

COMPLAINT FORM - 2015



IMPORTANT INFORMATION TO CONSIDER BEFORE COMPLETING THE FORM

The Board investigates conduct which arises from a complaint that appears to involve an issue of unsatisfactory professional conduct or professional misconduct or a conviction for a serious offence. This may consist (but not necessarily) of a breach of the *Property Agents and Land Transactions Act 2005* or *Property Agents and Land Transactions Regulations 2006* or the Code of Conduct made under the Act.

The Board prefers before you lodge a formal complaint with it, that you should attempt to resolve your concerns in a less formal way, such as talking to the property agent, raising your issues and explaining what outcomes you want, or raising your concerns with a more senior person at the agency. The Property Agents' Code of Conduct requires that the property agent must have a written dispute resolution policy which outlines the manner in which a customer or client may complain about the individual or the operation of the business and the procedure that will be undertaken by the property agent to resolve the complaint.

If you decide to make a complaint to the Board you must put your complaint in writing using this form. Please try to be as concise as possible. You must describe the conduct of the property agent you are complaining about and it is important to provide the Board with copies of any relevant factual supporting material that will support the substance of your complaint. **If you wish to complain about more than one property agent please use separate forms for each individual and set out the particular of that property agent that you consider to be wrong.**

The Property Agents Board is required to send a copy of your complaint and any supporting documentation to the property agent to give the property agent an opportunity to respond.

A complaint may take some time to be properly processed, investigated and determined or considered by the Board. The length of time will depend on the seriousness and complexity of the complaint. The entire process must be fair for all parties. All complaints received by the Board are dealt with as thoroughly, objectively and as quickly as possible.

This form will help you to provide the Property Agents Board with enough information for your complaint about a property agent to be referred to the property agent and his or her response considered by the Board. The term "property agent" refers to a real estate agent, a property manager, a general auctioneer, a property consultant or an assistant property manager.

The Board **cannot** investigate general vague allegations or provide legal advice, or influence the outcome of other proceedings.

The Board **cannot**:

- enforce or cancel a legally binding contract;
- order a property agent to pay damages or compensation;
- take legal action against a property agent for alleged negligence.

Time Limit: The Board may not be able to deal with your complaint if it is made more than 12 months after the conduct the subject of the Complaint is alleged to have occurred. If this may be applicable, please contact us to discuss the matter before completing this form.

This is an information page only and should be kept for your reference. It is not part of the complaint form.

Your Details:-

Title: Mr / Mrs / Miss / Ms / Dr _____

Family Name (surname): _____

Given Name: _____

Street Address: _____

Town or Suburb: _____

Postcode: _____

Daytime telephone: _____

Mobile telephone no.: _____

Email address: _____

Details of Agency :-

Name: _____

Street Address: _____

Town or Suburb: _____

Business telephone no: _____

Who are you are making this complaint about?

Ensure you accurately identify the property agent you are complaining about:-

Name: _____

What was your status in relation to the transaction being complained about? Please circle

Vendor (seller) Purchaser Landlord Tenant Other (please specify)

Address of the property or business that is the subject of your complaint.

Street Number and Address: _____

Town or Suburb: _____

Postcode: _____

Which of the following does your complaint relate to? Please circle

Sale or purchase of :

Residential property Commercial property Business Vacant Land

Property management :

Residential Commercial Strata

Other (please specify)

What matters does your complaint relate to and why? In this section give brief details of the conduct complained about including details of relevant times and dates in chronological order and location. If there are a number of different issues, please number them and give brief details for each ground of complaint.

Example:- The property agent **failed to act in accordance with my instructions** because I had asked for at least three quotes for any maintenance work required, and the agent failed to do this.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There is no handwriting or other markings on the paper.

Questions:-

Have you contacted the property agent or the agency in an attempt to resolve the matter? **YES/NO**

If not, please explain why

If yes, name of person you contacted:

Were you provided with a copy of the agency's complaint resolution policy? **YES/NO**

Did you attempt to resolve the complaint using that policy? **YES/NO**

What was the result of your complaint to the property agent or agency?

Was any offer made by the property agent to resolve the complaint? If so, give details

How do you believe your complaint could be reasonably resolved?

Do you have any documents to support your complaint? **YES/NO** If, so please attach copies

Please provide any other details/information you believe may be relevant to this complaint.

Declaration

I declare that the information I have supplied is true and correct to the best of my knowledge. I am aware that the Property Agents Board will send a copy of this complaint to the property agent(s) concerned, and I give my permission for any details in this form to be revealed for the purposes of investigation.

I also declare that if this complaint is referred to a Tribunal for disciplinary action I am willing and available to give evidence to the Tribunal to substantiate the complaint.

Signature:

Signature:

Name (please print)

Name (please print).....

Date:

Date:

(If the complaint is made on behalf of more than one person all parties must sign this form.)

Please forward form to : The Executive Officer
Property Agents Board
Level 2, 172 Collins Street
Hobart, Tasmania 7000