender 0.9 per cent to values to a median of \$429,000.

Brisbane LGA delivered consistent, sustainable growth of 2.5 per cent to an annual median house price of \$673,000. This market has delivered reliable growth in the region of 2-4 per cent, consistently, for a few years.

The apartment market has not fared so well and median unit prices eased 2.2 per cent over the year to June 2018, to \$440,000. This trend has been echoed statewide with most unit markets contracting in price.

"We are seeing parts of Brisbane still coping with some apartment oversupply. But we know that the population growth to the southeast corner is strong and as major transformative projects such as Queen's Wharf begin to take shape, we are confident excess apartment supply will be absorbed. The apartment market is showing a

degree of resilience notwithstanding sensationalist commentary from some quarters predicting drastic price falls," Ms Mercorella said.

"Overall, Queensland's property market continues to operate at two speeds. The southeast corner is performing well, with Sunshine Coast, Gold Coast, Brisbane and Toowoomba growing consistently," Ms Mercorella said.

"We're seeing some recovery in the major regional centres, limited to Bundaberg, Mackay, Fraser Coast, while the centres of Gladstone, Rockhampton and Townsville are yet to really make meaningful improvements," Ms Mercorella said.

"The REIQ has lobbied the Government long and hard for the first-home buyers grant to be broadened to existing properties in regional Queensland," she said.

"It is our strong conviction that this would give some of those house markets a much-needed boost as young people and first time buyers, who are struggling to save a deposit, are given that important leg up to home ownership. Importantly, these markets do not need additional supply. You can already buy an established house in these areas for less than it costs to build," she said.

"It's outrageous that the Government is funding additional housing supply in areas of the state that are already oversupplied, through this grant," Ms Mercorella said.

TURN TO PAGE 10 FOR REGIONAL QUEENSLAND DATA

QMM: Regional markets deliver patchy news

WORDS BY KARINA SALAS

The June quarter of the Queensland Market Monitor delivered a mixed bag of results throughout the regional centres of the state.

Some areas, such as Bundaberg and Mackay, delivered good median house price growth while the market contracted in other areas, such as Townsville, where more positive news was expected.

Toowoomba: This market has been a consistent performer and over the year to June delivered 1.1 per cent growth to houses, to a new median house price of \$355,000. There are significant infrastructure projects scheduled for this region over the coming years and this will drive jobs and property growth. The REIQ is confident this market will continue on its steady path. The unit market held steady, with no growth or contraction and maintaining its median price of \$305,000.

Fraser Coast: Another steady performer, Fraser Coast grew 1.1 per cent to an annual median house price of \$318,600. This market has grown more than 10 per cent over the past five years and confidence is returning. The unit market is a standout for growing 2 per cent over the past 12 months, one of only a few markets to do so, to a new median of \$255,000.

Bundaberg: This is the leader in regional markets, showing the strongest growth and adding 2.7 per cent to its annual median house price, to \$287,500. This is a solid foundation for this market which is finally edging ahead of where it was five years ago. The State Government is spending almost \$600 million in the Wide Bay region over 2018-19 which will drive further confidence into the market. The unit market held steady, with no contraction and no growth to maintain its annual median price of \$255,000.

Gladstone: The Gladstone house market is facing continued challenges. The median price fell 6.8 per cent, however, local agents are certain there is a sense of confidence returning to the market and they say that July and August have been very busy months, so we look forward to the September quarter data. The Gladstone median unit price fell a disappointing 33.3 per cent, to \$170,000.

Rockhampton: This market eased 2.7 per cent over 12 months to June 2018, to an annual median house price of \$266,000. The unit market fell 6.5 per cent to \$286,000. Rents have generally trended upwards for the past year despite a weak rental vacancy rate of 4%. The vacancy rate has been tightening for five consecutive quarters, which is some good news.

Mackay: Demonstrating the second-strongest regional growth, Mackay added 2.5 per cent to its median house price, which grew to \$335,000. This market is benefiting from a jobs boom in the region and currently has the lowest unemployment rate in the state. Jobs are bringing people back to Mackay and as a result, the rental market is also tight, at just 1.9 per cent. The unit market was the only dark spot in an otherwise blue-sky result for this former sugar-cane town, contracting 2.5 per cent to an annual median unit price of \$218,000.

Townsville: Townsville house market fell 3.3 per cent, to an annual median of \$324,000. However, local agents report that sales are busy and there is considerable activity with transfers coming into town. We will wait and see how the data over the next couple of quarters goes. A surprising result was definitely the growth in the unit prices, which added 7.7 per cent to a median of \$280,000. Parts of Townsville's property market are performing well. In addition to units delivering good growth, Thuringowa Central (28%), Idalia (21.3%), Rasmussen (19.9%), North Ward (15%) and Railway Estate (10.1%) delivered

exceptional median house price growth.

Cairns: The outlier in the regional markets over recent years, Cairns has, at times, been one of the only regional markets to deliver positive median house price growth. This diverse economy has proven itself to be resilient, withstanding the economic headwinds that have felled other regional economies. In the 12 months to June 2018, this market delivered 1.2 per cent growth, to a new median house price of \$410,000. The unit market eased by 2.1 per cent, like many unit markets around the state, to a median of \$230,000.







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Trust accounts - expectations, pitfalls and how the Guide can help you



Continuing our coverage on the important issue of trust accounts, this month's article will focus on general expectations we have of trust account holders, some pitfalls and how our Trust Accounts Guide can become your 'go to' handbook for all trust account issues.

Expectations

Trust accounts are governed by legislation and when an agent receives a client's money, they are required to immediately deposit the amount into a trust account they operate.

Trust accounts exist to protect everyone involved in the real estate transaction. They are heavily governed and failure to comply can result in hefty penalties and even loss of licence. For example, in Queensland, misuse of trust monies can lead to a fine of up to \$130,550 (individual), \$652,750 (corporation) or up to 5 years imprisonment.

The principal agent of the business is the only one who may operate a trust account. If the principal enters into a partnership or if there are any changes to a partnership, or if they sell or dispose of the business, an auditor must audit the trust account before any associated trust money can be transferred.

Our trust account guide outlines a list of financial institutions in Queensland that have been approved by the OFT. No payments should be made from a general business account to trust accounts and the trust money must remain untouched until the transaction is finalised.

An agent should contact their auditor if they have found a discrepancy in the trust account and advise the OFT how it has been rectified.

Pitfalls

Imagine receiving cash for a rental payment then rushing off to an open for inspection. Later, you find cash in your pocket...but who is it from? And what is it for?

To prevent the above scenario, be sure to keep accurate accounting

records and record the required details. You should have trust-specific policies and procedures in place to ensure consistency and minimise any chance of error.

Any breaches of the Act are taken seriously and the OFT can inspect an agent's trust account records at any time.

Trust money that may be unclaimed or unidentified may fall under the Public Trustee Act 1978, visit www. pt.qld.gov.au for more information.

The Guide

The trust account guide provides a summary of agents' obligations when operating a trust account and vital information for auditors. The guide does not cover all the provisions. For copies of Acts and Regulations visit www.legislation.qld.gov.au.

Agents who are unsure of how the law applies are encouraged to obtain independent legal advice.

Visit our website www.qld.gov.au/fairtrading for a digital copy of the trust account guide, alternatively email OFT. Comms@justice.qld.gov. au to obtain a hard copy.



Members tell us they want more!

The Commercial chapter had such a good response for our inaugural event, Race To The Top – Councils in the Commercial Space. You should have been there, is all I can say!

Not only did we manage to fill the room in the Cannon Hill building but we also created a new buzz around commercial and councils, and the REIQ! Who would have thought! Conversations flowed before and after the presentations. Networking galore! We attracted both residential and commercial agents from near and far (Cairns was our furthest).

I am very proud of our team for seeing a niche in the market and creating this event to fill it. Goes to show that our chapter can cater for local agents who may miss opportunities to take in content which was shared on the day. Presenters were drawn from five local government areas across southeast Queensland and they shared a breathtaking array of insights and information.

Special credit to Chapter committee member Tony Hope from LJ Hooker Springwood for tapping his network to bring together these amazing speakers.

Good news! The event has been such a resounding success we are planning to make it an annual event!

Members have shared with us that they want to be informed about council plans. When we get feedback like that we're happy to coordinate more events to meet our members' needs. That's what this chapter is all about.

Next year we may mix and match the councils but that will be decided closer to the day. It will be interesting to see how their plans have come to fruition. We also received interest from agents wanting to join the Chapter and add their expertise to the group. Needless to say our Commercial and Industrial Chapter is heading in a positive upward direction and no one can stop us now.

I have also had feedback from my last article in the July Journal which you may remember was addressing the Crossover Agent. Many have come out of the woodwork! Thank you to those who have reached out, asked questions and come to the understanding that training is helping in the commercial world.

