

Dear Licence and Certificate Holders

I am writing to you to provide an update on the licensing reforms for property agents following recent media reports about the reforms, the Real Estate Reference Group and NSW Fair Trading's regulatory role. Our goal is to ensure the reforms are effectively implemented and we welcome your input and feedback on these matters.

We have embarked on a reform agenda which will deliver the most significant changes to licensing and qualifications for real estate and property agents in 20 years. These reforms will:

- Change how property agents become qualified and maintain knowledge about their responsibilities;
- Provide a learning pathway for new entrants;
- Align the duties of persons commensurate to their level of qualification;
- Better enable businesses to adopt modern operating models; and
- Provide better consumer protections.

In March 2018, the NSW Parliament passed the *Property Stock and Business Agents (Amendment) Act 2018*. The amendments to the Act provide for a simplified licensing framework and a strengthened qualification and capability framework. New regulations and guidelines are currently being drafted that will prescribe the more detailed operational requirements to give effect to the changes made to the Act.

Fair Trading is committed to raising the standards of education and conduct in the industry. The real estate industry is a major contributor to the NSW economy and property agents act on behalf of consumers in what is often the biggest transaction of their lives. The regulatory framework for property services must provide consumers with sufficient protection and encourage ethical, competent and professional conduct. Fair Trading is also committed to increasing its compliance monitoring and enforcement efforts to secure a level playing field to support the majority of agents delivering high quality services.

The reforms will affect you and every other certificate or licence holder in the industry as well as new entrants. This is an important reform program and we want to ensure that the implementation process affords you the time and support to successfully make the necessary changes to comply with the new requirements.

To make sure we get the reforms right, Fair Trading has consulted extensively with stakeholders including peak bodies, franchise operators, registered training organisations (RTOs) as well as individual agents and business operators across the state. The Real Estate Reference Group (RERG) was formed with industry associations for the purpose of consulting on the reforms and other issues affecting the property industry.

The RERG has been instrumental in the development of the reforms, and Fair Trading will continue to consult with the RERG and stakeholders to shape the final reform package and its implementation.

Fair Trading will ensure that there will be plenty of time for business operators, trainers and property agents to become familiar with the changes and sufficient time will be provided to allow for a smooth transition.

In the meantime, it is 'business as usual' for property agents and this means you must still complete your annual continuing professional development to renew your licence.

If you would like more information on the reforms please refer to the [Reform Paper](#) and our [Frequently Asked Questions](#) on our website at www.fairtrading.nsw.gov.au.

Please contact Fair Trading directly if you have any issues, comments or feedback so we can raise these matters at the RERG FTSS-CustomerFeedback@finance.nsw.gov.au

Yours sincerely

A handwritten signature in blue ink that reads "Rose Webb". The signature is written in a cursive, flowing style.

Rose Webb
Commissioner
NSW Fair Trading

14 November 2018