Once again – my email is always open so drop me a line as I would enjoy hearing from you: rauhena@RnHcommercial.com.au

Rauhena Chase Commercial chapter chair TIME IS PRECIOUS. SUBMITTING IS



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Cyber Risk session, presented by Aon

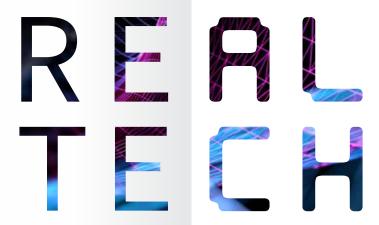
The risk of a cyber attack is so high that today the experts say it's not a matter of if, but when, you will be under attack from someone with malicious intent. The destruction can be devastating, shutting down your business and costing you a hard-won reputation for reliability. Aon presented a sensational session on cyber risks, with leading online-safety experts sharing tips and information on how serious the threat is and how to keep yourself and your business safe. This session is now available online as a free CPD webinar in the Member Resources section of REIQ.com. Go to CPD and hit the "2018 CPD free options" button to access it.











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Turner's Tips!

The one skill that has to be natural

WORDS BY KEVIN TURNER

Great agents excel as negotiators. The greatest skill you can develop is the art of negotiation. Doing the deal. That is what will separate a good agent from a great agent.

So, if being a first-class negotiator is the goal, then good communication is essential. That could be what people refer to when they say someone is a 'born salesperson'. Put simply they have learned the art of communication and they like people, they like helping them and if that is genuine it will put people at ease and they will enjoy the experience of working with you.

I recently had the pleasure of interviewing Daniel Gonzales from Realty Lane in Perth. After only a few years in real estate he has just taken the REIWA award as the top producer in the state, just edging out Vivien Yap. That is no mean feat! In the interview he puts it down to those skills of communication mentioned earlier. You can hear it in his voice. He practices what he preaches.

Communication should always be two-way. One-sided communication (that is, you doing all the talking) simply becomes a lecture.

Here is a great test you can apply next time you are testing your effectiveness as a communicator and negotiator. Simply assess who is asking the questions. If you are asking the questions you are in control of the conversation. By asking questions you are gathering information and showing interest. That is building empathy.

Here are some golden rules to effective communication and building relationships.

1 We have two eyes, two ears and one mouth. That means only 20% of our communication should be

- us talking. Observe and listen. They don't care how much you know until they know how much you care.
- 2 Understand where you are taking the conversation. Plan what you are going to say and don't shoot from the hip.
- 3 Check the environment. By this I mean make sure the person you are talking to is in a comfortable position and relaxed so they can hear your message.
- 4 Speak slowly so you can be understood and most importantly don't deliver too much information at one time. It's important, as you deliver your message, that you check to make sure the person you're talking to is both hearing you and understanding. Ask: "Does that make sense?" "Do you agree?" "Do you have any questions?".
- 5 Do not lecture. If you find you are starting sentences with "you", you could be coming across accusingly. Use inclusive words like "we" "us" "our" and in doing this, you'll be creating a team environment.
- 6 Other words not to use are "never",
 "always", "should" and "shouldn't".
 These words can also be taken

- as being confrontational and certainly are not helpful if they are used during negotiation.
- 7 If you ask a question, shut up and wait for the answer. Sometimes, after asking a question, inexperienced negotiators will want to keep talking and in so doing may talk themselves out of the deal.
- 8 Silence is golden. As we said earlier, if you ask a question shut up and wait for the answer. Sometimes an answer won't come quickly because the person needs to think about the response. Be patient and as hard as it is with no one speaking, just say to yourself "the first person to speak loses".

Many people forget that good communication involves listening as well as talking. It could even be argued that listening is the more important of the two: how can you know what to say unless you first know what your audience wants or needs to hear?

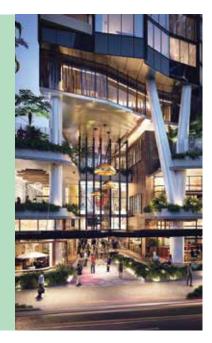
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"But educated real estate professionals are compliant and adhere to best-practice processes, which gives consumers a good experience and improves our image,"

The REIQ is calling on the Queensland Government to deliver on its commitment to introduce mandatory CPD for the real estate profession in Queensland.

REIQ CEO Antonia Mercorella said the promise was made – in writing – in November last year and since then we have been waiting to for the allimportant detail – a commencement date and the specifics of CPD model that will be introduced.

"We were thrilled when we received written confirmation of the Labor Government's commitment to introduce mandatory CPD after countless years of fighting for this. But since this written commitment given in November last year, we have received no further information about the specific details of the new scheme which is disappointing to say the least.

The introduction of mandatory CPD is designed to improve the standard of professionalism in all real estate agents, throughout Queensland. Whereas at present, it is only REIQ members that are required to undertake 100 points of professional development training per annum.

"Mandatory CPD means all real estate professionals must maintain their level of education and professional development. This, in turn, better ensures they are compliant in all areas of their profession," Ms Mercorella said.

The campaign to introduce mandatory CPD has been ongoing for more than three years and is designed



to give consumers greater confidence in all real estate professionals.

"Our remit, as the peak body for real estate professionals, is to improve the reputation of real estate agents with consumers.

"We know that when consumers have a bad experience they share it with family and friends. This contributes to the ongoing low regard consumers have for our profession," Ms Mercorella said.

"But educated real estate professionals are compliant and adhere to best-practice processes, which gives consumers a good experience and improves our image," she said.

Numerous Legislative Requirements

"Mandatory CPD is an important consumer protection measure and will help ensure that all real estate practitioners are educated about recent legislative developments, risk management and compliance and best practice. Real estate is complex and there are more than 40 pieces of legislation that govern the profession and impact real estate transactions.

"We know the majority of responsible working real estate agents support this. They are tired of labouring under the poor reputation that consumers have formed through interactions with the unprofessional few who fail to maintain their professional knowledge," she said.

The REIQ's position is that education is crucial for compliant, professional agents and the membership body requires all members to complete 100 points of CPD each year.

Throughout 2017 Ms Mercorella and REIQ Chairman Rob Honeycombe met with all independent MPs and garnered unanimous support for mandatory CPD.

"This is a common sense measure that most can see will raise the standard of professionalism and improve the quality of service," Ms Mercorella said.

"It will also bring Queensland into line with many other states that have already, or are in the process of, introducing mandatory CPD."

The case for mandatory CPD in real estate - REIWA

In 2013, then-President of REIA Peter Bushby laid out the case for mandatory CPD in real estate.

"Western Australia provides a good case study of the impact of mandated CPD. In WA, mandatory CPD was introduced for licensees in 2007 and for sales representatives in 2009," Mr Bushby said.

"For the five years up until and including 2009, the average number of written concerns raised by the public to the Real Estate Institute of Western Australia (REIWA) was 143 per year with a high of 196 in 2009," he said.

"In 2010, the year immediately after mandatory CPD was introduced for sales representatives, the number of written concerns dropped to 58 – a 70% reduction over the previous year. The average for the three years to 2012 has been 55 – or a 61% reduction from the five years 2005 to 2009," he said.

CPD in Queensland

Last year, the REIQ investigated all disciplinary proceedings against real estate agents since 2013 and found that not once has an REIQ member been found guilty of breaching the relevant legislation.

"This is compelling evidence that speaks to the power of education," Ms Mercorella said. "Ongoing education teaches agents how to operate professionally and within the law and this is a win for consumers."

REIQ looks to the future with new strategy

WORDS BY ANNA GREEN

The REIQ has embarked on a three-year strategic plan to change the direction of the organisation, with a strong focus on modernisation and improved functionality of all our operations.

Change might be ahead, but the strategic plan will honour the original objectives of the REIQ, of raising the standard of professionalism among real estate professionals, improving the public's opinion of real estate agents and influencing and shaping legislation that affects the real estate sector.

"This year we celebrate the centenary of the REIQ, and it is a perfect opportunity to do some stocktaking of our successes and to make sure we are fit for growth as we propel into the future," REIQ CEO Antonia Mercorella said

Ms Mercorella said a key factor that has allowed the organisation to flourish for a century has been its ability to continually self-evaluate its role and operations and to adapt to changing times and circumstances.

The essential focus of the strategic plan is to make the most of opportunities offered by new technology and automation to deliver greater efficiencies over the next three years. Processes will be streamlined and the delivery of products and services will be modernised.

"We are always advising our members to remain on top of their game by reviewing the way they do business and by making the most of available technologies. It's time to put our money where our mouth is," Ms Mercorella said.

"Digital technology has advanced the way membership organisations are structured and resourced. Customers now expect high levels of self-service functionality which gives them greater control over the way they interact with their member body."

A process of thorough consultation with staff and the zone chairs was followed to determine the essential goals and implementation of the strategic plan.

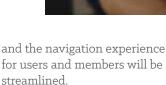
The strategic plan includes plans to outsource non-core business services and partnering with specialists to continue to deliver those products and services. This approach of strategically partnering with experts enables the REIQ to achieve greater operational efficiencies.

"Automation and the flexibility of online offerings has enabled us to consolidate some roles and responsibilities. The new organisational structure delivers products and services that are more responsive and have a greater online presence," she said.

"We have a responsibility to our members and stakeholders to ensure we are running a sustainable and viable enterprise. We are a membership organisation, owned by our members, so we have a responsibility to be continuously striving to ensure every dollar is spent wisely."

Digital footprint

The REIQ will be improving its digital footprint over the next couple of months by reviewing the official website and members' portals. The various landing pages and portals will all be getting a makeover to improve their appearance and functionality,



"We are always striving for innovative ways to enhance the online experience for our current and potential members." Ms Mercorella said.

E-learning training platform

The REIQ has launched a new e-learning platform that offers an enhanced e-learning experience for students. The new market-leading, mobile-responsive platform offers interactive enrolments, interactive learning modules and interactive assessments as standard features.

The student portal enables peer-topeer connections as well as studentto-trainer connections in a seamless and engaging digital environment.

The new platform makes it easier for students to engage with the REIQ. Students are able to complete assessments online and save to the cloud. They are able to log out and return to the same place multiple times before submitting their final work and they no longer need to download the assessment work, complete it offline and then upload the assessment.

"The new platform allows students a virtually frictionless e-learning experience and vastly improves their engagement experience with the REIQ training," Ms Mercorella said.





The establishment of the One Call One Solution customer service centre will be another tangible outcome of the strategic plan that will significantly improve members' interaction with the REIQ. The centre will be staffed by people who are trained across the entire breadth of the business and will be empowered to deliver a solution, no matter what area of the business a customer is calling about.

"Our new customer service centre will deliver all the answers from one person without the need to transfer calls to different departments," Ms Mercorella said. "This will result in a better customer service experience."

As the REIQ celebrates a centenary of representing real estate agents and the needs of the profession to Government, it is fitting that we spend equal time looking forward and planning for the next 100 years.

The new strategic plan involves a range of pillars that deliver innovative growth opportunities to the organisation and will ensure that it remains a dynamic and successful organisation long into the future.





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The REIQ Business Brokers Forum – a comprehensive program to help build your business.

Date: Thursday, 8 November Time: 9.30am - 2.00pm

Venue: REIQ, Level 1, 50 Southgate Ave, Cannon Hill Cost: \$120 individual members | \$150 non-members

Registration opens at 8.30am with tea and coffee available. Morning tea & a light lunch included.



Business sales - what could go (legally) wrong

Matt Couper & Kelly Pain | Carter Newell Lawyers



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Getting to deal settlement faster and easier Greg O'Reilly I thedocyard



A properly listed business is 80% sold

Matthew Hunter & Stephen Gibson | McCarthy Durie Lawyers

Book your tickets at reiq.com/businessbrokers



















Western Suburbs Zone Event:

The expertise and insights from a panel of three leading REIQ members were the topics of the day at the REIQ Western Suburbs Zone Event in the beautiful surrounds of the Indooroopilly Golf Club. Panelists were former REIQ Salesperson of the Year 2017 Anne Fidler (Belle Property Wilston), Thanh Ngo (Ray White Forest Lake), Stewart McLeod (Ray White Indooroopilly).

Lively discussion and some curly questions from panel moderator John Knight (The Business Depot) entertained the attendees, who shared feedback with the REIQ that this was one of the most entertaining zone events yet!

Upcoming REIQ Zone Events & CPD

Date	Zone	Breakfast/Lunch	CPD	Venue
19 September	Sunshine Coast	12:00 noon start	2.00 - 3.30PM	Noosa Springs Golf Club
20 September	Redcliffe/Caboolture	12:00 noon start	2.00 - 3.30PM	North Lakes Golf Club
11 October	Northern	12:00 noon start	2.00 - 3.30PM	Kedron Wavell Services Club
24 October	Gold Coast	12:00 noon start	2.00 - 3.30PM	Parkwood International
18 October	Western	12:00 noon start	2.00 - 3.30PM	Indooroopilly Golf Club
24 October	Gold Coast	12:00 noon start	2.00 - 3.30PM	Parkwood International
25 October	Southern	12:00 noon start	2.00 - 3.30PM	The Glen Hotel
7 November	Gladstone	9:00 am start		The Oaks - Gladstone
14 November	Mackay	12.00 noon start	2.00 - 3.30PM	Harrup Park Country Club
16 November	Yeppoon	9:00 am start		The Strand Hotel
21 November	Eastern	12:00 noon start	2.00 - 3.30PM	Redlands RSL
22 November	Ipswich	12:00 noon start	2.00 - 3.30PM	Brookwater Golf Club
28 November	Toowoomba	12:00 noon start	2.00 - 3.30PM	Picnic Point Events Centre
5 December	Fraser Coast	9:00am start		Hervey Bay Boat Club
6 December	Bundaberg	9:00am start		The Waves

Are KPIs important?

BY SAMARA BEDWELL, PROPERTY MANAGEMENT SUPPORT SERVICE

Yesl

Regardless if you are the team leader, principal or property manager, it is important to set goals and targets and to monitor the performace of key specific areas. Setting these KPI's will enhance your performance, the business performance and drive the bottom line up.

A principle to follow with setting KPIs for yourself or your business is called SMART and I will explain it below:

Specific KPIs mean being able to ask questions like "What has to be done?" and "What outcomes will there be?" For example, you could set specific minimum arrears rate such as 1%.

Specific KPIs are much easier to track than, simply saying "you must have low arrears at all times", and there will be less room for confusion, as the expectations are more clearly defined.

Measurable KPIs are next. You may wish to measure performance; how many applications are processed per day or how many new landlords are brought in.

Also be mindful that KPIs may change over the course of your business's life. For example, during tough economic times, it may suffice to focus on landlord retention as a goal. However, during flourishing times, you might expect a greater amount of new business.

One way of measuring a KPI could be to take the average figures for each month and use that as a barometer for the norm. Every six to 12 months, you could increase KPI targets by how much your business has grown.

KPIs need to be Attainable and should be a motivator. Ensure the KPIs are not set too high to be demoralising, but also not too easy that they cruise along.

Relevant KPIs are a must. It's important to set KPIs that work towards growing your business and align with your goals. This will mean having a clear idea of how you want your business to develop over the short, medium and long term. For example, do you wish to reduce complaints, increase the return on profit or expand your market reach? Setting & tracking KPIs that have no relevance to what you set out to achieve is a waste of time and resources.

As property manager we are all time poor but that doesn't mean that KPIs shouldn't be time bound.

The most effective KPIs are measured against a time factor, such as targets to be met per day, per month, per quarter and annually. Each KPI will be different and should reflect all time phases.

When setting up your KPIs follow the smart principle and you'll be the master of your domain in no time.

Here is a few quick tips:

- Ensure KPIs are regularly monitored through meetings. Don't set and forget them.
- Reward yourself or your team when KPIs are met
- Encourage each other.
- Ensure there is a clear understanding.
- Be mindful that KPIs may change over the course of your business's life, so ensure you regularly review KPIs.

SMART KPIs can help drive your business towards greater success. Implementing them properly will ensure your business goals are met.





BY KIM COFFEY, PROPERTY MANAGEMENT SUPPORT SERVICE

A property owner can change agents when they choose to, regardless of whether the property is vacant or tenanted. They do however have to give the current managing agent the correct notice, which for an existing PO Form 6 would be 30 days notice. The agency losing the management is not obliged to agree to shortening that 30 days, but can reach an agreement with the client if they wish to do so. The current agent continues to provide management services as usual, until the end date of the notice period. Beyond that date, the agent is no longer the appointed agent.

When gaining a management, care must be taken to ensure compliance with PO Regulation 21. Because of this regulation, agents gaining a management are required to take reasonable steps to find out if the client has already appointed any other agency (including an onsite

agent) to provide the same services that the client is now appointing the new agency to provide. This would of course include checking to ensure that the new agent's appointment will not commence before the end of the notice given to the current managing agent.

Agents are not to solicit or accept appointments from clients if they know (or should have known) that the client does already have an existing appointment with another agent for the same services. The exception to this is if the agent has first given the client a written statement, warning them that if they do appoint a second agent to commence whilst the first is still appointed, that they might have to pay commission under both existing appointments, or may have to pay damages to the other agency for breaching the terms of their appointment contract with them.

However, this would be a general warning only. The new agent would not attempt to go so far as providing legal advice to the clients about the specific impacts or costs of breaching their contractual agreement with another agent. The client should discuss that with the other agent, and/or seek their own legal advice about their position.

When signing up a new management using the REIQ Schedule with the PO Form 6 (from Realworks), in part A, the first and second boxes would be ticked to show that the client acknowledges that:

- 1. The agent has checked if the client has another agent appointed, and
- 2. The client does not have another agent appointed (as at the commencement of this new appointment).



Registration and Licensing Courses

October - November 2018

COMPREHENSIVE 3 DAY REGISTRATION CLASS

Training times for all sessions: 9am - 4.30pm

9am 4.30pm		
	9 – 11 October	
BRISBANE	31 Oct – 2 November	
	13 – 15 November	
	28 – 30 November	
	18 – 20 December	
GOLD COAST	17 – 19 October	
	7 – 9 November	
	28 – 30 November	
	18 – 20 December	
SUNSHINE COAST	24 – 26 October	
SONSITIVE COAST	21 – 23 November	
	16 – 18 October	
TOOWOOMBA	12 – 14 December	
TOWNSVILLE	10 – 12 October	
CAIRNS	12 – 14 November	
WEEKEND INTENSIVE		

WEEKEND INTENSIVE REGISTRATION COURSES

Training times for session: 8.30am - 5.30pm

BRISBANE	20 – 21 October	
GOLD COAST	17 – 18 November	

Career Networking Events

19 October 30 November

BRISBANE LUNCH	11 October
	15 November

GOLD COAST LUNCH

Specialised Courses

October - November 2018

BUSINESS DEVELOPMENT DAY FOR PROPERTY MANAGERS Feature Day – 16 November 2018

PROPERTY MANAGEMENT		
Property Management Breakfast	BRISBANE : 21 November 7.15am – 8.45am	\$30 members \$40 non-members
	GOLD COAST: 6 December 7.15am – 8.45am	\$30 members \$40 non-members
	SUNSHINE COAST: 5 December 7.15am – 8.45am	\$30 members \$40 non-members

COMMERCIAL PROPERTY MANAGEMENT SERIES		
Part 2	BRISBANE: 24 – 25 October	\$850 members
I dit 2	9am – 4pm	\$990 non-members

Go to REIQ.com for more information.



No more hassles and wasted time with DocuSign

WORDS BY ANNA GREEN

Finalising contracts has just become a whole lot easier thanks to the recent integration of DocuSign into Realworks.



All Realworks subscribers are now able to use DocuSign within the Realworks platform for the following sales contracts:

- Contract for Houses and Residential Land (15th edition);
- Contract for Residential Lots in a Community Titles Scheme (11th edition);
- Contract for Commercial Land and Buildings (7th edition);
- Contract for Commercial Lots in a Community Titles Scheme (6th edition).

These forms have been authorised for electronic signing and they are marked with the DocuSign tag in the forms list in Realworks. The REIQ is currently working with other key stakeholders to expand this functionality to other transactions facilitated through Realworks.

Although we recommend that members have some face to face contact with clients where possible, the ability to finalise contracts digitally means clients no longer have to come into the office to sign documents and they don't need to print, sign and scan them at home.

The process is totally secure, fully compliant and legal.

Apart from saving time and hassle, it allows the agent to become fully mobile in the execution of their duties. It's also very convenient for clients who can now buy or sell their house from anywhere in the world.

Are e-signatures legally binding?

In Queensland, the Electronic Transactions Act (Queensland) Act 2001 (ETA), which mirrors equivalent Commonwealth legislation, sets out a framework for signing documents electronically.

The ETA provides that if a person's signature is required, this will be taken to be met for an electronic communication if:

- A method is used to identify the user, and their intention in respect of the information communicated in that document; and
- The method used is reliable and appropriate; and
- The person signing the document consents to using an electronic communication to sign the document.

REIQ sale contracts, when used in conjunction with DocuSign in Realworks, satisfy the requirements of the ETA.

How does it work?

The agent will need to obtain each party's email address to allow execution of the document. You also have to explain to them why you require this. If they provide you with their email addresses, you can assume they consent to dealing with you electronically and proceed on that basis.

Both parties will receive an email setting out the process to review and sign the contract. The DocuSign process can be used on a computer, smartphone, or tablet device.

More questions?

Go to www.bit.ly/2p1RGmm for more FAQs and solutions.

Special offer for REIQ members and Realworks subscribers!

Get 70% discount per user on the DocuSign Enterprise Edition if you sign up before 14 December 2018. Contact DocuSign directly on 1800 255 982, quote code "REIQ70" to qualify. Terms & Conditions apply.

The promo is for a 70% discount to sign up to the DocuSign Enterprise Package for a minimum 2 x users which calculates at \$300 per user. This promotion is valid for all REIQ members and Realworks subscribers. Offer only available to Real Estate Agencies based in Queensland. Employee size 1-200. Contract length -12.24 or 36 months. Payment terms - Net 30 days. Includes Support 24/7 (call, email, chat). Includes full admin control. Includes Adoption QuickStart (online training course + 2 hours of consulting). Includes integration with Realworks. Unlimited document storage in the DocuSign Private Cloud. Full Access to the DocuSign web portal. Full mobile functionality included for all users and signers. Dedicated Account Manager.



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Stronger economy underpins Mackay's property recovery

WORDS BY KARINA SALAS, REIO RESEARCH ANALYST

The strength of the regional economy has supported the gradual recovery of the sales and rental markets in 2018.

The Mackay SA4 employment market has boomed for the past year, adding about 5700 new employees to the regional workforce. Corporates like Qantas have targeted Mackay as a potential site for future investment. The future brings well-deserved hope to a region heavily affected by the mining downturn.

House prices have cautiously started on an upward trend. The rental market has gone from strength to strength in 2018, with vacancies falling below the long-term average and rents increasing in many instances by 20 per cent for the past year.

Mackay's future is promising. However, there are still a few hurdles to jump.

Employment market boosting economic recovery

It is not a coincidence that the property market has begun to recover as the Mackay SA4 job market has become one of the strongest in the state

Employment prospects began improving in late 2015 but it's taken about three years for the impact on property to become clear.

The unemployment rate has fallen from its peak of 8 per cent in December 2015 to 3.4 per cent in June this year. Since October 2017, the unemployment rate has also fallen below the long-term average of 5 per cent.

The labour force participation rate reached 75.6 per cent in June this year compared to the long-term average of 71.3 per cent.

In light of the increasing labour force participation rate, the number of employed people has trended upwards for the past two years, reaching 99,200 employed people in June 2018.

The ABS labour force statistics to May 2018 revealed a large contribution of employment opportunities from the mining and retail trade sectors (in the vicinity of 27 per cent). About 15,600 jobs were added by the mining sector followed by 10,900 jobs created by retail trade.

Between 2006 and 2010, the construction activity was generally the top contributor to regional job creation, adding up to 14,000 employed people in 2009 compared to current levels of 8100 employed people in May 2018.

In light of a solid rental market, we expect to see construction activity and construction employment

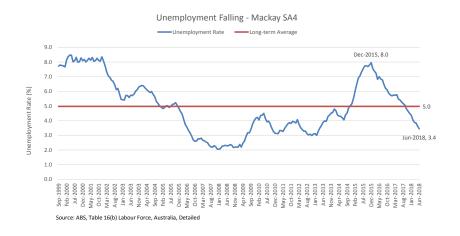
commencing a positive trajectory over the coming few years. We hope this potential recovery ultimately will underpin a lower regional dependency on mining jobs and commodity prices.

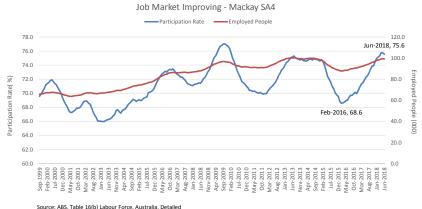
Rental market

The rental market usually moves ahead of the sales market, the standard-bearer for a change in direction within the property cycle.

In December 2014, vacancies reached the highest level - 9.8 per cent - since our records began in June 2008.

With improving employment figures, the rental market began a gradual recovery, first identified in early 2016.





Source: ABS, Table 16(b) Labour Force, Australia, Detailed

In June 2017, vacancies fell below the long-term average of 4.9 per cent and for the next year they generally continued falling to the lowest level in about six years of 1.9 per cent.

With lower vacancies, rents started yielding to upward pressure, rising in 2017. Median rents for houses, units and townhouses increased in the range of 14 per cent and 35 per cent over the past year.

The median rent for two-bedroom townhouses increased the most, reporting a jump of \$75 a week, from \$235 in June 2017 to \$310 in June this year. Other dwellings showing large rental increases were four-bedroom houses, three-bedroom units and three-bedroom houses rising about \$50 a week.

We expect to see an active rental market for the remaining of 2018. However, its performance remains heavily dependent on the strength of the mining employment market.

Sales market

The house sales market has recently begun a slow upturn. Median house prices increased a modest 1.5 per cent for the year to April 2018, to \$340,000. However, they still remained about \$100,000 more affordable than the peak price of \$435,000 reached in early 2013.

Unfortunately, the unit market continued its downward run. The median unit price reached the peak of \$370,000 in early 2014 one year after the houses peak. The April 2018 median unit price of \$210,000 has fallen to levels last seen about 13 years ago in late 2005. So the unit market has definitely underperformed the house market over the long-term.

A sustainable recovery of the residential sales market is reliant on future economic development, job creation and population growth.

We acknowledge that job opportunities are heading in the right direction to drive economic development.

Public-sector infrastructure investment is also supporting economic development. The Mackay-Whitsunday region will receive about \$606 million from the FY2019 Federal Budget for capital works. This funding will support about 2100 regional jobs. The \$500 million Mackay Ring Road

project is the largest regional project currently under construction.

Other large private-sector regional projects, such as the Lindeman Island Resort, are still years away from becoming a reality.

Population exodus has meant fewer buyers in the market, giving them all the bargaining power with many sellers. Regional population declined about 1.9 per cent since its peak of 176,521 residents in June 2013. In June 2017, Mackay reported about 173,094 residents.

We hope the 2018 recovery of the job market will attract more residents into the region. We will know for certain by mid-2019 when regional population trends for 2018 will be released.

Overall, the outlook of the sales market is positive for the remaining of 2018. However, population levels do not yet appear to support a much higher demand for housing.

Furthermore, there is still some doubt about the regional risk appetite of the banking sector as higher property valuations are required to secure finance and inject sustainable confidence into the property market.

What's to come

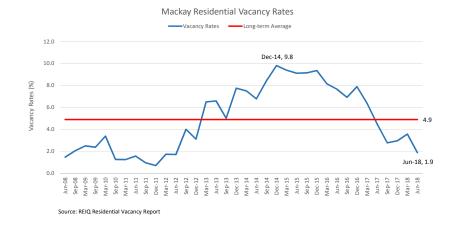
Regional hope and positive market sentiment support a promising outlook for the residential property market.

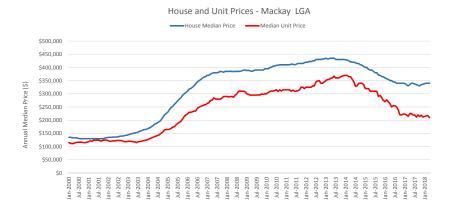
There is no doubt that a stronger regional economy, partially supported by new infrastructure projects, has been able to attract more resident participation into the labour force. However, better diversification of employment opportunities beyond the mining sector will support a more stable economy.

Time will tell if further employment opportunities from construction activity become relevant to support a gradual recovery of the sales market.

Negative population growth coupled with low-risk appetite from the banking sector are potentially still darkening the future of the property market in Mackay.

The recent performance of the rental market has not disappointed local investors. We expect that this strength continues setting up the pillars to support an increase in regional demand for housing.





What might happen to the Brisbane property market after the next federal election?

WORDS BY BDO PARTNER, EDDIE CHUNG

Another day, another Prime Minister. To a lot of voters, this PM turnstile seems to be an unwelcomed quirk of the Australian democratic system. For whatever reasons, many political commentators are now tipping an ALP win at the next federal election, which has caused me to check out the ALP's policy on negative gearing and the capital gains tax (CGT) discount again.

This is what I can find on the ALP's website:

Negative gearing

Labor will limit negative gearing to new housing from a yet-to-be-determined date after the next election. All investments made before this date will not be affected by this change and will be fully grandfathered.

This will mean that taxpayers will continue to be able to deduct net rental losses against their wage income, providing the losses come from newly constructed housing.

From a yet-to-be-determined date after the next election losses from new investments in shares and existing properties can still be used to offset investment income tax liabilities. These losses can also continue to be carried forward to offset the final capital gain on the investment.

Capital gains tax

Labor will halve the capital gains discount for all assets purchased after a yet-to-be-determined date after the next election. This will reduce the capital gains tax discount for assets that are held longer than 12 months from the current 50 per cent to 25 per cent.

All investments made before this date will not be affected by this change and will be fully grandfathered. This policy change will also not affect investments made by superannuation funds. The CGT discount will not change for small business assets. This will ensure that no small businesses are worse off under these changes.

Labor will consult with industry, relevant stakeholders and State governments on further design and implementation details ahead of the start date for both these proposals.

After reading these policies, I have been trying to guess how these policies may potentially affect the residential property market in Brisbane. I say 'guess' because I am not an economist and there is every chance that I could get it completely wrong (cue my disclaimer at the end of this article!).

Be that as it may, nothing ventured, nothing gained, so I am going to call it. If my guess is right, I will of course remind everyone about this article until I turn blue. If not, I would appeal to you to destroy this article and never let it see the light of day again!

So here it is...

I think most people would agree that units and houses are two different markets in Brisbane. There seems to be signs of life in the house market, albeit at a rather slow pace, while the unit market is stagnant or declining as it continues to absorb excess stock.

With this backdrop in mind, my thoughts on the impact of the ALP's policy if the party comes into power are as follows:

- There could well be a temporary increase in demand for existing residential properties in Brisbane if the ALP comes into power as investors and would-be investors try and snap up these properties that may no longer allowed to be negatively geared once the Government of the day announces that it will introduce law to implement the policy. In fact, this may already be underway for those investors who are convinced that the ALP would win at the next election.
- The impact may be bigger on the unit market as there is a perception that older units generally have bigger floor areas and better 'guts' for potential future improvements. Perhaps, to a lesser extent, the same applies to the house market as block sizes have been progressively declining, especially in the inner-city suburbs.
- The temporary increase in demand may drive up residential property prices across the capital city, at least for a period as FOMO grips investors. There is a big 'if' in this scenario – the availability of credit and future interest rate movements may literally make or break this eventuality. The more

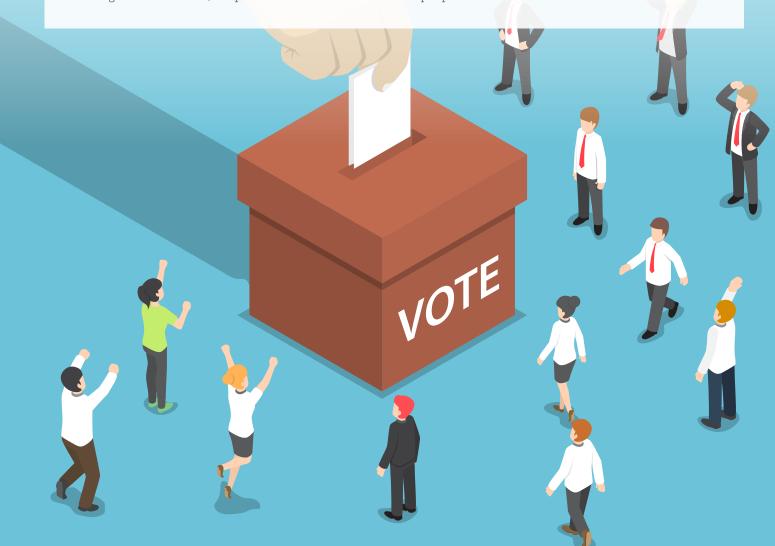
- the credit market is tightened, the less likely property prices may rise.
- Beyond the grandfathering date when the policy comes into full force, on the back of the mini-investment boom, there may well be excess residential rental stock coming onto the market, which may hamper growth or even drag existing rental yields down. This would likely be more pronounced in the unit market as rental yields on higher density units have already been under considerable pressure over the past few years.
- As rental yields decrease, both existing and new properties may become more expensive to buy, which may reduce the volume of residential property transactions (ie, this may be the well-earned break for agents after, hopefully, the mayhem of the mini-boom). However, as negative gearing is still allowed for new properties, the market may shift to these new properties at the expense of the existing ones. As a result, the price

- of existing properties may stagnate while new properties may fare a bit better.
- From then on, normal market forces would prevail. Provided that population and employment continue to grow and credit continues to be available, any excess stock on the market would be absorbed and there would be a point when rental yields would rise again as more people compete for rental stock.
- The stagnating housing prices and higher rental yields may encourage first time home buyers to come back to the market once they perceive that the dust has settled and the financial gap between buying and rent has narrowed which may in turn spark price growth again. However, as investors have to pay more CGT if they sell their properties under the ALP's policy, less investors may opt to sell, which may limit available stock on the market and therefore create a steeper price rise

- in future price growth cycles.
- As long as the ALP's policy
 persists, there may be a permanent
 skew towards new stock by
 investors in the property market
 while new home buyers may flock
 to existing stock to minimise
 competition with investors who
 usually have deeper pockets.

As with any brute-force housing policy being introduced by the government (google 'rent control' and see how it has fundamentally affected various markets that adopted it), the ALP's policy would likely give rise to a more acute short-term distortion in the housing market but the market forces of demand and supply would eventually take over to normalise prices and transaction volumes. The policy would also leave a permanent bias towards the type of assets it favours, ie, new residential properties, for as long as it remains in place.

Now burn after reading please.





The Chief Executive submitted that the respondent had breached section 164(1) of the PAMD Act by employing Ms Filippini as a real estate salesperson, when the respondent knew that she did not hold a current registration certificate. The Chief Executive alleged that on two occasions (in July and October 2012), Ms Filippini attended open homes conducted by the respondent's real estate agency. The respondent was also present at the open homes, during which it was alleged that Ms Filippini engaged with prospective buyers in sale negotiations.

The respondent argued that Ms Filippini had only been involved in an administrative capacity at the agency and that she had attended the properties solely to prepare them for open home inspections. The respondent also submitted that on the occasions that Ms Filippini did engage with prospective buyers, no consumers had suffered any loss.

The Tribunal's decision

The Tribunal found that Ms Filippini's actions went further than simply opening the properties for inspection and that the respondent was aware that was the case.

Relevantly, the Tribunal considered that "whilst there may have been some confusion on the part of the respondent as to the extent to which her mother might be involved on open house days or in the negotiation process, that confusion should not have remained post-decision of the CCT".4

The Tribunal gave decisive weight to the previous CCT decision in which the respondent was a party and was subsequently reprimanded for engaging Ms Filippini with the knowledge that she was a person who was not suitable to hold a registration certificate under the PAMD Act. The Tribunal member remarked that after that decision "I would have thought that Ms Penney-Filippini would have been extremely reluctant to have her mother subsequently involved...". The Tribunal found that the respondent had been ineffectual

in limiting Ms Filippini's involvement in the business.

The Tribunal did not accept the respondent's submission that a reprimand was an appropriate sanction and took into account the prior decision involving the respondent in determining the sanction. The Tribunal was satisfied that the grounds for disciplinary action had been made out and that the respondent had breached section 164(1) of the PAMD Act.

The respondent also faced disciplinary action with respect of the failure to audit the trust accounts for the 2011/2012 period, a failure to issue compliant trust account receipts and a failure to reconcile the agency's trust account.

The Tribunal held that the respondent failed to adequately explain why the trust audit and the receipts had not been completed in accordance with the relevant legislation and stated that the respondent could not seek to blame the auditor for her own failure to comply with section 402 of the PAMD Act where the obligation was imposed on the licensee.

The Tribunal disqualified the respondent from holding a registration certificate or licence for a period of three years. The Tribunal stated that this sanction was imposed to reflect the seriousness of the respondent's conduct, and was made in light of the earlier findings against the respondent by the CCT and the fact that she was the operator of the business. In addition, a fine in the sum of \$3,000 was imposed for the trust account offences in light of the fact that those breaches were relatively minor.

Best Practice

This decision serves a timely reminder of the importance of ensuring that agency employees are only carrying out activities which are within the scope of their qualifications. Further, it also demonstrates that the responsibility for failing to comply with trust account obligations remains the responsibility of the licensee.

- 1 Chief Executive, Office of Fair Trading v Filippini [2009] QCCTPAMD 51
- 2 Chief Executive, Department of Justice and Attorney-General v Penney-Filippini [2018] QCAT 262
- 3 The proceedings were brought under the PAMD Act 2000 (the PAMD Act) in circumstances where the PAMD Act was in effect at the time of the offences. The respondent's licence had transitioned to a licence under Property Occupations Act 2004 (the POA). Relevantly, section 258(3) of the POA provides that disciplinary action commenced under PAMD Act may be 'finished under PAMD Act as if that Act had not been repealed".

4 Para 41

5 Ibid

The Tribunal did not accept the respondent's submissions that a reprimand was an appropriate sanction and took into account the prior decision involving the respondent in determining the canction



The facts

The defendants purchased a property in Whitfield in late 2003. After living in the property for five years, the defendants decided to make the property available for rent. The front door at the property led out to a patio and concrete stairs, which proceeded down to a grassed area. At the bottom of the concrete stairs, the male defendant had embedded two slate stepping stones into the ground.

The plaintiff and her son commenced their tenancy in January 2010. The plaintiff alleged that on 5 April 2010, she hurried down the front stairs in the rain when she slipped and fell on the first of the two stepping stones, fracturing her wrist.

The plaintiff alleged that the defendants had breached their obligations under the tenancy agreement to ensure the premises were in good repair and fit for the tenants to live in

Issues

- What were the circumstances of the plaintiff's fall and what actually caused her to slip?
- 2. Did the defendants breach the tenancy agreement by failing:
- 2.1 to ensure the premises were in good repair and fit to live in at the commencement of the tenancy and:
- 2.2 to maintain the same obligations during the tenancy?

Decision

Tssue 1

The Court held that at the time of the incident, the stones at the foot of the stairs and the surrounding ground were wet. The plaintiff had safely descended the stairs when she paused on the bottom step to contemplate her path. The Court held that the plaintiff successfully placed her left foot on the first stone, but

lost her footing when the sole of her left shoe slipped off that stone as she attempted to extend her right foot toward the second stone.

The plaintiff alleged that the stepping stones were defective due to their size, colour and layout. The plaintiff also alleged that the stones were slippery when wet due to the rain and presence of mould or slime. In relation to the plaintiff's submission that there was mould or slime on the stones at the time of the incident, the Court accepted the defendants' evidence that the stones had been cleaned in January 2010, prior to the commencement of the plaintiff's tenancy.

The Court heard evidence from four experts in relation to the physical kinetics of the stones; an ergonomist and safety consultant, a consulting engineer, a building surveyor and an engineer. The Court preferred the evidence of the engineer and determined that the first stone did



have sufficient slip resistance in both wet and dry conditions. The Court was not satisfied that the plaintiff's fall was contributed to by the size or surface of the stepping stones. The Court considered that the significant causative factors in the plaintiff's fall were the layout of the stones, the speed at which the plaintiff was moving, her footwear and the wet conditions.

Issue 2

The plaintiff alleged that the defendants breached clause 25 of the tenancy agreement, which reflects the lessor's obligations in section 185 of the RTRA Act, that at the start of a tenancy, the lessor must "ensure" that the premises are fit for the tenant to live in and are in good repair, and while the tenancy continues, the lessor must "maintain" the premises in a way that they remain fit to live in and in good repair.

After an extensive consideration of relevant authorities, the Court concluded that the defendants' contractual obligations under clause 25 "...do not impose some warranty or guarantee of safety". The Court added that:

"The question of liability requires consideration of whether the defendants took reasonable steps to ascertain and satisfy themselves that at the start of the tenancy the premises were fit for the tenant to live in, and/or in good repair in wet conditions." 3

The defendants submitted, amongst other things, that:

 The stepping stones did not present a risk or hazard at the commencement of the tenancy agreement, which a reasonable inspection would be expected to detect;

- 2. They had conducted a reasonable inspection of the property, including the stones, prior to the commencement of the tenancy agreement and there was no obligation for them to engage an expert for the purposes of detecting potential hazards; and
- They had no actual knowledge or notice of any problem with the stepping stones prior to the commencement of the plaintiff's tenancy.

The Court accepted that in all the circumstances, the defendants "took reasonable steps to ascertain and satisfy themselves that at the start of the tenancy the premises were fit for the tenant to live in, and/or in good repair in wet conditions."

Whilst it was obvious to the Court that an alternative method of construction could have been adopted by the defendants, instead of embedding the stepping stones in the ground, the Court held that the applicable test is not to determine whether or not there was a better way to set up stepping stones. The Court held that there is no need to further consider alternative construction methods in circumstances where it was satisfied that the defendants took reasonable steps to ascertain and satisfy themselves that the premises were fit for the tenant to live in, and/ or in good repair in wet conditions, at the start of the tenancy agreement.

The Court added that in the absence of any actual or constructive notice of a possible risk of injury, there was no reason for the defendants to take any additional steps maintaining the premises since it remained fit to live in and in good repair.

Accordingly, the Court awarded judgements to the defendants against the plaintiff.

Conclusion

Whilst the property manager was not involved in this action, this case is beneficial for property managers, lessors and tenants as it provides useful commentary regarding the scope of a lessor's obligations under section 185 of the RTRA Act.

- 1 [2018] QDC 124
- 2 Ibid at [101]
- 3 Ibid at [110]

The lessor must "ensure" that the premises are fit for the tenant to live in and are in good repair, and while the tenancy continues, the lessor must "maintain" the premises in a way that they remain fit to live in and in good repair.





Tara Kelly

REIQ Auctioneer of the Year

It was almost a sold-out crowd at the REIQ HQ for the Commercial & Industrial Chapter's breakfast, Race to the Top. Guest speakers included presenters from a range of southeast Queensland local government areas, all sharing the latest development activity underway in their regions.







































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Our Insights. Your Story.

WHAT'S NEW

WHAT'S HOT

By Anna Green. Email your submissions to agreen@reiq.com.au



Bohemian chic

Have you been down to the Young Designers Market at Little Stanley Street in Brisbane's South Bank lately?

These markets are held on the first Sunday from every month (the next one is on 7 October) and they run from 10:00am to 4:00 pm - come rain or come shine.

The market features some of Brisbane's best up-and-coming designers and artists selling a range of fashion and accessories, jewellery, homewares, object design furniture and arts.





Meet the relatives

Monkeys! A Primate Story

has just opened in the Oueensland Museum and it provides an excellent opportunity to learn more about our primate cousins.



The exhibition, direct from National Museums Scotland, features more than 60 spectacular taxidermy specimens from the tiny mouse lemur to the mighty gorilla. It provides more information on how primates move and communicate; play and interact and how they have evolved and adapted

The monkeys will be in town until 28 January 2019. Tickets are available at \$12 for both adults and children. Kids under 5 enter for free.



Shake your groove thing

Australia's most successful homegrown musical Priscilla Queen of the Desert has just opened in QPAC's Lyric Theater. It will be this iconic musical's first stop in Brisbane, and will play for four weeks only.

The musical is based on the Oscar-winning film, and follows the hilarious adventure of three friends who hop aboard a battered old bus bound for Alice Springs to put on the show of a lifetime. An unforgettable journey is of self-discovery, sassiness and acceptance unfolds.

Tickets are available at www.qpac.com.au.





Craft beer with a twist



Range Brewing opened their doors to craft beer lovers in Newstead, Brisbane in May this year.

On their Australian menu are some interesting flavour combinations. Patrons will be able to take their tastebuds on holiday with innovative brews such as the India Black Ale Vic Secret or the Oatmeal Stout Chocolate Vanilla. They also concoct creative ales such as Sour Ale Blueberry, Sour Ale Raspberry Golden Kiwi and Sour Ale Guava.

The venue also offers a range of sourdough pizzas. www.rangebrewing.com

Being innovative means pushing the boundaries



Winning an REIQ Award for Excellence is always a big achievement, but when Gold Coast business @realty stepped up to the podium to receive the REIQ Innovation Award this year, it was extra special for two reasons. Firstly, it was the first time the REIQ handed out this award. And for @realty Director JJ Taylor the moment was the cherry on top because being innovative is the driving force behind everything they do.

When Mr Taylor and his team started @realty four years ago, they stood the industry on its head by introducing a unique business model that pushed the boundaries in more ways than one.

Mr Taylor said they had found the traditional model for selling real estate too rigid and restrictive. "Our business model is unique, and we believe in pushing the boundaries to improve the efficiency of how real estate agents work," he said.

"Basically @realty has a centralised structure with all of the support and services based in our office on the Gold Coast. We currently have more than 550 real estate agents working under the @realty brand throughout the country and we service those agents through our bespoke software systems," Mr Taylor said. "In essence we provide a turnkey solution for agents who want to enjoy the flexibility of working as a sole trader, but still enjoy the benefits of a central branded office that offers the support and network connection they need."

At @realty agents are viewed more as customers than employees, Mr Taylor said.

"Essentially the real estate professional is our customer and we aim to provide the best possible service to support them."

Mr Taylor said they place a huge emphasis on IT at @realty, and are always looking at how new technology can improve the support they provide.

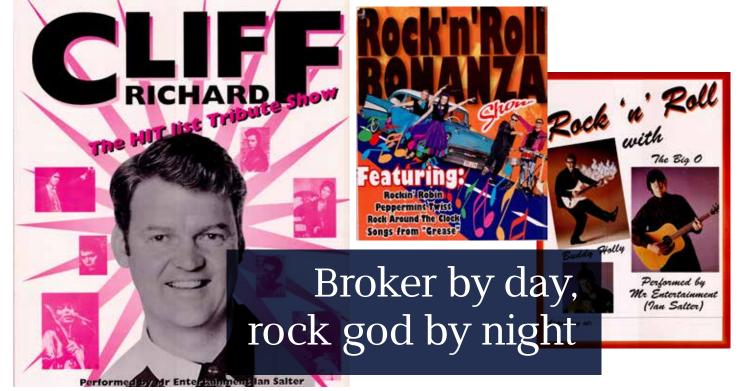
The @realty business model takes the administrative pains out of real estate professionals' daily task by handling many of the tasks in the back end. This includes the management of trust accounts, invoicing conveyancers and solicitors and providing assistance with marketing efforts through a dedicated marketing and design team.

"When we started out four years ago there was some resistance because we were new and because our business model was so unique, but things are in reverse now. We don't advertise for recruitment as many agents come to us through word-of-mouth referrals," he said.

The @realty agents might not all go into a central office on a daily basis, but there is still a focus on education and training by providing marketing collateral and offering online project kits and webinars. The executive team also often travels to meet with agents in their hometown, and regular social events are organised regularly so that agents don't have to feel isolated.

"We are driven by technology and the interaction technology can facilitate over a larger geographical area. I believe that this is the way many industries will be run in future," Mr Taylor said.

@realty will be displaying their new proprietary cloud-based CRM that has been in development for the past two years at RealTech on 10 October. It combines managing sales, property management and trust accounting for residential and commercial properties.



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 Ian Salter, who has been professionally performing as a drummer and lead male vocalist for a variety of bands and tribute shows for most of his life.

Ian Salter has a secret identity. During the day he's a straight-laced senior mergers and acquisitions advisor for Benchmark Business Sales and Valuations, by night he's unleashing his inner rock god when he's performing as a drummer and lead male vocalist for the corporate band Blue Poppy.

Blue Poppy has been around for 30 years, and Ian joined them 15 years ago. The band mainly provides entertainment to high-end corporate events.

"People often ask me what my favourite band is, but the truth is that I love all kinds of music," Ian said. "When I sit behind those drums, I am in my happy place. It's a funny thing actually, but that is where I can just relax and have a good time."

The thought of concentrating on intricate rhythms and singing on stage might sound anything but relaxing to most people, but Ian said he'd been doing it for so long that it's become like flying on auto pilot.

"I think it is very important to have that kind of hobby and escape. It gives the artistic side of the brain a chance to do something. Other people paint or make sculptures, but I make music."

Ian embarked on his musical journey when he was 19, and he has been working as a professional musician for almost 40 years. He later joined the corporate world, and eventually branched out into in real estate (business sales) in 2005, but music has always been part of his life. His career in real estate has been just as melodious though – Ian won the REIQ Business Broker of the Year award in 2016 and 2015.

While he was doing the tribute shows, Ian wore many different guises. He played Björn Ulvaeus in the ABBAsolutely Fabulous show, and he also performed in The Buddy Holly Experience (in more than 150 performances), as well as Cliff Richard and Roy Orbison tribute productions. He has even doubled as one of the Andrews sisters on occasion!

The tribute shows were professional productions, complete with multiple full costume changes, and it took them on tour around the country. "On

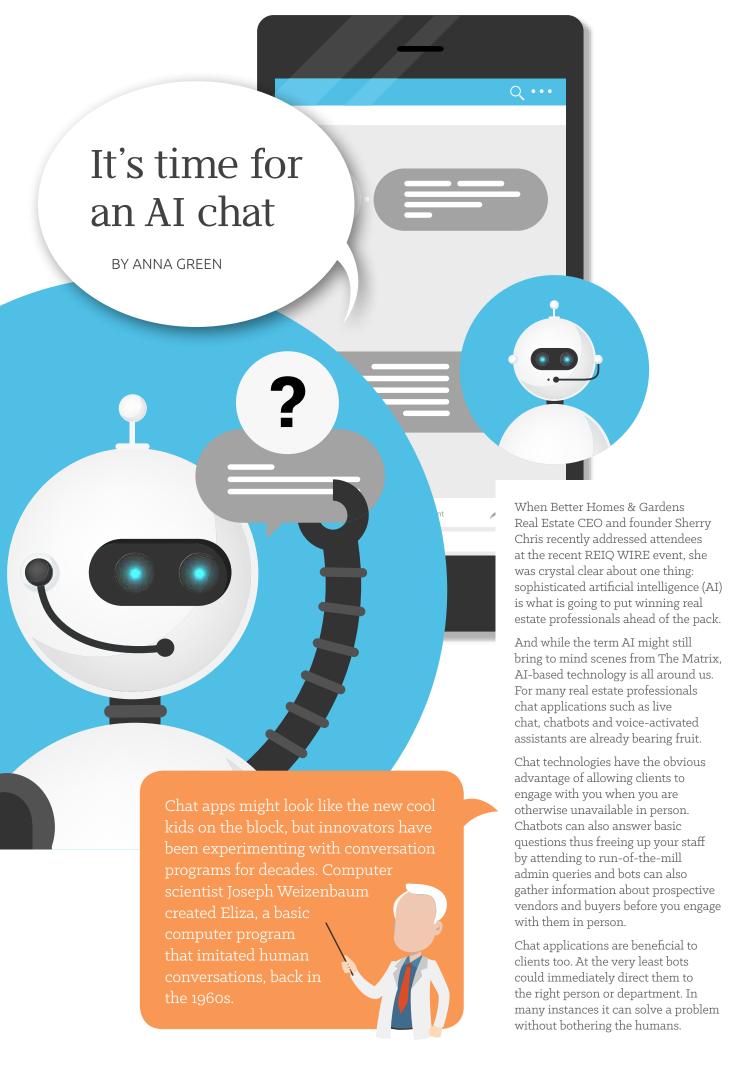
one tour we were playing the ABBA show on 68 consecutive days in 68 different locations. We toured all over Australia and to New Zealand."

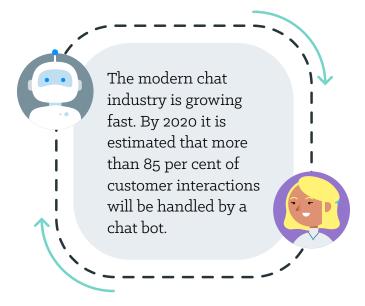
Combining his music with a day job is not a problem these days. "Working in real estate offers me the flexibility to plan my day, so I can usually plan ahead if there's a gig coming up. Besides, music happens at night!" he said.

Ian is confident that there are very few songs you can throw at him that he would not be able to play. "I don't play drums every day, but people tell me that I am always beating out a rhythm – on the steering wheel when I'm driving, or on my desk when I am at work! I don't even realise that I'm doing it," he said.

Ian attributes his love for music to his Welsh mother and English father who used to sing "the most beautiful harmonies" when Ian was a kid. "They also pushed me to join a Sunday School choir and I ended up really enjoying it."

When he is not on stage Ian loves working as a business broker for Benchmark Business Sales. "I love the flexibility that being a business broker offers. It is like working for yourself in many respects. And I find the thrill of the hunt and the thrill of the kill (when I make a sale) very exciting."





Live chat

Live chat is an electronic messaging service, like Facebook Messenger, where a website user can have an onscreen conversation with a real person to get information or answers to simple questions.

Brisbane agency Bees Nees recently introduced live chat to their website. Bees Nees GM Clint Dowdell-Smith said the agency invested in the technology to free up PM staff. The office admin team answer the very basic and generic queries - on screen and on time.

"Our PM staff reported that up to a quarter of their incoming email messages related to basic admin questions such as 'When is my rent paid up to?', 'How much money in my trust account?' or 'Can I get a copy of my statement?'. By introducing live chat we could funnel these queries to our admin team for immediate assistance," he said.

The next step is to upgrade to chatbot technology to help people after hours when they are after emergency assistance, such as a contact number for a maintenance contractor.

"The chatbot should be able to pick up certain keywords such as 'maintenance' and provide the user with the correct contact information," he explained.

Mr Dowdell-Smith said while they are always looking at ways in which technology and innovative solutions can enhance their service, they are mindful of not introducing applications that will replace real people.

"We purely see the technology as a tool to help us do our job more efficiently.

It is important to still have real people talking to each other and to create relationships," he said.

Chatbots

The main difference between a chatbot and a live chat is that a real person is doing the talking in a live chat situation, while a "robot" is at the other end in chatbot technology.

You might have already met and interacted with some of these bots. Commonwealth Bank launched a chatbot called Ceba in January this year and it is expected that it will understand 500,000 ways customers might ask for 500 different banking activities by the end of the year.

Ubank introduced RoboChat last year to help potential home buyers and refinancers complete their online home loan applications.

Chatbots imitate human conversations by identifying certain keywords in the responses of the person they are talking to, and then responding with stock messages to take the conversation further. In many instances chatbots control the conversation by providing the user with a couple of scripted responses to choose from.

Chatbots are handy for taking care of the basic stuff, but the opportunities they provide go far beyond quickfix responses. They can also gather valuable information about clients and potential clients to give the humans a solid head start when they start doing the talking.

In real estate, a chatbot can do the legwork of finding out if a potential client is interested in renting or buying, how many bedrooms they need, what suburbs they are looking at and what their budget is. Based on the information given, the chatbot can even show the user some of the available listings and introduce them to the agent.

Voice-activated assistants

Voice-activated assistants have been around for a while and are probably more familiar to most users than many other new apps. Apple users first met Siri when she was integrated into iPhone 4S at its release in October 2011, Amazon's Alexa and Windows' Cortena made their debut in 2014 and Google Assistant made a bow in 2016.

Voice-activated apps have been making themselves heard in the real estate industry too. The REIQ Journal recently reported on the birth of the US app Agent Neo and other voice-activated real estate tools that can connect potential buyers or vendors with a real estate agent with a simple voice request.

The biggest challenges for developers of these apps have always been to find ways of making them sound more natural to us, and to get them to adapt to the finer nuances and tones in the way we speak.

With the recent introduction of Google Duplex there is reason to believe that Eliza, Siri, Alexa and Cortana might just be the primitive ancestors in the evolution story of voice-activated assistants.

At the Duplex demo in May this year, recordings of Duplex making hairdressing appointments with unsuspecting people at the other end of the line were played. Google gave Duplex speech elements such as "um" and "uh" and a variation in tone, while the AI system was equipped with the ability to repeat itself or elaborate. Duplex sounded very human.

Google made it clear that the technology is still in its infancy, but it has certainly introduced the idea that we might one day be talking to computers like we talk to our neighbours. Google will be talking about the many ways AI applications can be used in real estate when they headline RealTech on 10 October. More information at www.reig.com/realtech.

Social Snapshot for September

facebook

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It's official! Noosa is now Queensland's most prestigious market with a median house price of \$695,000, eclipsing the Brisbane median house price of \$673,000 and the Gold Coast price of \$622,031. Noosa has delivered the strongest growth in the state, with the median house price growing 6.9 per cent over the 12 months to June, and units growing 10.2 per cent, according to the REIQ Queensland Market Monitor, released today (September 10). To subscribe go to https://bit.ly/2Noedy9

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The REIQ is proud to donate \$2,500 to Queensland Drought Appeal thanks to the generous support of our members and sponsors who attended the 2019 Auctioneer of the Year Final. CoreLogic, The Westin Brisbane, Mercedes-Benz Brisbane and Carter Newell Lawyers all donated prizes that were auctioned off during a charity auction on the night and \$10 from every ticket sold went to the cause. To support Australian farmers in drought-stricken areas, go to www.qlddroughtappeal.com.au.



Good news for homeowners! The Reserve Bank of Australia has decided to leave official rates on hold for yet another month at 1.5 per cent. It marks the longest ever run of interest rate stability in Australia, with the last movement happening back in August 2016.

1 Instanton



We are thrilled to have @daniellelewisco as a speaker at RealTech2018 on 10 October! Danielle is the co-founder & CEO of Scrunch.com and she will share her thoughts and experience on matters such as influencer marketing, brand safety, fake followers & ROI. Book now at

www.reiq.com/realtech



We are proud to donate \$2500 to Queensland Drought Appeal thanks to the generous support of our members and sponsors who attended the 2019 Auctioneer of the Year final. CoreLogic, The Westin Brisbane, Mercedes-Benz Brisbane and Carter Newell Lawyers all donated prizes that were auctioned off on the night and \$10 from every ticket sold went to the cause. Support Australian farmers at

www.qlddroughtappeal.com.au

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The Future of Property Management — REALABS focus towards the 2020s

I have just celebrated being part of the team at realestate.com.au for 6 years. As a social scientist (and now Chief Inventor), I am always on the lookout for new research on the emotional hotspots in our industry – because where there's heat, there's opportunity to solve burning problems for our customers and consumers.

Opportunity knocks with new Constitution

With the recent changes to the REIQ Constitution, opportunity comes knocking. This opportunity is unprecedented in the life of the REIQ because for the first time it overtly acknowledges the value of having diversity on the Board.

Some may say that this opportunity has always been there and, in theory, it has. But the reality has been very different.



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Who's Who at the REIQ?

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Commercial & Industrial

Rauhena Chase

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Dates

Dates	
09 October 2018	Cairns
10 October 2018	Townsville
11 October 2018	Rockhamptor
16 October 2018	Mooloolaba
17 October 2018	Brisbane
18 October 2018	Gold Coast

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